

**LEGISLATIVE COUNCIL**

Wednesday, September 27, 1972

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

**QUESTIONS****GREENHILL ROAD CORNER**

The Hon. R. C. DeGARIS: I seek leave to make a short explanation before asking a question of the Minister representing the Minister of Roads and Transport.

Leave granted.

The Hon. R. C. DeGARIS: A group of Lobethal people have been in touch with my colleague, the Hon. Mr. Kemp, concerning the extremely dangerous corner on Greenhill Road about one mile short of the Mount Lofty turn-off and a short distance from an abandoned quarry. Will the Minister take up the matter of this corner with his colleague and request him to have erected at the corner dazzle boards or reflectors, which exist at other corners on Greenhill Road?

The Hon. T. M. CASEY: I shall refer the honourable member's question to my colleague and bring down a reply as soon as it is available.

**PARTY MEETINGS**

The Hon. D. H. L. BANFIELD: I was interested in the remarks of the Leader of the Opposition yesterday regarding the newspaper report of the comments of the Commonwealth member for Hindmarsh (Mr. Cameron) about systems of voting. In view of the report in this morning's paper that there could be joint meetings of Liberal and Country League members from this Council and L.C.L. members from another place, does the Leader of the Opposition believe that the general public may now wake up to the fact that this Council is not as much a House of Review as the Leader has in the past tried to impress on the people that it is? The Leader used as a basis for his claim the fact that joint meetings were not held between L.C.L. members of both Houses.

The Hon. R. C. DeGARIS: The report in the *Advertiser* relates to matters that are occurring in connection with the Parliamentary structure of the L.C.L., but I point out to the honourable member that the principles of the L.C.L. stipulate that the Upper House should perform its function of a House of Review.

Irrespective of any other matters, this principle will be adhered to.

**STATE BANK REPORT**

The PRESIDENT laid on the table the annual report of the State Bank for the year ended June 30, 1972, together with balance sheets.

**PUBLIC WORKS COMMITTEE REPORTS**

The PRESIDENT laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

- Flinders Medical Centre (Additional Works),
- Police Station, Courthouse and Government Offices, Waikerie,
- Paringa Park Primary School (Replacement).

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

Adjourned debate on second reading.

(Continued from September 13. Page 1256.)

The Hon. G. J. GILFILLAN (Northern): Most aspects of this Bill have already been covered. I rise with some reluctance, because I believe it is a pity that this legislation, which deals with a difficult problem, has come before the Council. I, together with other honourable members, have been approached by many people who have different views on this subject; they included ministers of religion, psychologists and psychiatrists, who are experts in their fields. One of the surprising aspects of the problem is that some of these experts, who certainly have academic qualifications that would lead one to presume that they were experts in their fields, oppose the Bill and some of them approve of it.

I believe that a very serious social and mental problem is involved with homosexuality, but the remedy we must seek is difficult to define. I do not support the Bill as it stands, because I believe that it has some weaknesses. I was overseas earlier this year, and I found that this problem exists in practically every country. It is a serious offence on our Statutes and it carries a heavy penalty. I believe that an adult who practises homosexuality in private should not be gaoled, because I do not believe that it would help the person involved; also, he could be something of a nuisance to other gaol inmates. On this point, the approach of the law is wrong. I see grave consequences if the law is altered so that the impression might

be gained that Parliament condones the offence. Once the offence is given a degree of respectability it could have far-reaching effects, as has been outlined by other speakers.

I believe that this subject has been so thoroughly canvassed that it is unnecessary for me to say anything more. We will be given the opportunity to speak on some proposed amendments in Committee. I do not support the Bill in its present form but, to enable these amendments to be thoroughly discussed, I do not oppose the second reading.

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

#### PUBLIC ACCOUNTS COMMITTEE BILL

Adjourned debate on second reading.

(Continued from September 20. Page 1437.)

The Hon. D. H. L. BANFIELD (Central No. 1): I support the second reading. The principle contained in the Bill has been supported by the Labor Party for a number of years, but the Party has never been able to get a similar Bill passed by Parliament. Nevertheless, this Bill has been introduced by a private member, and my Party still has the same view as it has had for many years. Some people have suggested that this committee will not do any good, but I think it will do much good. I think, from the public's point of view, that people will be easier in their mind if there is such a committee that can inquire into the accounts of the receipts and expenditure of the State, report to the House of Assembly with such comments as it thinks fit, and report to the House of Assembly any alteration the committee thinks desirable in the form of the public accounts or in the method of keeping them. No doubt on occasions the public must think that a great deal of public money is being allowed to go down the drain without any really beneficial result. I think the proposed committee would help to allay some of the suspicions of the public in this area.

I know from my own experience on the Public Works Committee that much good can be done by inquiring into Government projects. When a project comes before the Public Works Committee the members give it a thorough investigation, and on occasions we have been able to make suggestions that the project should not be quite so elaborate, or perhaps that it is not necessary, and quite frequently the Government has adopted the recommendations of the committee.

The Hon. F. J. Potter: But that committee looks at it before the money is spent.

The Hon. D. H. L. BANFIELD: I quite agree. This is where the Public Works Committee is handicapped to a certain extent. Projects come before the committee from the various departments, and committee members can reach their conclusions only on the evidence presented to them and on the estimated cost given at that time. However, it is most disturbing if, at some future date, we find that the project has cost considerably more than the estimate. In some cases we find that the project has been altered considerably compared to what has been approved by the committee. The trouble is that the committee has no power beyond recommending to the Government that it should go ahead with a proposal in accordance with the estimated cost. The committee cannot follow the project through to see why extra money has been spent.

As recently as September 19 last, the Chairman of the Public Works Committee wrote to the Minister of Works drawing attention to this problem. He asked the Minister to inform the committee why there is so much difference in the final cost of certain projects from the original estimated cost. If the power is not given to the Public Works Committee to follow a project to completion, then I think the Public Accounts Committee will do some good, and it will be able at least to find why additional costs have been incurred. In some cases architects and others perhaps get a bit carried away and feel that just a few more dollars would make all the difference in the world, although perhaps it might not have been necessary for the project concerned.

If there is to be a Public Accounts Committee there will not be so much variation between the estimated cost and the final cost of the project. I think the departments will endeavour to keep within the estimated cost put forward. At present the departments do not have to answer to anyone for any discrepancy, but if there were a Public Accounts Committee to which they might be answerable for any discrepancies, then I think the departments involved would be much more careful in bringing the estimates before the Public Works Committee.

The Public Accounts Committee will not merely look into projects approved by the Public Works Committee, because under the terms of the Bill it will have wide powers. It can inquire into and examine the accounts of receipts and expenditure of the State and each statement and report transmitted to the Houses of Parliament by the Auditor-General. We do from time to time get caustic comments from

the Auditor-General as to what has been done with public funds. If there is to be an added investigation by the Public Accounts Committee, this will lessen the number of caustic comments that will have to come from the Auditor-General in future. This Bill has been based, I think, on the Public Accounts Committee Act in the Commonwealth Parliament, but it goes further than the Commonwealth Act. Under the Commonwealth Act the committee cannot inquire into matters on its own initiative; it can only inquire into matters that have been referred to it. I think that this clause will be of assistance in putting a brake on various departments that appear (and I only say "appear" because I believe an investigation might reveal that the expenditure was justified) to have incurred expenditure that was not fully justified. If it were known that the Public Accounts Committee could of its own initiative inquire into departmental expenditure, then I think a little more care would be taken before spending money unwisely.

I do not know what the committee is likely to cost, because it will depend, I suppose, on the amount of work involved. There would have to be a full-time secretary, and probably *Hansard* reporters would be used to take evidence at sittings of the committee. In addition, there would probably be a typiste. All in all, I expect that the committee would cost the State somewhere between \$25,000 and \$30,000 a year. However, if that committee were able to save the State an amount equivalent to that saved from investigations made by the Public Works Committee, the expenditure would be well worth while. I support the Bill.

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

#### CONSTITUTIONAL CONVENTION

A message was received from the House of Assembly requesting the concurrence of the Legislative Council in the appointment of delegates to represent the South Australian Parliament at conventions held to discuss the Commonwealth Constitution. The eight members representing the House of Assembly would be the Hon. J. D. Corcoran, the Hon. D. A. Dunstan, Dr. B. C. Eastick, Mr. S. G. Evans, Mr. E. R. Goldsworthy, the Hon. L. J. King, Mr. T. M. McRae, and Mr. R. G. Payne.

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

That the Legislative Council concur in the House of Assembly's resolution and appoint the Hons. D. H. L. Banfield, R. C. DeGaris, L. R.

Hart, and Sir Arthur Rymill as its delegates to the convention.

It is not my intention to explain in detail the reason for appointing these delegates, and I will content myself by formally moving for their appointment.

The Hon. R. C. DeGARIS (Leader of the Opposition): I rise to support the motion. I would like to deal briefly with the resolution and give a short history of this convention. It began with a resolution passed in both Houses of Parliament in Victoria, followed by a resolution passed by both Houses of Parliament in New South Wales. The resolutions urged that a convention of delegates from all States be held with a view to amending the Commonwealth Constitution and seeking information and comment concerning the growing problems of the States as a result of Commonwealth financial policy. That was the original resolution moved in the Victorian Parliament. I want to make it clear that all members in this Council agree with the spirit and the principle embodied in the resolution; in fact, I believe it reflects honourable members' views that have been made known from time to time, and we welcome the resolution.

Anything I say in this connection is not meant to be a reflection on the Liberal Party, the Country Party or the Labor Party. I believe that serious problems have developed in connection with the Commonwealth Constitution, which problems the Commonwealth and the States have been unable to solve. I repeat that I make no accusations whatsoever. However, if we are to preserve the fabric of responsible Government in Australia, it is time for all-Party action by the States and the Commonwealth. Since federation the States have been directly responsible for most of the basic needs of our community. Moreover, in recent years they have been responsible for the rapidly growing needs of a modern community, yet since federation the Commonwealth Constitution has not been changed to any degree to allow the States the slightest chance of being able to finance the performance of their functions from sources under their control. At least half of the finance used has had to come from repayments from the Commonwealth, and I do not believe that this was the original concept of federation.

The present situation has grown out of the power over the purse-strings that the Commonwealth Government has assumed. The position has arisen through an interpretation of the Constitution and through the Second World

War, which made an impact on constitutional matters in Australia by adding to the powers that the Commonwealth has. Whilst the States have been legally free, they have been financially bound to the Commonwealth. I am certain that every honourable member appreciates the matters to which I am referring. I believe that in the last two years the attitude of the Commonwealth Government to the States has changed remarkably. I do not wish to select anyone for praise in this connection, but I am particularly happy with the attitude of the present Prime Minister to the problems facing the States, and I am certain that the Ministers in this Council would agree with me that there has been a change. As a result of the change, the States' financial position today is stronger than it has ever been, and the States have finance available to carry out their heavy responsibilities.

Although these changes have been made and the financial position has improved, nevertheless there is a need, 70 years after federation, for a convention to be formed with participation by the Commonwealth and the States to examine the present Commonwealth Constitution and make recommendations for amendments to allow the States to perform the functions that they have been supposed to perform since federation. It is interesting to examine what has happened over the last 70 years, and I strongly support the idea of a constitutional convention to try to make recommendations for amendments so that we can act in Australia as a responsible federation.

