LEGISLATIVE COUNCIL

Thursday, October 18, 1973

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

QUESTIONS

LAND COMMISSION BILL

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before asking a question of the Minister of Lands.

Leave granted.

The Hon. R. C. DeGARIS: A report in today's *Advertiser* indicates that, in the Premier's opinion, this Council's amendments to the Land Commission Bill are causing delay in the consideration of the Bill. The report states:

Government officers are having trouble interpreting some of the Legislative Council amendments to the controversial Land Commission Bill. The Premier (Mr. Dunstan) said outside Parliament late last night that this was the reason for the delay in discussing the amendments, which drastically alter the original legislation.

Will the Minister inform the Premier that honourable members of this Council are only too willing to explain the amendments to him or to his Government officers as a means of ensuring that there is no delay in the passage of this most important Bill?

The Hon. A. F. KNEEBONE: I thank the Leader for his kind offer, which I will convey to the Premier.

WEEDS ACT

The Hon. B. A. CHATTERTON: Can the Minister of Agriculture say whether he is contemplating amending the Weeds Act?

The Hon. T. M. CASEY: The honourable member will recall that some time ago I set up the Weeds Advisory Committee to look into the problem of weed control throughout the State. When the committee brought down a report some months ago, I instructed it to carry out a further inquiry into the problem. The committee's report has now been finalized, and I am at present considering a draft Bill. However, there are a few matters that have to be settled before I introduce the Bill. One of the problems I am encountering is that the Royal Commission inquiring into local government boundaries has not yet prepared its report, and it is important that that report be taken into consideration when setting up weeds boards throughout the State. I hope that, when the findings of the Royal Commission have been finalized, I will be able to introduce the new weeds legislation.

The Hon. R. A. GEDDES: Can the Minister say whether it would be possible to have a copy of the draft legislation, when prepared, to be shown to members of the Stockowners' Association, who have an active interest in trying to assist weed control in South Australia?

The Hon. T. M. CASEY: I have always tried, as I told the Leader yesterday, to see that, regarding any contemplated legislation dealing with agricultural matters, I contact all interested parties to ensure that they have complete knowledge of the facts as I see them.

EGGS

The Hon. V. G. SPRINGETT: Has the Minister of Agriculture a reply to my question of September 11 about egg production on Kangaroo Island?

The Hon. T. M. CASEY: The reply follows on from a previous question the honourable member asked, namely, whether people in remote areas of the State could sell eggs direct to storekeepers and, perhaps, direct to consumers. The reply I gave was, in effect, "Yes, provided that they obtained a producer agent licence from the Egg Board." To clarify the reply to the honourable member's second question, the Chairman of the South Australian Egg Board has assured me that all egg producers marketing eggs direct to shop or consumer under a producer agent licence, in any part of South Australia, pay the same charges, receive the same selling commissions, and obtain the benefit of established market prices.

CRAYFISHING

The Hon. Sir ARTHUR RYMILL: I seek leave to make a statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. Sir ARTHUR RYMILL: I address my question to the Minister of Agriculture, representing the Minister of Education. On television last evening it was announced that, on account of a desire to supply His Royal Highness the Duke of Edinburgh with a meal of our delicious South Australian crayfish, and the fact that the crayfishing season did not open until a matter of hours before His Royal Highness' visit, crayfishermen were proposing to put their pots out a fraction of a second after midnight on the opening day. I understand that the crayfish, as far as pot fishing is concerned at any rate, is a nocturnal crustacean. Therefore, if the pots were put out during the day before the opening of the season, it might be difficult to prove that any individual crayfish entered any of them before midnight. In these circumstances, will the Minister of Agriculture educate the Minister of Education on this point and ask him whether he would object to the Royal pots being put out the day before the opening of the season?

The Hon. T. M. CASEY: I shall be only too happy to take the honourable member's question to my royal-blooded colleague in another place.