Motion carried.

#### APPROPRIATION BILL (No. 2)

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

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

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

This Bill proposes appropriation of \$401,006,000, which together with expected payments of \$108,747,000 authorized by special Acts and \$7,000,000 allowed for further wage and salary awards, gives \$516,753,000 as the estimate made in late August of total payments for 1972-73. Total receipts are estimated at \$509,235,000 and therefore when the Budget was presented the result for the financial year was expected to be a deficit of \$7,518,000. The allowance for the cost of future wage and salary awards is broadly consistent with the Commonwealth estimate of an 8½ per cent increase in average wage and salary rates in Australia incorporated in the estimated taxation

reimbursement grant. As honourable members know, the Government has recently announced its intention of outlaying up to \$2,000,000 this year on employment producing works, and this will increase the deficit.

The last two years have seen a number of important changes in the extent and kind of general purpose financial assistance given by the Commonwealth to all the States. Following strong submissions by all States in 1969 and early 1970, the Commonwealth agreed to a major review of the financial assistance arrangements and, at the Premiers' Conference of June, 1970, offered a new deal which provided for an increase in the base grants, an improvement in the annual betterment factor, a grant towards debt services on a specified portion of existing State debt eventually to be taken over, and a grant determined in lieu of interest-bearing loans to finance portion of the States' capital works programmes and so lessen the build-up of future debt. Any hopes that these measures would yield the long-term solution to the States' financial problems were soon dashed, however, and late in 1970-71 it proved necessary for the Commonwealth to provide a supplementary grant.

Also, in 1970-71 it proved necessary for the Commonwealth to provide grants in lieu of the receipts duty, previously an important source of State revenues, which had been challenged successfully on constitutional grounds in 1969 and validated by Commonwealth legislation only until the end of September, 1970. Then, at the Premiers' Conference in June, 1971, the States made it clear that the problems in prospect in 1971-72 were greater than they had actually experienced in 1970-71, and the Commonwealth, convinced by the urgency of the case, agreed to further improvements to the States' share of financial resources. It offered a package deal, of which the three components were the transfer of pay-roll tax to the States from early 1971-72, with corresponding reductions in financial assistance grants, the adding back into the base of a sum of about \$22,300,000 to be escalated in accordance with the formula in future years, and the provision of a special supplementary contribution for 1971-72 only. As honourable members may recall, the fact that these arrangements were still inadequate to meet minimum needs was shown up clearly by the unanimous decision of the States, before leaving the conference table, to increase the pay-roll tax rate from 2½ per cent to 3½ per cent immediately on the transfer to the States taking effect.

Again, in 1971-72 as in 1970-71, any hopes that a long-term solution had been found to the problems of Commonwealth-State finances were short-lived. In February last, at a special Premiers' Conference, supplementary grants of \$15,000,000 were offered by the Commonwealth. Of course, at that time Australia had the problem of greater than normal unemployment, a lack of growth in employment opportunities and accordingly a situation in which it was desirable for Governments to spend more on essential facilities and services to generate such opportunities, as well as to try to overcome part of the backlog which undoubtedly existed.

We come now to the most recent Premiers' Conference, that of June, 1972, to which the background was one of continuing unemployment in need of remedy, and a continuing desperate need on the part of the States for yet further increases in general purpose Commonwealth grants beyond those in prospect under the formula, if reasonable progress was to continue in the provision of services in education, health, welfare, and in other areas of State responsibility. Again the Commonwealth was convinced of the genuineness and urgency of State submissions and agreed that the formula grants, which escalate from year to year in accordance with movements in State populations, Australian wage levels and the betterment factor, should be supplemented by additional general purpose grants. The Government believes the Commonwealth was somewhat more realistic at this conference in not regarding the supplements as temporary additions, but in agreeing that the sum of \$112,000,000 to be shared between all States should be built into the formula grants and form part of the base for the purposes of escalation to calculate grants in future years. Further, the Commonwealth offered to increase the separate per capita grants to New South Wales and Victoria from \$2 per capita to \$3.50 per capita, and accordingly to provide an additional amount of about \$12,500,000 this year and increasing sums in future years. The Prime Minister also indicated that the Commonwealth would be prepared to meet with the States early in 1973 to examine the effects of new salary and wage awards and other factors difficult to forecast to determine whether some further supplement may be required to achieve Budget stability.

In summary, then, we have seen a continuing search for solutions to the problems of Commonwealth-State financial relationships and for an equitable and workable distribution of that part of the nation's resources which Govern-

ments seek to use in providing services for their citizens. This search has taken us a long way from the major conference of a little more than two years ago when some people were hopeful that stability had been achieved. We have seen receipts duty replaced by Commonwealth grants, pay-roll tax transferred from the Commonwealth to the States, supplementary grants secured during the course of each year, and now substantial additions to the base grants built in to protect the future. What, then, are the prospects for the future? Despite all those recent measures, the assurance of continued increases in the formula grants, and the Prime Minister's agreement to meet with the Premiers to consider the desirability of supplementary grants later this year, the Government believes the same kinds of problem are likely to continue until, at the very least, the formula grants are linked to the longer-term movements in Commonwealth receipts from income tax at constant rates.

As well as sharing directly with other States in the effects of measures determined in June, 1970, and subsequently, the South Australian financial situation has been influenced considerably by the recommendations of the Commonwealth Grants Commission. In June, 1970, the Government was very hopeful that a significant increase in the main South Australian grant could be arranged, but the Commonwealth took the view that, if we were not satisfied with the general arrangements for all States, we could go back to the commission and seek a special grant. This we did, and the State secured special grants on the recommendation of the commission of \$5,000,000 in 1970-71 and \$7,000,000 in 1971-72. As explained previously, the grants recommended for those two years were not to be regarded as final sums. They were each in the nature of an advance grant determined in the absence of a full examination of the State's accounts, its problems and its resources. Accordingly, we believed that they were likely to be somewhat conservative estimates of what was due to the State, that the commission would have allowed a reasonable margin of safety in its assessments, and that in due course, in line with the commission's procedures, the State could expect some further assistance by way of a completion grant for each of the two years.

Our belief has now been borne out, and the Government was gratified to receive advice that the commission had recommended grants aggregating \$21,000,000 to be paid to the State in 1972-73, being made up of a

\$7,500,000 completion grant in respect of the period to June 30, 1971, and \$13,500,000 advance grant in respect of the current year. The completion grant of \$7,500,000 is to be paid to the credit of Consolidated Revenue Account of previous years, which means that the deficit of a little more than \$5,600,000 accumulated to June 30, 1972, will be completely eliminated and we will be able to hold a small net surplus of almost \$1,900,000 to set off against future deficits. The advance grant of \$13,500,000 is to be credited to the accounts of the current year, as received, and has been taken into account in estimating the prospective 1972-73 deficit. At this point it would be appropriate to ask the questions as to whether the State is likely to receive subsequently a further special grant, that is, a completion grant, in aid of the 1972-73 accounts and what are the prospects for increased special grants in future years. As to the 1972-73 accounts and the special grant presently determined at \$13,500,000, we would probably be justified in assuming that the commission would have held in reserve a margin of safety and therefore that there was likely to be a completion grant in due course. However, we must have regard to the fact that during 1971-72 the commission conducted a thorough review of the State's 1970-71 accounts and, as well as being in a position to assess the appropriate completion grant for the period up to June 30, 1971, the commission is now in a much better position to make a reasonable assessment of our current needs and problems relative to those of the standard States, New South Wales and Victoria. This contrasts with the situation in 1970-71 and 1971-72, when the commission was forced to make its judgments on the basis of much less information than it has now. Accordingly, we would be wise to assume that any margin of safety, and any completion grant for 1972-73, would be much smaller than in respect of previous years.

As to possible movements in the special grant in future, South Australia cannot expect increases such as have occurred in the recent past with its movement from no grant in 1969-70 to an advance grant of \$13,500,000, and possibly a final grant rather greater than \$13,500,000 in 1972-73. When this Government took office in 1970, South Australia had for many years been behind most of the other Australian States in its provisions of social services, but we believe that, with very considerable increases in expenditures in social services and other Revenue Budget provisions

in 1970-71, 1971-72 and 1972-73 (as proposed), we are now approaching the situation of having caught up in extent and quality of standards of service and Budget provisions overall. If this is so, then we may still expect modest increases in the special grant from year to year, increases broadly consistent with higher cost and wage levels and with the improvements in standards which the more populous States may be able to afford, but it would be unrealistic for us to expect annual increases as great as we have secured in recent times.

Of course, the State's ability to finance improved extent and standard of services will depend also on the extent to which it may be practicable to increase revenue yields from taxes and charges under its own control. In the last few years all States have made considerable efforts to increase their own revenues in an attempt to provide finance towards the better services in education, health, and welfare which the community demands and which all Governments accept as being their responsibility. In 1970-71 and 1971-72, South Australia's efforts to help itself in this way were second to none. For 1972-73, that effort is continuing in a more modest way with the major increases in charges being limited to water and sewer rates, and fees for the services of the Registrar-General.

If we ask the question as to what new taxes or charges or what increases in existing fields may be feasible in future it must be said that, at this stage, the answer is not apparent. All States will, no doubt, continue to review their scales of taxes and charges in line with increasing cost and wage levels, and some States may be fortunate enough to secure increases in royalty receipts following the discovery and exploitation of minerals. The Tasmanian Budget, brought down on September 7, provided for a tax on the consumption of tobacco and it is possible that other States will feel bound to give consideration to similar measures. However, without the transfer of additional fields of taxation from the Commonwealth it is difficult to see the States providing for the necessary increases in their areas of responsibility from their own resources.

In any consideration of the future of Commonwealth formula grants, of special grants on the recommendation of the Commonwealth Grants Commission, of local revenue-raising efforts and of the effects on expenditure patterns, South Australia must pay particular regard to the situation and prospects in New

South Wales and Victoria. In the first place, the Commonwealth, in determining the formula grants and any supplements thereto, in which all States share, would naturally be expected to pay considerable regard to the problems and trends in the two larger States where some two-thirds of the Australian population live. In the second place, the Commonwealth Grants Commission, in a more formal way, has determined that the budgetary experience of New South Wales and Victoria shall be the standard by which the needs of the three claimant States, Queensland, South Australia and Tasmania, are to be measured. This budgetary standard comprehends Commonwealth formula grants, local revenue-raising effort, levels of services, control of expenditures, and actual budgetary results, so that in one way or another all aspects of our Revenue Budget are matters for comparison with those of the two standard States.

Honourable members will realize from my previous explanations that in individual aspects of the Budget, South Australia, or any other claimant State, has a large measure of flexibility, but it must be very conscious of how the overall effect of its financial policy compares with the standard. In short, if we wish to achieve Revenue Budget results no worse than the standard, then we must ensure that our levels of services and expenditures, and our efforts in taxation and charges are, on an overall balance, comparable with the standard. South Australia may expect to achieve a similar Budget result to the standard if it has better than standard services coupled with greater than standard taxation. It may achieve a similar Budget result with below standard taxation only if it is also prepared to hold services to a lower level. The only way we could combine services right up to or beyond the standard with lower levels of taxes or charges would be to accept Budget results more adverse than standard. In a situation in which all States are finding it most difficult to avoid revenue deficits, this would be to court the prospect of continuing and significant deficits with an inevitable diversion of capital funds away from development to the financing of those revenue deficits.

The Government has these matters continually under review in its efforts to achieve the most effective allocation of all the financial resources at its disposal. As was explained in the debate on the Public Purposes Loan Bill, it is our judgment that, at this stage, we should continue to hold in reserve the unspent balance of funds on Loan Account,

which at June 30 last amounted to a little more than \$10,000,000, to finance possible future deficits on Revenue Account, the extent of which cannot be seen clearly. We intend to maintain a continuing review in our efforts to secure a reasonable balance between taxation and expenditures on services, and between expenditures on capital projects through Loan Account and expenditures on maintaining and running those capital facilities through Revenue Account. Moreover, we plan, in concert with other States, to continue to seek a more equitable distribution of resources as between the States and the Commonwealth.

#### RECEIPTS

Receipts on Revenue Account in 1972-73 are estimated to amount to \$509,235,000 which would be \$53,990,000 above the actual receipts in 1971-72. The principal categories of these receipts are as follows:

	\$
Taxation . . . . .	107,781,000
Public works and services	196,886,000
Territorial . . . . .	3,274,000
Commonwealth Grants ..	201,294,000
	\$509,235,000

Taxation: State taxation estimated at \$107,781,000 is \$15,505,000 in excess of last year's receipts. The principal part of this increase will result from a full year's operation of the pay-roll tax which was transferred by the Commonwealth to the States on September 1, 1971. Nine months collections in 1971-72 based upon wages and salaries paid in the period September 1, 1971, to May 31, 1972, amounted to \$23,436,000. The estimate for 1972-73 is \$34,000,000, an increase of \$10,564,000. As well as the additional three months collections in 1972-73, the estimate allows for prospective increases in salaries and wages and in the work force.

There are no proposals for increases during 1972-73 in the rates imposed by the Stamp Duties Act, but the carry-over effect of increases which became effective during 1971-72 is reflected in the estimate of additional collections of \$3,089,000. Total collections in 1972-73 from all stamp duties are estimated at \$25,621,000. Gift duty is estimated to produce only \$600,000 this year, \$234,000 less than the actual amount collected in 1971-72, because in that year revenue from an abnormally large single assessment was received.

Public works and services: Receipts from public works and services in 1972-73 are

estimated at \$196,886,000 or \$13,032,000 above the amount received in 1971-72. The changes are estimated to be as follows:

	\$	\$
The operation of public undertakings:—		
Normal receipts from services, etc. . . . .	1,276,000	
Transfer items which do not affect the Budget result	3,000,000	
		4,276,000
Recoveries of interest and sinking fund . . . . .		3,425,000
Other departmental fees and recoveries . . . . .		5,331,000
		<u>\$13,032,000</u>

Public Undertakings: In 1972-73 the estimate for receipts from marine and harbour services is set at \$7,200,000, or \$613,000 below the receipts for the previous year. A large reduction in the quantity of grain handled is expected to affect receipts adversely, and to be offset only in part by some smaller increases for other commodities. For the Railways Department the estimate of receipts from operations in 1972-73 is \$35,000,000, or \$743,000 below actual receipts for last year. Reduction in the anticipated quantities of grain and Broken Hill ore concentrates to be carried, partly offset by expected additional tonnage of merchandise, is the principal cause.

Receipts from water and sewer rates and excess water charges are estimated at \$37,200,000, an increase of \$2,441,000 over actual receipts last year. The estimate for 1972-73 allows for the normal annual increase from new and extended services, for the elimination of the concession rate which previously applied to annual values of properties in excess of \$2,000, and for increases already authorized in the price of excess water and in minimum charges.

Recoveries of Debt Services: Total recoveries of interest and sinking fund are expected to reach about \$37,108,000, or \$3,425,000 above similar recoveries last year. The largest item in this increase will be the first of the eight equal annual repayments of \$1,875,000 by the Natural Gas Pipelines Authority of South Australia in relation to a \$15,000,000 special Commonwealth loan. The recovery of this amount by the State is fully offset by the payment of an equal amount to the Commonwealth.

Other Departmental Receipts: The aggregate of departmental fees and charges is expected to increase by \$5,331,000 to \$50,982,000 in 1972-73. Higher fees are proposed for registration of documents relating to transactions of real and personal property, and this measure is expected to produce additional revenue of about \$650,000 in a full year and some \$400,000 in 1972-73.

Commonwealth Grants: The Commonwealth Budget provided for a taxation reimbursement grant to South Australia of \$181,900,000. This amount has been calculated on the basis that the population increase in this State in the year to December, 1972, will be the same as in the previous year and that average wages throughout Australia will rise by 8.5 per cent in the year to March, 1973. The estimate also takes into account the present betterment factor of 1.8 per cent. Prior to these escalation factors being applied to the 1971-72 formula grant the latter was adjusted in accordance with the arrangements determined when the Commonwealth transferred the pay-roll tax to the States. Finally, the estimate of \$181,900,000 also includes South Australia's share of an extra \$112,000,000 which the Commonwealth agreed to make available to the States, to be distributed in proportion to the 1971-72 formula grants as escalated in 1972-73 under the formula, and which will be built into the formula grants for calculating grants in subsequent years.

PAYMENTS

Special Acts: The three factors responsible for the increase of \$826,000 in the Government contribution to the South Australian Superannuation Fund are the normal increase in the number and average retirement salaries of pensioners, a full year's effect of contributions towards concessional units and a 5 per cent cost of living adjustment. An amount of \$1,650,000 has been provided for payments under guarantees and comparable arrangements as a result of the unfortunate failure of two large industries in country towns.

The provision for payment of interest on State debt is \$75,250,000, an increase of \$5,130,000 over actual payments in 1971-72. Although still a major adverse impact on the Budget, the rise in interest payments has been tempered somewhat by the Commonwealth agreement in June, 1970, to make available a proportion of the State's allocation for works and housing as grants instead of loans, and by the recent decline in interest rates.

Social Services—Education Department: The proposed appropriation for the Education



Department in 1972-73 is \$105,820,000. To compare this provision with those of previous years and to understand the extent of planned improvement, it is necessary to adjust the provision to take account of changes in the department's structure, the cost of wage and salary awards, the effect of a changed number of pay days and relief from pay-roll tax. It is proposed that the five existing teachers colleges and the School of Art should be autonomous from the beginning of 1973, with Western Teachers College and the School of Art being combined to form the new Torrens College of Advanced Education. Accordingly, provision has been made under Minister of Education—Miscellaneous for grants to colleges of about \$3,055,000 for the six months January to June, 1973, while for the first six months of the financial year payments on behalf of the colleges will continue to be made by the Education Department. To provide an appropriate comparison with actual payments in 1971-72, it is necessary to add the figure of \$3,055,000 for grants to the appropriation of \$105,820,000 for the department. The resultant total of \$108,875,000 is \$10,301,000 greater than the actual expenditure of \$98,574,000 recorded in 1971-72 for comparable purposes. Within this adjusted total of \$108,875,000 are allocations of \$5,737,000 for Teachers Colleges and the School of Art, \$9,658,000 for the Division of Further Education which the Government proposes shall be a separate department once legislation has passed Parliament, and \$93,480,000 for the remainder of the Education Department.

In 1971-72 there were 27 pay-days instead of the usual 26, and payments were made for pay-roll tax for the first two months of that financial year. The existence of these two factors in 1971-72 increased expenditure by approximately \$3,440,000. After adjusting for these factors, the provision of \$108,875,000 represents almost a 14½ per cent increase over actual expenditure last year. This includes an estimate for additional costs aggregating about \$2,480,000 to be incurred by the department because of the full year's cost of the last national wage decision and the cost of several other smaller salary awards. The rate of real improvement available for education purposes provided in this year's Budget is nearly 12 per cent or a rate slightly in excess of the rate achieved in the last two financial years.

The budgetary improvements provide for further expansion of the teaching staff in

primary and secondary schools to permit a reduction in the pupil/teacher ratio. Considerable improvement is planned in the employment of ancillary staff, the main areas of expansion being the appointment of additional teacher aides and bursars. The Budget provides for the final instalment of \$2 a student of the \$6 increase for book allowances promised for all secondary students by the Government when it came to office in 1970. The scheme for providing grants for ground maintenance has been modified so that the grants depend on both enrolment and acreage. Improvements have been made in the provision of books and materials for free scholars in both primary and secondary schools and for the rural and fifth year scholarship schemes introduced at the beginning of 1972. Payments of grants in lieu of subsidies are estimated to be \$780,000 for the financial year. The Budget also makes provision for new arrangements which have been introduced with respect to transport of handicapped children.

**Independent Schools:** At the beginning of the 1969 school year a scheme of assistance for independent schools was introduced, the Government contribution being at the rate of \$10 for each child in both primary and secondary schools. As from the third term of 1969 the payment in respect of secondary schools was increased by \$10 to the sum of \$20 a child. The annual cost of these payments, which the present Government is continuing, is about \$520,000. However, the Government has taken the firm view that assistance is both more equitable and more effective if it has regard to need rather than being determined as specific sums for each student across the board. Accordingly, the increased provisions made in 1971 and 1972, and now aggregating about \$700,000 a year, have been allocated to schools after consideration of need and recommendation by a special committee. We propose to provide a further \$400,000 in 1973 for these purposes, and again the distribution will have regard to the committee's recommendation based on an examination of need. The total Budget provision for a continuation of existing levels of assistance and a part year's cost of the 1973 proposals is \$1,525,000.

**Tertiary Education:** The provisions for the University of Adelaide, the Flinders University, and the Institute of Technology take into account the amounts calculated to be required to complete the financial arrangements for recurrent grants in the 1970-1972 triennium, which ends on December 31 next, and estimates of the amounts likely to be approved

by the Commonwealth and State Governments for the first six months of the 1973-1975 triennium. These provisions are on the basis of existing rates of salaries and wages and will need to be increased to take account of any national wage decision and the general review of academic salaries becoming effective during 1972-73.

As to the five teachers colleges and the School of Art, I mentioned earlier the adjustments necessary to the provisions of the Education Department, and the fact that grants aggregating \$3,055,000 are to be provided from January 1, 1973, in lieu of the previous direct payments by the department. The total of provisions for grants to this group of colleges is, in fact, \$3,470,000, which is \$415,000 more than the amount transferred from the Education Department line. This arises from the fact that on becoming autonomous bodies in 1973, the colleges will take full responsibility for certain expenditures which have not been charged directly to them in the past. These formerly indirect expenses, which include special payments to practising teachers who tutor student teachers, costs of maintenance by the Public Buildings Department, and superannuation payments, will have to be recouped to the departments supplying the services in 1973 and subsequently. Accordingly, the grants are increased by the sum of \$415,000 estimated to be the cost of those additional recoups.