ADELAIDE RAILWAY STATION

The Hon. C. M. HILL: I seek leave to make a statement prior to asking a question of the Minister of Health, representing the Minister of Transport.

Leave granted.

The Hon. C. M. HILL: During the last two or three years constituents have brought to my notice problems that have been associated with the location of the principal interstate railway platform in its present position. They have also said that, judged on the situations in other States, perhaps a far better location for the platform would be the No. 1 platform at the Adelaide railway station. These people have pointed out that, particularly in Melbourne, the vehicular access to the platform, and the ease with which visitors and others have access to the interstate platform by being able to enter it along its whole length, make interstate travel and the farewelling and welcoming of visitors a much easier and, indeed, happier procedure.

They have also pointed out that if No. 1 platform could be converted to this use some of the wall and frontage along North Terrace might be opened up to taxis and other vehicles and that, generally speaking, a much more satisfactory arrangement would result when interstate trains were either arriving at or departing from the station.

Will the Minister therefore ask his colleague to examine this matter and bring down a report on the possibility of these alterations taking place at some stage so that the No. 1 platform can be used for interstate traffic and, at the same time, so that access can be gained directly from North Terrace?

The Hon. A. J. Shard: That doesn't happen in Melbourne, you know.

The Hon. C. M. HILL: It does.

The Hon. A. J. Shard: Not for access.

The Hon. C. M. HILL: I am thinking of access when one is coming from Sydney.

The Hon. A. J. Shard: You may be right there.

The Hon. C. M. HILL: I know I am right there.

The PRESIDENT: Order!

The Hon. C. M. HILL: I do not want to argue the details of the matter, but this feature is, generally, very noticeable. A rank of taxis is there waiting for people, and the general access by motor vehicles and people is far easier than it is at the Adelaide railway station, particularly where there are at present considerable restrictions because of rebuilding, the construction of the festival theatre, and the difficulty of getting cars on to the lower concourse outside the station on the northern side.

The Hon. T. M. Casey: Of course, they have this difficulty in Melbourne.

The PRESIDENT: Order! Interjections are out of order in Question Time. This question is developing into a debate.

The Hon. C. M. HILL: Can a report on this whole matter be brought down?

The Hon. D. H. L. BANFIELD: I shall be happy to refer the honourable member's question to my colleague.

ROSEWORTHY AGRICULTURAL COLLEGE

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

Leave granted.

The Hon. M B. DAWKINS: My question refers to the Roseworthy Agricultural College, which is now recognized as a college of advanced education. As honourable members are well aware, under legislation that was passed last session several other colleges of advanced education were set up in South Australia. In reply to a question I asked at that time, the Minister of Agriculture was kind enough to tell me that similar legislation regarding the Roseworthy Agricultural College would be introduced this session. Can the Minister tell the Council when this Bill, formally setting up Roseworthy as a college of advanced education will be introduced?

The Hon. T. M. CASEY: I am unable to tell the honourable member the exact date on which the Bill will be introduced. However, I will check with my colleague in another place to see exactly what the situation is, and I will let the honourable member know.

DATA BET SYSTEM

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

Leave granted.

The Hon. R. C. DeGARIS: By way of explanation, I refer to a report in today's press regarding the data bet system, part of which is as follows:

The South Australian Totalizator Agency Board's involvement with the contentious data bet system is at the crossroads. This was admitted last night by the T.A.B. Chairman (Mr. M. L. Dennis). Giving evidence to the Committee of Enquiry into South Australian Racing, Mr. Dennis said T.A.B. had recently given serious attention to relationships with Dataline Systems Pty. Ltd. The data bet system, which is applicable to on-course operations only, has already involved T.A.B. in a commitment of $1 500 000. Mr. Dennis admitted it was now common knowledge that Dataline had failed to meet target dates.

It had been necessary for T.A.B. substantially to support Dataline Systems to enable it to service contracts. "It has now reached a situation which we regard as critical", he said. "What must be determined now is whether or not the system merits continued support". This was at present under urgent examination.