Hospitals: Expenditure by the Hospitals Department is expected to increase from \$43,070,000 in 1971-72 to \$51,239,000 in 1972-73, but salary and wage rates account for about \$3,000,000 of this, while \$400,000 was required last year for an additional pay-day for some departmental employees. If we exclude these two factors from the comparison, the amount provided for expansion and improvement of services and for increased cost of materials is \$5,569,000. Provision has been included for the opening of the first stage of the new Modbury Hospital, occupation of a further section of the Strathmont Centre, use of new wards and facilities at the Queen Elizabeth Hospital, development of a renal unit at Royal Adelaide Hospital, and an increase in admissions at Port Augusta following the occupation of a new building. Home care services will be expanded in the Woodville area, and it is intended to develop similar services at Port Lincoln and in the Wallaroo-Kadina-Moonta district. A new policy of paying maintenance subsidies to privately-operated psychiatric hospitals will also be initiated.

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Proposed grants to non-government hospitals and institutions total \$12,898,000, of which \$8,078,000 is provided in the Budget, while the balance of \$4,820,000 will be financed from the Hospitals Fund.

Welfare Services: A total of \$11,302,000 is provided to meet the responsibilities of the Minister of Community Welfare, as compared with a total expenditure last year of \$8,510,000. Even after deducting an amount of \$262,000 for wage and salary awards included in the 1972-73 provision, this represents an increase of \$2,530,000, or 30 per cent, over last year's figure. Making due allowance for awards in 1971-72, it shows an increase of \$4,080,000, or 62 per cent, over the comparable expenditure in 1970-71. The payment of financial assistance (formerly known as public relief) is the main factor contributing to these very large movements. There has been a rapid rise in the number of persons, particularly deserted wives, seeking financial assistance, and a considerably greater provision is required simply to cope with this. Further, certain rates of assistance are to be increased in line with recently announced changes in Commonwealth pensions. In addition, the Government has relaxed certain of the criteria at present governing the payment of assistance to unmarried mothers, deserted wives and other women in similar circumstances, to provide for more rapid payment, increases in supplementary allowances, and payments to some people previously excluded. It is also intended to raise the number of professionally qualified and ancillary staff, and to employ 30 residential care and social work trainees who will begin in-service training courses conducted by the department. Expenditure on improvements at Aboriginal reserves will be increased to permit the implementation of a number of small but necessary works in areas too long neglected. Payments to foster parents have been raised, and provision is included for much more to be paid by way of subsidy for capital works at children's homes, grants for the training of youth leaders, and capital grants to community organizations providing facilities for young people.

Public Undertakings: The Engineering and Water Supply Department is expected to increase its expenditure from \$16,535,000 to \$18,996,000. After adjustment for known wage and salary awards, which will cost the department about \$570,000, and for the full exemption from pay-roll tax, which will save \$38,000, the effective increase is \$1,929,000.

Of this increase, \$178,000 is provided to enable South Australia to meet its share of the estimated higher cost of maintenance incurred by the River Murray Commission, \$901,000 is required to meet the expected extra cost of electricity for pumping water through the major mains, and \$850,000 is available for normal expansion and other increased costs. The dredging fleet operated by the Marine and Harbors Department is to be concentrated mainly on capital works in 1972-73, with the result that revenue expenditure by the department is expected actually to decline from \$4,611,000 last year to \$4,539,000. An increase of \$2,270,000 is provided for the Railways Department, which it is expected will require about \$45,367,000. A further saving of \$111,000 will be made this year in pay-roll tax but, with new salary and wage awards already known to have cost about \$1,425,000, only a comparatively small allowance has been made for the increasing cost of materials and for improved maintenance of the permanent way.

**Other Departments:** The operations of the Highways Department have no net impact on the Revenue Budget as the net proceeds of motor vehicle taxation, after the deduction of administrative expenses and certain other costs incurred by or on behalf of the department, are transferred to the Highways Fund. At the beginning of 1971-72 the balance available for roads was \$3,123,000 which, together with Commonwealth grants of \$25,850,000, State contributions of \$21,459,000, and repayments by local authorities of \$630,000 gave the department an aggregate of \$51,062,000 to use in the construction and maintenance of roads. Expenditure for these purposes totalled \$50,053,000, leaving a balance of \$1,009,000 to be carried forward into 1972-73. It is expected that \$28,350,000 will be provided this year from existing Commonwealth grants, \$22,255,000 from normal State sources, up to \$1,200,000 from a combination of new Commonwealth grants and State loan provisions to finance work on the Eyre Highway, and \$705,000 from repayments by councils, and that the cost of works and services undertaken may amount to about \$52,170,000. This would leave a working balance of about \$1,350,000 at the year's end.

The clauses of the Bill give the same kind of authority as in the past, and with one exception they are in the same form as in the Appropriation Bill (No. 2) of 1971. Clause 1 gives the short title. Clause 2 authorizes the issue and application of a further sum. As

the two Supply Acts effective for 1972-73 authorize the issue and application of \$120,000,000, the effective authority of clause 2 is \$281,006,000, to take the total of such authority to \$401,006,000. Clause 3 (1) appropriates the sum of \$401,006,000 for the purposes set out in the schedule. Honourable members will recall that in last year's Bill the list of departments and miscellaneous provisions was set out as part of clause 3 itself. This year, as part of the changed procedures of the House of Assembly in respect of financial measures, under which the Estimates of Expenditure and the Appropriation Bill were introduced together, the individual purposes are listed in a schedule to facilitate discussion of the Bill and the Estimates in Committee.

Clause 3 (2) provides in the normal way that, if increases of salaries or wages become payable pursuant to any determination made by a wage-fixing authority, the Governor may appropriate additional funds by warrant. Clause 3 (3) provides that, if the cost of electricity for pumping water through the Mannum-Adelaide main, the Murray Bridge to Onkaparinga main, the Morgan-Whyalla main, and the Swan Reach to Stockwell main, should be greater than the amounts set down in the Estimates, the Governor may appropriate the funds for the additional expenditure, and the amount available in the Governor's Appropriation Fund shall be increased by the amount of such additional expenditure. This is a normal provision, with the reference to the Murray Bridge to Onkaparinga main appearing for the first time. Clause 4 authorizes the Treasurer to pay moneys from time to time up to the amounts set down in monthly orders issued by the Governor, and provides that the receipts obtained from the payees shall be the discharge to the Treasurer for the moneys paid.

Clause 5 authorizes the use of Loan funds or other public funds if the moneys received from the Commonwealth and the general revenue of the State are insufficient to make the payments authorized by clause 3 of the Bill. Clause 6 gives authority to make payments in respect of a period prior to July 1, 1972. Clause 7 authorizes the expenditure of \$6,200,000 from the Hospitals Fund during 1972-73 and of \$2,000,000 in the early months of 1973-74 pending the passing of the Appropriation Bill for that year. Clause 8 provides that amounts appropriated by this Bill are in addition to other amounts properly

authorized. I commend the Bill for consideration of honourable members.

The Hon. R. C. DeGARIS (Leader of the Opposition): I intend to begin my remarks on the Bill before us, mainly because October is approaching, and I am sure that the Government would like the Bill passed by the Council as soon as possible.

The Hon. A. J. Shard: That's correct.

The Hon. R. C. DeGARIS: My first reaction to the Budget is one of envy, because no South Australian Government in the last 10 years has had such an easy task in the planning of a Budget as has the present Government, but I am not complaining about that. It is very good news for the Australian Federation as a whole that the Commonwealth Government has adopted a more realistic attitude to the financial needs of the State. This is borne out in the second reading explanation, where the Chief Secretary said that the last two years have seen a number of important changes in the extent and amount of financial assistance given by the Commonwealth to all States. It is strange that these remarks follow a resolution that has just been agreed to by the Council.

Over the years, particularly since the end of the Second World War when the Commonwealth assumed greater powers that were agreed to by the States as a war-time measure, the States have gradually lost ground. Of course, other factors have added to the State's burden, and I appreciate this, so the factors are not only the question of a centralization of powers during the war-time period. However, this is not the time to enter into a discussion on that point. Suffice it to say that no Prime Minister has been more responsive to the financial needs of the States than has the present Prime Minister.

The Hon. D. H. L. Banfield: Especially in an election year.

The Hon. R. C. DeGARIS: No. I should like to correct the honourable member: this has been so ever since the present Prime Minister has been in office. Indeed, for a long time he has expressed this very view, and insufficient credit has been given to the Commonwealth Government for the changes that have been instituted over the past two years, as indicated by the second reading explanation. The demands of the States, particularly New South Wales and Victoria, for a convention to discuss the Commonwealth Constitution have stemmed largely from the financial strait-jacket the States have found themselves in

since the Second World War. The strictures of the straitjacket have increased in a direct ratio to the rate of inflation in our currency. I hope that the convention may be able to solve some of these problems but, in the meantime, at least let us give some credit to the Commonwealth Government for its constructive attitude to the financial problems of the State, and this is reflected directly in the Budget for this financial year.

The Budget forecasts record aggregate receipts of about \$509,000,000, with record expenditures of \$509,700,000, with about \$7,500,000 being anticipated for increases in wages and salaries. So the original Budget deficit is expected to be about \$500,000 and the total deficit will be between \$7,000,000 and \$8,000,000, taking into account the expected rises in salaries and wages. As is my usual practice in Budget debates, I like looking at the Budget in terms of total increases and percentage increases, which together show the general trend of the Budget.

If one recalls the 1971-72 Budget, the total increase in finances available to the State amounted to about 17 per cent. The increase in this Budget is about 13.1 per cent, the total expenditure rising from \$451,000,000 to \$510,000,000, but this does not take into account the expected rises in salaries and wages. So, on expenditure, the rise will be more than 13.1 per cent. Taking the various departments and looking at the various percentage increases in relation to the overall 13 per cent increase in the Budget, I find that the Premier's Department moves from \$42,000,000 allocated last year to \$47,000,000 this year, or an increase of 17.5 per cent. The Chief Secretary's Department moves from \$72,000,000 last year to \$82,000,000 this year, or an increase of 19.5 per cent.

The Hon. A. J. Shard: Not enough.

The Hon. R. C. DeGARIS: That may well be so, but we can see that the Premier and the Chief Secretary are getting a fair cut of the cake. The Lands Department is to get \$6,000,000 this year, whereas it received the same amount last year. The Education Department, which received \$123,000,000 last year, will receive \$138,000,000 this year, or an increase of 12.3 per cent. While I am giving these figures, I ask honourable members to bear in mind the 13 per cent increase in the total Budget so that they can compare these figures to see where the actual rises are occurring in the various departments. For the Department of Labour and Industry the increase is 25 per cent over last year. For

the Minister of Works, the increase is 17.8 per cent. For the Marine and Harbors Department there is a reduction of 2 per cent, and for the Agriculture Department there is an increase of 8 per cent. For the Minister of Roads and Transport's Department there is an increase of 5 per cent and for the Attorney-General and Community Welfare Department there is an increase of 33 per cent. So one can see that this Budget compares rather similarly to the last Budget, in which the actual works part of the Budget, as catered for by Lands, Agriculture, Works and Marine, does not receive any increase comparable with the total Budget increase, whereas the more emotional departments, such as the Premier's Department, the Attorney-General's Department and the Department of Labour and Industry, are receiving increases well above the total percentage increase of the Budget.

Although these figures cannot be said to reflect absolute accuracy, because in some instances lines have been transferred from one department to another, nevertheless I have studied these transfers and found that this alteration in procedure would have a minor effect on the percentages I have given. The pattern of this Budget follows quite closely the pattern of the last Budget, with increases in various departments. Last year there was a fall in the Agriculture Department budget of approximately 18 per cent. When one took into account that certain lines were transferred to the Education Department, the actual expenditure was not reduced by 18 per cent, but remained almost static. This year the rise is 8 per cent. In the two Budgets there has been an increase in total State expenditure of almost 35 per cent, but there has been an increase of only 8 per cent in those two years in the expenditure by the Agriculture Department.

With those figures one can see the continuation of the emphasis this Government places on various departments. I am not arguing that the Community Welfare Department, the Premier's Department, and the Chief Secretary's Department (in relation to hospitals) do not warrant some increase in expenditure. I am saying that the two Budgets in the past two years have emphasized that the productive departments, the departments that are producing for the State and providing community needs, have not received the same advances in expenditure as have the other departments. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

#### LAND TAX ACT AMENDMENT BILL

Read a third time and passed.

#### PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (COMMITTEE)

In Committee.

(Continued from September 26. Page 1541.)

Clause 2 passed.

Clause 3—"Enactment of Part VA of principal Act."

The Hon. C. M. HILL: I move:

In new section 42b (2) (b) to strike out "persons" and insert "members of the council". There will be other consequential amendments. The purpose of this amendment to ensure that the three council nominees on the proposed committee which, as honourable members are aware, will comprise seven persons in all (three nominated by the Government, the Lord Mayor of the day, and three nominated by the council) are, in fact, members of the Adelaide City Council. I think the Government should be willing to accept the constitution of this committee in the form I am proposing.

In some respects, the committee is similar to other committees of the Adelaide City Council. Most certainly, it is dealing with a major matter concerning the council in regard to the interim control of the city of Adelaide, and when I think of the committees of the council on which at one time I had the honour to serve, such as the Traffic Committee, the Planning and Development Committee, the Finance Committee, and so on, I see in the constitution of those committees persons who must be members of the council; senior officers, of course, sit in to give advice when they are asked to assist, but the responsibility for the work lies fairly and squarely on the shoulders of the representatives of the rate-payers.

When the Government sets up this committee under this legislation, I believe it should ensure that the members appointed or nominated by the council should be elected representatives on the council, and no one else. I look at this question from the point of view of the rate-payers of the city, whose properties will be affected, and who will want to try to take some part in the fashioning of these directives and in the planning for the city. In other words, I am looking at the matter on the one hand from the point of view of the property owner and, on the other, from the point of view of those who want to see the city planned so that the best possible result will be achieved.

Such people would want to see on this committee nominated by the council the actual members of the council, because, of course, they have placed their faith in such people when they have elected them to the Adelaide City Council in their field of local government, and they would want to see those elected representatives facing up to the responsibilities that go with membership of this committee.

I have no doubt that members of the City Council on this committee would face up to those responsibilities; indeed, many, many members on the council would make ideal persons to serve on a most important committee, as is proposed in this measure. I am sure they would carry out their duties exceptionally well. I move this amendment in good faith, simply narrowing the requirement so that the three people nominated by the Adelaide City Council should be members of that council.

The Hon. T. M. CASEY (Minister of Agriculture): The Government is not able to accept these amendments; I understand there will be two consequential amendments. While I agree wholeheartedly with the honourable member that these people should be members of the council, there could be occasions when, for some reason, a member of the council is sitting as a committee member and is removed from a seat on the council. The wealth of knowledge he would have gained as a member of the council would be well recognized by the committee, and he would be asked to stay on the committee for a period. This could happen, and I think the amendment is restricting this sort of situation in such a way as to become rather too restrictive.

The idea is to have members of the council on the committee; no-one would deny that. I am simply pointing out that there could be times when a member has been sitting on a committee for some time, he has gained a wealth of knowledge, and he is absolutely essential to the smooth running of the committee. Even if, for some reason, he lost his seat (and that is possible) he might be essential to the committee in its deliberations at that time. However, I think the honourable member is putting a wedge into the situation; I am sure the Government will not accept it.

The Hon. R. C. DeGARIS: I have a somewhat different view from that expressed by the Minister, and also from that of the Hon. Mr. Hill—not that that is anything new, because we all have the opportunity of putting our views to the Committee.

The Hon. C. M. Hill: A three-cornered phase!

The Hon. R. C. DeGARIS: Yes. My view on the composition of the committee is that representation should be as wide as possible with the best available members of the community being used. Even if the council believed that it should make a nomination of a person other than a councillor, I think it should have the right to do so. I hope that the Government, in appointing its members to the committee, will not restrict its nominations to the Public Service, because if a committee is established in this way with three city councillors and three public servants I am afraid it will be somewhat narrow instead of being a broadly based one.

I think the clause as drawn is satisfactory because it is left in the hands of the council to make the appointments. It may well be that the council requires a certain nomination being made to the committee, and I would respect that position; however, it may wish to nominate somebody who is not a city councillor, and I accept the Minister's view here, particularly in relation to a councillor with some experience on the committee who suddenly finds that he has lost his seat on the council. In such a circumstance, and because of his experience, it may be necessary to continue with that person on the committee. Therefore, I do not fully accept the Minister's opposition to the amendment, but I support the Bill as presently drafted in the hope that the Minister will give some indication that Government nominees will not necessarily be taken from the rather narrow field of the Public Service. I do not say that in a derogatory way, but I simply hope that nominees will be drawn from as wide a field of service as possible.

The Hon. C. M. HILL: I support the Hon. Mr. DeGaris's point regarding Government nominees appointed to the committee, and I agree that there is a great deal in what the Minister has said in answer to my original contention. I see the point he has made, and I think he has made it wisely. I want to co-operate as much as possible because I believe we all want to see the legislation passed in its best form.

I accept the point made by the Minister in that if a member of the council left the council for a time, or lost his seat in the normal way at an election, he might have acquired a great deal of knowledge that could be used for the benefit of the committee. I realize that if my amendment were carried such a member would

be forbidden to continue to sit on that committee, and the loss of that knowledge might damage the committee's work and operations in some way. On that score, I believe the Minister is correct in his view. I heard him say that it was the "general idea" of the Government that the council nominees should be initially members of the council. I think I am being fair in endeavouring to repeat what the Minister said. If the Government adheres to that principle, then I am well satisfied and I will not press my amendment further. I therefore ask leave to withdraw my amendment.

Leave granted; amendment withdrawn.

The Hon. R. C. DeGARIS: I move:

To strike out subsection (4) of new section 42b.

This is an amendment consequential on one that appears later in the Bill. It deals with the date of termination of the legislation. When legislation is being prepared for inclusion in the Statutes I believe there should be a terminating date included. If there is a need to continue interim control for a longer period, then it is a simple matter to bring down a Bill extending the time as required. I believe it is an incentive if a terminating date has to be observed when bringing down a developmental plan for the city of Adelaide. I have discussed this subject both with individuals and organizations, and I find that the concept of stipulating a terminating date is supported by all. I hope that the Government will see this point of view and accept the amendment. This would obviate the need for that part that mentions a member of the committee being appointed for three years. With a terminating date stipulated, there would be no need for that subsection.

The Hon. T. M. CASEY: The Government is happy to accept the amendment.

Amendment carried.

The Hon. JESSIE COOPER: I move:

In subsection (1) of new section 42g to strike out "or expedient"; and after "proper" to insert "planning and".

When I spoke earlier I mentioned my dislike of the wide terms used and, without making the Bill less flexible, we could strike out the words "or expedient" because they are not necessary or sensible. However, I have been persuaded that the adjective "proper" must be retained so that it means the opposite to "improper"; in effect, so that there will be proper development. By the addition of the words "planning and", I believe the section

would remain flexible and would be an improvement on the original.

The Hon. T. M. CASEY: The Hon. Mrs. Cooper has moved a series of amendments, and their effect will be to restrict the powers of the committee to those specifically enumerated in subsection (2) of the proposed new section 42g. The amendments are undesirable because they may prevent the committee from issuing planning directives on matters the desirability of which may not now be apparent but may well be apparent in the future. For this reason I oppose the amendments.

The Hon. JESSIE COOPER: Is the Minister referring to the amendments I originally had on file? The amendments I have actually moved are different from those I originally had on file.

The Hon. T. M. CASEY: I am referring to the amendments to clause 3.

The Hon. R. C. DeGARIS: I do not know whether the Government is aware of what has happened. As I understand the amendments, the only restriction is involved in the striking out of the words "or expedient". The amendments insert the words "planning and", which form a most important inclusion, because we are dealing not only with the proper development of Adelaide but also with the proper planning of Adelaide. I stress that the amendment leaves in new section 42g (1) the word "proper". One may say that an expedient action is not necessarily a proper action. I believe that striking out the words "or expedient" is reasonable; further, the insertion of the words "planning and" does not in any way restrict the general application of the provision.

The Hon. JESSIE COOPER: What the Leader has said is exactly correct. Inserting the words "planning and" makes the provision more flexible. The word "proper" is retained, but the word "expedient" has a different connotation, as I explained in my second reading speech.

The Hon. T. M. CASEY: I do not want to hinder the Committee, but I believe that we should not place too many restrictions on the City of Adelaide Development Committee. I am willing to accept the insertion of the words "planning and", but I cannot agree to striking out the words "or expedient". If we can compromise, we may get somewhere. If we restrict the City of Adelaide Development Committee, we will be doing it a disservice.

Amendments carried.

The Hon. T. M. CASEY: On a point of order, Mr. Chairman, would it not have been better for the amendments to be dealt with separately? I am willing to accept the insertion of the words "planning and", but I am not willing to agree to striking out the words "or expedient".

The CHAIRMAN: Both amendments involve the same line. However, if the Minister sees some point in separating them and if the Committee does not object, I am willing to put the amendments separately. I put now the question, that the words "or expedient" stand part of new section 42g (1). The Noes have it. That the words "planning and" be inserted. The Ayes have it. Both amendments are carried.

The Hon. R. C. DeGARIS: I move:

In new section 42g (2) (e) to strike out "and construction".

New section 42g (2) (e) gives the City of Adelaide Development Committee power to stipulate standards, but I question the use of the words "and construction" in the provision. A new Building Act has been passed, and regulations are currently being reviewed by the industry and by the Building Act Advisory Committee. It is intended by that committee, and I hope by the Government, to make the Act and regulations as uniform as possible with corresponding provisions in other States. It seems to be illogical to have a Building Act and at the same time to allow the committee to stipulate its own standards of construction. It is likely that the Government did not intend to vary from uniformity and that the word "materials" could be substituted for "construction" in the provision without in any way damaging its effect. I have discussed my amendment with interested people and organizations, and I have found no objection to it. I therefore hope that the Government will accept the amendment.

The Hon. T. M. CASEY: The Government is willing to accept the amendment.

Amendment carried.

The Hon. R. C. DeGARIS moved:

In new section 42g (2) (e) after "conform" to insert "and the types and standards of materials to be used in the course of any such building work".

Amendment carried.

The Hon. JESSIE COOPER: I move:

In new section 42g (2) (f) (iii) to strike out "," and insert "or"; and to strike out "or some other body or person nominated in the directive" and insert "or by a committee of members of the council, any officer of the council or a building surveyor employed by the council to which or to whom the council

has delegated its powers of approval under the directive".

The City of Adelaide Development Committee has extraordinarily wide arbitrary powers in connection with the use of land and the type of building in an area. It is undesirable that Parliament should give the committee the right to delegate those powers *en bloc* to any body or individual. We do not know what body or which individuals will suddenly be given these overwhelming powers. By all means let us allow the committee to share its powers if it desires to do so, but the process will be to the council, to a committee of members of the council, to an officer of the council, or to a building surveyor employed by the council.

The Hon. T. M. CASEY: As I indicated earlier, the amendments are not acceptable to the Government because they would be too restrictive on the committee. I ask the Committee not to accept them.

The Hon. R. C. DeGARIS: I ask the Minister to reconsider this matter because, if he looks at the Bill as drafted, he must admit that the power of the committee to delegate its authority to some other body or person nominated is an extremely wide power. I do not think that the committee would delegate this power to other than a reputable body. Nevertheless, I point out that we are dealing with legislation, and we should be careful in giving this tremendous power to a committee and giving it power to delegate its authority to any other body or person. We would be taking a dangerous step in doing that. I see no reason why the delegation of authority by this committee should not be detailed in the legislation, that is, to whom this power can be delegated. We are delegating this power to the very people who at present are controlling the various matters of planning and building approvals in the City Council. The committee should consider closely that, if this power can be delegated, it will be delegated to people who are responsible to the City Council or to one of its committees.

The Hon. T. M. CASEY: I do not know why the Leader should express this fear of delegation of power, because the Adelaide City Council is a responsible body elected by the ratepayers in the city area. The committee has three Government nominees. If these people act responsibly in the task set them, why should they be restricted? It is all right to say that we are drawing up legislation that will give these people wide powers, but this is a big project we are undertaking and they must be given these wide powers in case they are



needed. I am looking at this matter from the point of view of the responsible people who will be on the committee. If someone got out of line, he would be pulled into line. It would be a disservice to restrict these powers. These are responsible people who act in a responsible way and, if we restrict them, we will defeat the whole purpose of the exercise. I ask the Committee not to accept the amendments.

Amendments carried.

The Hon. C. M. HILL: I move:

To strike out paragraph (d) of new section 42g (4) and insert the following new paragraph:

(d) any representations that have been made (orally or in writing) to the committee by, or on behalf of, the council or any other person;

This paragraph deals with the question of planning directives that will be issued by the proposed committee. The committee must have regard to certain provisions of this Bill, and this is one of them. The two functions of the committee are the issue of planning directives concerning the committee, and the consideration of applications to build, to use land, and so on. We are dealing with the first stage of issuing the planning directives. The amendment will be followed by several others, each dealing with the same matter, and I shall describe the background I am endeavouring to establish.

The planning directives are the general broad-brush principles for the future development of the city—whether there shall be residential development in this part of the city or another part, whether or not construction in these streets will be limited to certain specifications, whether commercial or industrial development will be allowed here or there. That kind of thing in broad-brush form will be involved in these directives.

The machinery laid down by the Government is that the committee will look into this question and will give the council 28 days to consider the thinking of the committee. It then brings down a directive and the ordinary person, the landowner or the planner or the person interested in some residential society within the city, will have the opportunity to appeal formally to the Planning Appeal Board only after the directive is issued.

The purpose of this amendment and the consequential amendments is to give the individual the opportunity to put a case to the committee before the committee brings down its directive. It is putting the little man or the individual on the same level as the coun-

cil so that both can consider the directives the committee intends to bring down before it actually brings them down.

My amendment goes further. It allows anyone interested in planning to make representations, either in writing or orally, to the committee. I am the first to admit that this opens up the whole question of third parties having the right to have their voices heard and, in effect, having rights of appeal in this whole area of planning. I believe the public generally, whether directly affected or not, must be brought into the planning process and must have a voice around the table or by written information to the committee when it is deliberating.

I believe this applies particularly regarding planning directives for the city of Adelaide. In very general terms, the city of Adelaide is of great interest to everyone. Almost everyone in metropolitan Adelaide has some interest in the city, not only because of its beauty and its history, but because so many come to the city to transact business of one kind or another. They come into the city or they move through it. It is the heart of metropolitan Adelaide, and it is to this city that so many ratepayers draw people so that business can be transacted.

Everyone is involved and everyone should be given the opportunity to have a voice at some stage in the planning of the city. The Government, on some occasions, has shown itself to be rather progressive in the realm of planning. It cannot refuse to give the right to all individuals to take part in this way in the planning process. It is participatory democracy in its very best form, and I ask the Government to accept the amendment.

The Hon. T. M. CASEY: The honourable member did not mention the real problem behind his amendment. He proposes the insertion of paragraph (d) and new subsections (5) and (5a). These amendments must be considered as a whole. They provide, in effect, that the development committee must, before issuing a planning directive, give the public an opportunity to make submissions upon the terms of the proposed directive. I understand that if a directive were published beforehand it would cause speculation, and this is the whole problem that we do not want to see occurring in this field. It is on those grounds that I ask the Committee not to accept the amendment.

The Hon. R. C. DeGARIS: One question raised by many members in the second reading debate was the matter of third party appeals and the ability of people to express their

views not only in relation to planning directives, but also in appealing against planning directives. Whilst one could have a great deal of sympathy for the rights of third parties to have an appeal and to have their voices heard, nevertheless this could be used to destroy this Bill completely.

In the amendment we see that the committee must hear oral representations. It is this part which could be used, I believe, to render the whole Bill most difficult to implement. We all know that in questions of planning there is a good deal of emotion. There are groups of people who, I am quite sure, if they wanted to prevent some development or to affect adversely some directive that was about to be made, would have hundreds of people lodging applications to give oral evidence before the committee.

While I must have a great deal of sympathy for the concept of participatory democracy, there is the question of making work a Bill which seeks interim control for a limited period to prevent the occurrence of some things detrimental to the overall planning. What the council must do is to balance the two. For example, in relation to third party appeals and third party evidence, the question was raised in the second reading debate and everyone must have some sympathy for this situation. Nevertheless, we must be aware that this very thing could be used to ruin sound planning practices or sound directives being given when some direction is needed, and needed urgently. Whilst I have sympathy for the idea, and I expressed it in the second reading debate, nevertheless it must be balanced against what is practical. I cannot agree with the Hon. Mr. Hill's amendment, although I would be prepared to consider it if representations to the committee had to be in writing. In other words, written submissions could be made to the committee in relation to that directive. I think the word "oral", if used by unscrupulous people, could be used to undermine completely the power of the committee to issue any directives.

The Hon. C. M. HILL: I was somewhat shocked by the reply given me by the Minister, and I hope that he was acting in good faith when he replied as he did, because I want to assure him that, in case he or anyone else who prepared that reply is trying to be smart, as far as I am concerned the question of speculation had never entered my mind. I thought it was proper that people who would be affected by planning should have some say in the future of the city, and also that those who

have some interest in the city simply because it is the heart of the metropolis should, if they so wished, have some say in how the centre should eventually be planned.

The purpose of my amendment is simply to give the people an opportunity of seeing just how this committee is thinking in regard to the planning directives. My amendments would ensure that the council must advertise in the press what it had in mind and thus make it as public as possible. That is simply indicating the committee's intentions to the public. If the question of speculation arises at that stage, when there is nothing certain at all as to what will be laid down in regard to planning of a certain area, then of course it is just completely theoretical thinking. I do not want to touch on that further except to say that that aspect had not entered my mind when I prepared the amendment. I hope that the Minister accepts my explanation.

I still believe and whilst the Government might oppose this principle at this stage, that we will see the day (and it will not be far distant) when everybody (whether living next door to a certain planning project or whether not directly affected), will be able to have his voice heard before a final planning directive is laid down.

As far as I am concerned, and because I believe this is an important aspect of our democracy, this situation cannot arise too soon. However, if the Government is not prepared to accept it I hope that, if any further amending Bills are brought down, it will change its mind and allow third party appeals and thus allow all members of the public to become involved in the planning process before authority makes its final decision.

Amendment negatived.

The Hon. R. C. DeGARIS: I move:

After paragraph (f) of new section 42g (4) to insert the following new paragraph:

(fa) the effect (if any) of the proposed planning directive upon any building or structure of architectural or historical interest;

Matters that the committee shall have regard to are set out in paragraphs (a) to (f). I believe one aspect has been omitted and that is the effect of the proposed planning directives upon any building or structure of architectural or historical interest. Such a provision has been included in the Environmental Protection Council Bill, and I think it is reasonable that a similar clause should be included here.

The Hon. T. M. CASEY: The Government has given this suggested amendment some thought, and is happy to accept it.

Amendment carried.

The Hon. JESSIE COOPER: I move:

To strike out "and" between paragraphs (f) and (g) of new section 42g (4); to insert "and" after paragraph (g); and to insert the following new paragraph:

(h) the interests and welfare of the owners and occupiers of any land or building affected by the directive.

The paragraph to be inserted deals with the rights of property owners and landowners. Nowhere in this Bill so far were their rights ever to be taken into consideration or accepted as a basis of appeal, and I think this amendment would improve the Bill.

The Hon. T. M. CASEY: To show the co-operation of the Government, I accept the honourable member's amendment.

Amendment carried.

The Hon. C. M. HILL: I move:

In new section 42g (7) to strike out "affected by a planning directive".

I point out that I do not intend to proceed with the amendments I had foreshadowed to new section 42g (5). The amendment I have moved raises the question of third party appeals to the Planning Appeal Board. I know that the Government has investigated this matter in regard to the appellant, and I believe that the Government up to the present has not accepted the principle of third party appeals. People may be living at one end of a street, and they may see a directive brought down concerning the other end of the street.

In this case, all residents in the street ought to be able to have a say, if there is to be any change in planning that will affect the amenity or appearance of the street. The Government should accept third party appeals at the level of the Planning Appeal Board, and my amendment tests the Government's feeling on this point.

The Hon. T. M. CASEY: The Government cannot accept the amendment. The effect of the amendment is to give any person a right of appeal against a planning directive. At present only a person affected by a planning directive is entitled to appeal, and he must show that he has some interest that is affected by the directive. This is already a wide power of appeal. Because the amendment widens the provision far too much, I oppose it.

The Hon. R. C. DeGARIS: It is very attractive to have a situation where any person has a right of appeal. However, let us consider exactly what "any other person" means. People living in Sydney or Brisbane may want to upset a planning directive and, as a result,

they may irresponsibly institute an appeal. One may say that a person at the other end of the street is a person affected, or one may say that a person who actually owns the land is the person affected. Indeed, one may say that a person living at Morphett Vale may be affected by planning in the city of Adelaide, because he uses the city. Will the Minister state his views on the use of the words "person affected"?

The Hon. T. M. CASEY: I suppose that a variety of interpretations could be placed on those words. However, I do not believe that a person living at Morphett Vale would be affected. I have been trying to put myself in the position of a council member who has received a submission from a person saying that he is directly affected. That person must show some definite reason why he is affected. Perhaps a neighbour may not appeal because he does not believe he will be affected, whereas a person farther down the street may believe that he is affected. I do not believe that I can state the answer to these problems. However, we must restrict the matter as much as possible; otherwise, we will be inundated by people saying they are affected.

The Hon. C. M. HILL: Actually, the only people who can answer the Hon. Mr. DeGaris are the members of the Planning Appeal Board itself. Further than that, the Supreme Court will decide when a further appeal is made to it. The point made by the Hon. Mr. DeGaris is widely discussed in planning circles. One of the institutions that has written to me about the Bill believes that a definition of "other person affected" should be inserted in it. If such a definition was inserted, everyone, including appellants, would be clear, and they would not have to go to the trouble of formal appeals to this board, and they would not have to take matters further to the Supreme Court to find out the answer.

I wonder whether the Government would consider simplifying the matter and putting it beyond doubt, because, of course, the Minister by his reply indicated that it raises grave doubts in anyone's mind. If the Government would define those words in the Act it would tend to settle the matter fairly conclusively.

The Hon. R. C. DeGARIS: I am still not satisfied with the Minister's reply. Surely the Government, which drafted and considered the Bill, has some idea what the words "person affected" mean. I have had no explanation even of what the Government intended to put in the Bill. Can the Minister tell me what the words mean, or are they used with

the idea of the Planning Appeal Board deciding the meaning of "person affected"?

The Hon. T. M. CASEY: I cannot elaborate on what I have already said. This is a difficult area in which to be specific. If a person considered that he was affected by a directive, he would appeal, but it would be up to the board to decide whether he was affected. I can be no more specific than that.

Amendment negatived.

The Hon. R. C. DeGARIS: I move:

In new section 42h (1) to strike out "submit plans and specifications of the proposed work to the committee" and insert "seek the approval of the committee for the proposed building work".

Any person who proposes to carry out building work in the defined area must submit plans and specifications of the proposed work to the committee. This appears to me to be against industrial practice and common sense. It means that, if a person wishes to erect a \$2,000,000 building, he would not be permitted under this clause to obtain interim approval from the council for the project but must proceed on the assumption that his project will be approved, and he must prepare plans and specifications at a probable cost of \$100,000 before submitting the project.

I think that any person should be entitled to present drawings that should be sufficient to show the nature and the intent of the building, together with its appearance and finish. With this preliminary information the committee should be required, within a certain time, either to give approval or to state reasons why no approval can be given. I do not expect the committee would be difficult with regard to this point; nevertheless, the legislation as drafted provides that plans and specifications must be submitted to the committee for approval. If the Minister studies the amendment he will see that it is reasonable, and I hope that he will accept it.

The Hon. T. M. CASEY: The Government finds the amendment reasonable and accepts it.

Amendment carried.

The Hon. R. C. DeGARIS: I move:

In new section 42h (2) to strike out "other information, plans and specifications" and insert "plans, specifications and other information".

This amendment is consequential on the amendment just passed.

Amendment carried.

The Hon. C. M. HILL: I move:

To strike out new section 42h (4) (e) and insert the following new paragraph:

(e) any representations that have been made (orally or in writing) to the committee by, or on behalf of, the council or any other person;

This is the first of another series of amendments I have endeavoured to introduce into the measure to allow the public or an individual to have more say in regard to the planning process. Whereas the previous proposal defined the question of planning directly, we have now reached the stage where we are dealing with actual applications for land use, applications to build a certain kind of building, and applications to develop in certain ways.

It is these applications that the council should publicize so that all people can see what the committee is considering approving or refusing so that the individual has ample and proper opportunity in the democratic sense to make representations before the expense and formal procedure of going to the Planning Appeal Board is reached.

The Hon. T. M. CASEY: The Government cannot accept the proposed amendments under which the committee is required to advertise any application for approval of any proposed building work. The amendments are impracticable, because they would mean that every single building application made to the council would have to be advertised by the committee, and the public would have to be given the opportunity to make representations in relation thereto. This would be an enormous impediment to the discharge and function of the council and committee. I oppose the amendments.

The Hon. C. M. HILL: I realize that the machinery does involve a great deal of work for the council. However, this process is taking place over a limited specified time. It is a period of interim control when change is taking place regarding planning, and I do not think it is unreasonable for the public to have this information during this time in which the Act will apply.

Amendment negatived.

The Hon. R. C. DeGARIS: I move:

After paragraph (g) of new section 42g (4) to insert the following new paragraph:

(ga) the effect (if any) of the proposed building work upon any building or structure of architectural or historical interest;

This amendment is identical with amendments passed previously by the Committee. It deals with the effects, if any, of the proposed building work upon any building or structure of architectural or historical interest. Having

accepted the amendment previously, the Government, I think, should have no objection to accepting this one.

Amendment carried.

The Hon. JESSIE COOPER: I move:

To strike out "and" after paragraph (g) and to insert after paragraph (h) the following:

and  
(i) the interests and welfare of the owners and occupiers of any land or building affected by the proposed building work.

The new paragraph is exactly the same as the previous one.

Amendment carried.

The Hon. JESSIE COOPER: I move to insert the following new subsection:

(5a) Where a person applies for the approval of the Committee under this section and the application has not been disposed of by the Committee—

(a) at the expiration of six months from the day on which the application was made;

or

(b) at the expiration of such longer period as may be determined by the Minister in relation to any particular application,

the application shall be deemed to have been unconditionally approved by the Committee.

It is self-explanatory. This would prevent an application being delayed unduly. On the other hand, if a project required a period of study longer than six months the Minister, under this amendment, would have the power to extend the period.

The Hon. T. M. CASEY: This amendment could cause difficulties for the committee. The honourable member proposes to add a new subsection which will provide that, where a person applies for the approval of the committee and the application has not been disposed of by the committee at the expiration of six months from the day on which the application was made, the application should be deemed to be unconditionally approved by the committee. The amendment may cause difficulties where an approval is sought and granted in progressive stages. The honourable member can be assured that the committee will deal with applications with all due expediency. However, it is for the reasons stated that I cannot accept the amendment.

The Hon. JESSIE COOPER: I have covered that difficulty. This was pointed out to me, I saw it, and accepted it. If some longer period is required for some specific application the Minister will have the power to extend it. In that case no problem would arise.

The Hon. T. M. CASEY: I stick to what I said previously. I think the amendment is

rather cumbersome, and I ask the Committee not to accept it.

Amendment carried.

The Hon. JESSIE COOPER: I move:

In new subsection (9) to strike out "or any other body or person" and insert "a committee of members of the council, or any officer or employee of the council".

This is exactly the same amendment as that moved earlier, which was passed.

The Hon. T. M. CASEY: I oppose the amendment. I believe it is undesirable because it would prevent the committee from delegating powers. This would slow up the business of the council and the committee, and for these reasons it is not desirable.

Amendment carried.

The Hon. R. C. DeGARIS: I move:

To strike out paragraph (a) of new section 42i (2).

This amendment is consequential on amendments passed previously. It deals with the power to prescribe the manner and form in which plans, specifications and information are to be furnished to the committee. The previous amendment renders this unnecessary. I think the Minister will find that that is so.

Amendment carried.

The Hon. G. J. GILFILLAN: I move:

After new section 42i to insert the following new section:

42i a. The provisions of this Parliament, and of any planning directives under this Parliament, shall bind the Crown.

I believe that in a planning development of this kind the committee must have oversight of all buildings, not only those in the private sector. In my capacity as a member of the Public Works Standing Committee I have seen this problem arise with buildings in the city, and I do not believe I am disclosing confidential information when I say that many city buildings are proposed although the Adelaide City Council has no real knowledge of what is intended. Two such instances have arisen recently where the erection of the buildings will result in numbers of motor vehicles being associated with them, but no substantial provision has been made for parking the vehicles. Planning of that kind, with the lack of knowledge of this type of development by the Adelaide City Council, could seriously affect the council's future plans for car parks and other areas of that kind. Such knowledge could substantially alter the siting of those facilities.

In addition, the type of work proposed and which may be planned by the Public Buildings Department may not fit in with the general

overall scene. On a recent oversea trip I had the opportunity of viewing the buildings in London, and it was obvious that after the war, when there was so much destruction, many buildings were erected quickly and were different from those being erected now. Latterly, regard has been given to the nature of existing buildings in the vicinity of the site of a proposed new structure so that the lines of the new building will harmonize with those of the old. Similar planning is obvious in Paris. In Munich, where parts of the city were severely damaged by bombs, buildings have been reconstructed with the same type of architecture as previously existed. It is obvious that in the cities I have mentioned, and in other cities throughout the world, an attempt has been made to fit the structures into the environment.

I believe the Government would have nothing to fear from being brought into this field and having to comply with the provisions of the Act, because its own Public Buildings Department has all the facilities for presenting evidence and keeping the Adelaide City Council informed, just as it does the Public Works Committee.

The Hon. T. M. CASEY: I cannot accept the honourable member's amendment, and I think asking the Crown to be bound in this way is not practical. I think there will be complete co-operation with the Adelaide City Council.

The Hon. G. J. Gilfillan: There has not been in the past.

The Hon. T. M. CASEY: The hands of the Crown cannot be tied in this way.

The Hon. R. C. DeGaris: It is being done in the Environmental Protection Council Bill; the Crown is bound there. It has to go cap in hand to the council.

The Hon. T. M. CASEY: I do not think that in these circumstances the Crown should be bound, and I oppose the proposed new section.

New section inserted.

The Hon. R. C. DeGARIS: I move:

In new section 42j to strike out "a day to be fixed by proclamation" and insert "the thirtieth day of June, 1975".

This is complementary to an earlier amendment and I explained the reasons for this when speaking on clause 3; those amendments have been accepted.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendments. Committee's report adopted.

## ENVIRONMENTAL PROTECTION COUNCIL BILL

Adjourned debate on second reading.

(Continued from September 26. Page 1541.)

The Hon. C. R. STORY (Midland): In speaking to this legislation I do so with a great deal of pleasure because it was during the period when we were in Government that the first real steps were taken in trying to do something about the environment. The Government then set up a committee, and since then we have waited patiently over a period of nearly 2½ years for the Jordan report to be brought down. I think it is rather nebulous at the present time to be debating this measure when the Jordan report has not been tabled. As I understand it, the report is available; it is merely a matter of whether or not it can be printed in time. I am not prepared to vote on this matter until such time as I have seen the report, because that committee, set up under Professor Jordan, is one of the best committees that could be gathered together. It included Dr. Woodruff, whom everyone was happy to have as a member of the investigation committee, and Mr. Schroder, who has played a tremendously important part as a scientist and as a commercial leader in this State. Further, he has done much in his own sphere to reduce pollution problems in connection with the cement industry. All of the other committee members are eminent people.

I am reluctant to deal with this matter, although I know how important it is, until the Jordan committee's report is tabled. That report could contain recommendations that honourable members should be aware of when considering this Bill. Only a year or so ago I was in California, possibly the nearest equivalent to South Australia in respect to geography and climate. Los Angeles and San Francisco are very similar to Adelaide; when the wind is in the right direction there are no pollution problems, but when the wind is in the wrong direction there are definite pollution problems. I was most impressed when I visited Riverside, which is one of the campuses of the University of California. I saw there giant redwood trees that had been so affected by pollution from the city and from motor cars that they were dying. I saw vineyards that had previously yielded well but were reduced to one-third of their previous yield. Further, pollution had caused the hours of effective sunlight to be reduced by about one-half. I shall wait with bated breath for the Government to bring down the Jordan

committee's report. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

#### STATUTES AMENDMENT (VALUATION OF LAND) BILL

Read a third time and passed.

#### MARKETING OF EGGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 26. Page 1537.)

The Hon. L. R. HART (Midland): The principal Act dates back to 1941, when a board was set up to control the marketing of eggs in South Australia for the duration of the war against Germany and for six months thereafter. When Japan came into the war it was necessary in 1945 to extend further the duration of the Act to six months after the termination of hostilities with Japan. In 1941 the South Australian egg industry was worth about \$2,000,000 a year, and it was largely a sideline, compared with the situation today. At that time it was estimated that the industry consumed about 3,000,000 bushels of wheat a year. For the season 1940-41 about 2,000,000 dozen eggs in the shell were shipped overseas, 4,000,000 dozen eggs were marketed in other States, and the remainder, 2,000,000 dozen, were consumed locally.

Great Britain, our main oversea market at that time, because of the war was no longer able to supply sufficient refrigerated shipping for the export of eggs in the shell, and it therefore became necessary to look at the possibility of exporting eggs in some other form. For this purpose egg-drying plants were established initially in New South Wales and Victoria, with Commonwealth assistance. With the loss of the export market for eggs in the shell, competition for this market in Australia became very fierce. New South Wales and Victoria had already set up marketing boards, and it was thought that South Australia should also have a statutory marketing authority if this State was to have orderly marketing. When the war ended the industry was geared to a system of marketing through the South Australian Egg Board. It was thought that, if this system was abandoned, the industry might sink into a state of chaos. So, the Act was extended for three years and then for further three-year periods. In 1965 we saw the advent of the Council of Egg Marketing Authorities in Australia. It should be on record how this plan operates and what place the South Australian Egg Board has in

it. I shall therefore quote the following extract from the Auditor-General's Report:

The Egg Board, operating under the Marketing of Eggs Act, determines the price at which it purchases eggs from producers, fixes the wholesale selling price in South Australia, makes available supplies to the local market through its grading agents and arranges with the Australian Egg Board for the export of eggs surplus to local requirements. The board has power to deduct levies from the proceeds due to producers to cover handling, administrative and other charges. Since the inception of the C.E.M.A.A. (Council of Egg Marketing Authorities of Australia) plan on 1st July, 1965, the Commonwealth hen levy has provided the means for equalizing returns from local and export sales. The hen levy imposed by and collected on behalf of the Commonwealth is, through the Poultry Industry Trust Fund, used to recoup the various State Egg Boards for export losses, freight and other costs of transferring eggs from one State Egg Board to another and other losses and charges as recommended by C.E.M.A.A. and approved by the Minister for Primary Industry, in addition to the administrative costs associated with the collection of the hen levy.

I have prepared some figures to show how this plan operates to the advantage of South Australians. I wish to show that in each case South Australia has paid less into the fund than it has taken from it. In 1969, South Australian egg producers paid \$1,038,800 into the Poultry Industry Trust Fund. In that year the increase in exports over the previous year was 29 per cent, and we recovered \$1,430,195 in reimbursements from the fund. The average price of eggs at that time on the Australian market was 49.85c a dozen and the average price on the export market was 12.83c, or about one-quarter of the home price. In 1970, South Australia paid \$1,040,900 into the fund, and in that year there was a 6 per cent increase in exports, and we recovered \$1,279,000 in reimbursements from the fund. The export price at that time was 12.5c a dozen, or slightly less than the previous year, and the home price was 50.04c, or slightly more. In 1971, we paid \$1,170,900 into the fund, and in that year there was a 46 per cent increase in exports over the previous year. We recovered \$1,305,847 in reimbursements from the fund. The Australian price had dropped somewhat to 45.67c a dozen as compared to the export price of 12.03c.

For the current year ended July 1, we paid \$1,248,000 into the fund, and there was a 21 per cent increase in exports over the previous year. The sum we recovered in reimbursements from the fund is not yet available. It is interesting to note that the average price on the Australian market was 44.1c a dozen and

the average export price was a low 7.44c. I mention these figures to show the great disparity in price between the home and the export markets. In the four-year period export sales increased by over 90 per cent and the price dropped from 12.3c a dozen to 7.44c. During the period 1965-66 to 1970-71, South Australian producers paid \$5,777,935 by way of levy into the fund and drew \$7,812,548 from it; there has been a financial gain to South Australian producers of \$2,034,613.

In other words, about \$2,000,000 has been contributed by way of levy by producers in the other States. Although the plan has been advantageous to South Australian producers, the generosity of the producers in other States is unlikely to continue indefinitely. We now face a situation where producers in other States could well flood the Australian market, and that would be chaotic. Although the Bill is largely a Committee Bill, I wish to discuss several points now because it will allow the Minister time to provide replies to my queries. In his second reading explanation the Minister said:

There is, as will be seen, a change of emphasis on the background of the three non-elected members of the board, which reflects the experience of the activities of the board over the past years and also the view of the Government as to the likely future activities of the board.

Put shortly, as with all statutory boards of this nature, there is a clear need for the board to involve itself in all aspects of egg marketing, including, if necessary, entry into fields of processing eggs. It is essential for the board to involve itself in these matters if it is to operate for the benefit of producers. To a large extent, in the case of primary products the future problems of marketing assume ever increasing importance. It is not sufficient that a good quality egg be produced: it must also be marketed in such a way as to give the best return to the producer as well as the best value to the consumer.

The inference here is that the Government nominees will be people with special skills. I have no disagreement with the provision that people of special expertise should constitute the board, but I am concerned at the Minister's suggestion that there is a need for the board to enter into the field of marketing, which is a specialized field; yet a person with these special qualities in the industry is disqualified from election to the board. This is a multi-million dollar industry and surely people with knowledge of marketing in the industry (a knowledge that has been built up over a long time in a difficult area of marketing) could contribute a considerable amount of expert advice to the new board. At one time the

Minister said that the Meat Board should be a marketing authority. Would he suggest that if the Meat Board became a marketing authority it should have no-one on it who was interested in the marketing of meat?

The Labor Party is often saying that unions should be represented on boards because of the special knowledge they have; yet we are to set up a board that will have three primary producers on it with expertise in the field of production, not marketing, and the Government will nominate three persons who have no connection with the industry but who have expertise in marketing. If these people are available we can look forward to the success of this venture, but I am not convinced that we can go outside the industry and get the type of expertise required, bearing in mind that it is only an advisory board. We can say that the wool industry went outside the industry and obtained a person with special marketing qualities, but he was a man on a very high salary; he took over as a full-time manager of the Australian Wool Board. In this case we are not going to employ on a full-time basis outside people with special skills; we are going to employ them only in an advisory capacity.

I gave some figures showing that the loss on eggs exported from South Australia over a five-year period was more than \$2,000,000. Surely, the board would not want to enter into this market, and yet the Minister has suggested the board should become involved in marketing. The local market, it would appear, is adequately catered for. It is all very fine to be critical of the trade for not doing certain things in the marketing field that the industry believes it should do, but one must not ignore the situation that the industry itself is continuing to produce a product that is in excess of market requirements. If we are to allow this situation to continue, what hope has any marketing authority of dealing with it, let alone a new board by-passing people with the knowledge in marketing that the egg industry must have?

I turn now to clause 7 inserting new section 4c (a) (i), which states:

A person shall be eligible to stand for election to the board if his name is included on the roll of electors for any electoral district and—

(a) if—

(i) he has on his own account marketed through the board or an agent of the board during the year (being a period of twelve months beginning on the first day of January) immediately preceding the day of his nomination for election the



equivalent of ten dozen eggs per leviathan hen.

How does this affect a person operating a pullet farm? This type of operation is recommended by the Agriculture Department and is known as the "all-in, all-out farm". Producers operating this type of egg-producing farm often buy their pullets at an age when they are on the verge of laying, keep them for six months, and then sell them. I wonder whether such a person would necessarily qualify for election to the board.

I shall read an extract from the Minister's second reading explanation which states:

Clause 12 repeals section 18 and section 18a of the principal Act and enacts a new section 18 in their place. Former section 18 prevented the board establishing an egg floor except in certain limited circumstances. It is now proposed that the board's powers to establish an egg floor will not be so restricted but that it will be obliged to give advance warning of its intention to persons likely to be affected. Under proposed new section 18 the board has also been granted a plenitude of power to carry out its functions.

We find in the dictionary that "plenitude" means "fulness", "completeness", "abundance". One might say "unlimited power"; in other words, the board is going to be given unlimited power to enter into the field of marketing. Clause 12 reads as follows:

Section 18 and section 18a of the principal Act are repealed and the following section is enacted and inserted in their place:

18. (1) Subject to this section the board may establish and maintain such facilities as it considers necessary or desirable for the purposes of the collection, handling, grading, processing, dealing with or marketing eggs.

That is the first subsection of that new section and it is all I need to read, because it clearly sets out the powers of which the board will have a plenitude. It is going to have unlimited powers to do any one of these things. I would have thought that, under the existing Act, the board would have sufficient powers, and it is interesting to read section 18 of the existing Act, which states:

The board shall not establish or maintain any egg floor: Provided that if the Minister is satisfied that an egg floor is necessary in any locality and that no other suitable person is willing to establish such a floor and grade eggs thereat at a cost which the Minister considers reasonable, the Minister may authorize the board to establish and maintain an egg floor in that locality, and the board may establish and maintain an egg floor accordingly.

Section 18a reads as follows:

The board may do all or any of the following things, namely:

- (a) dry any eggs, whether belonging to itself or to any other person or body and carry out any pulping or processing incidental to the drying of any such eggs; or
- (b) contract or arrange for the pulping, drying, or processing of any eggs;
- (c) purchase, take on hire, construct, erect, and maintain any premises, machinery, plant, and equipment required for any pulping, drying, or processing which the board has power to carry out.

When one compares the existing sections 18 and 18a with the sections proposed to be inserted, the operative word becomes "marketing". This is the portion of the Bill which is important not only to me, but to other honourable members, and I am sure the producers who are supporting this Bill are taking rather a short-sighted view.

The ACTING PRESIDENT (Hon. C. R. Story): Order! There are too many private conversations going on.

The Hon. L. R. HART: There are many clauses of the Bill one could discuss individually, but this could be done more effectively in the Committee stage. I am willing to support the second reading, but I am somewhat fearful of some aspects contained in the new proposals. We are setting up a new board with increased powers to carry out the same functions as the old board. In addition, it is permitted further powers. I am afraid that the increased powers available to the new board may get it into more difficulties than the previous board had to deal with.

We are all aware that other boards set up by the Government to deal with industries with overproduction and marketing problems have foundered because the seat of the problem, overproduction, has not been attacked. The C.E.M.A.A. plan has been of great help to the egg industry but, if the law of supply and demand had been allowed to operate, perhaps the industry would not be in the situation it is in today. Unless the new board can lower handling charges and thus reduce the disparity between prices to the producer and costs to the consumer, it will serve no useful purpose. The Minister recently said in a television interview that, under the proposed legislation, the consumer would get a better quality egg at a lower price. I trust that that is not an empty hope. I support the second reading.

The Hon. V. G. SPRINGETT secured the adjournment of the debate.

#### ADJOURNMENT

At 5.46 p.m. the Council adjourned until Thursday, September 28, at 2.15 p.m.