Leaving out part of the article, I quote further:

Initially T.A.B. invested $150 000 in the share capital of Dataline Holdings Pty. Ltd. This company was incorporated to acquire the share capital of the manufacturing company, Dataline Systems Pty. Ltd. Subsequently T.A.B. acquired further shares in the company and now holds 82 per cent of the share capital at a cost of $169 800. Lack of confidence in the company is reflected in the greatly decreased price at which T.A.B. was able to purchase later shares.

The extracts I have quoted must cause a good deal of concern to honourable members. Will the Chief Secretary undertake to have an investigation made of the position and provide a full report to Parliament regarding the relationship between the Totalizator Agency Board and Dataline Holdings Proprietary Limited?

The Hon. A. F. KNEEBONE: I have had discussions with the Chairman of the Totalizator Agency Board on this matter. As is stated in the article, the situation is at a critical stage and the board is making investigations; I am seeking a report. I can tell the Leader that the Government, too, is concerned about what has gone on, and I assure him that the appointment of the new Chairman to the board was made, from the point of view of the Government, so that we could review the whole situation. The Chairman has reported to me on a couple of occasions. An investigation is going on, and I shall get a report and bring it to Parliament as soon as I can.

PARLIAMENT HOUSE

The Hon. SIR ARTHUR RYMILL: Since there is talk of a session of Parliament taking place during the hottest part of 1974 (I refer to possibly late February or early March in 1974), and linking that with the alterations going on at the back of the House, would you, Sir, be prepared to make a statement on the question of air-conditioning in this Chamber?

The PRESIDENT: I have already spoken to the Principal Architect of the Public Buildings Department about atmospheric conditions in the Chamber as experienced in the previous session, and he promised to look into the matter of getting the existing plant working more effectively for this session. Already I have received complaints during this session, and I am certainly feeling discomfort where I am sitting at the moment. I shall make further approaches to see whether something can be done to improve the conditions under which we have to work here during the afternoons in the summer months.

The Hon. C. M. HILL: Further to the question relating to the inconvenience caused to members in this Chamber because of building alterations, can the Chief Secretary tell me what is the latest position? I refer particularly to the inconvenience caused in members' offices in the basement, and I ask the following questions: first, what is the exact nature of the reconstruction and alterations that are taking place in Parliament House; secondly, what cost will be involved in all this work; thirdly, will any construction work be undertaken below the normal foundations of Parliament House that will affect any future underground railway system; fourthly (and I believe this question is in some way related to this vast undertaking), what will be the total cost to the Government of relocating members of the House of Assembly in their new district offices; and, finally, how long will the alterations to Parliament House take?

The Hon. A. F. KNEEBONE: I shall endeavour to get a reply to the questions asked by the honourable member in a reasonable time.

COUNTRY LOANS

The Hon. C. R. STORY: On behalf of the Leader of the Opposition (Hon. R. C. DeGaris), I ask whether the Chief Secretary has a reply to the question the Leader asked relating to country loans.

The Hon. A. F. KNEEBONE: The articles which appeared in the *Public Service Review* concerning the making of housing loans by the Superannuation Fund Board to persons in country districts arose from a misunderstanding between officers of the board and of the Valuation Department. Following a meeting of the departmental heads concerned, the matter has now been satisfactorily resolved.

GOVERNMENT PRINTING OFFICE

The Hon. Sir ARTHUR RYMILL: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. Sir ARTHUR RYMILL: About two months ago a question was asked as to when the old Government Printing Office was likely to be demolished. I have noticed that considerable progress is being made with the festival theatre complex, of which we are all very proud. When the complex is completed it will be a tremendous asset to this State. As the only blot on the landscape now is the old printing office, can the Chief Secretary give any further information as to when it will be demolished so that the rest of the work can be completed?

The Hon. A. F. KNEEBONE: From memory, I believe I indicated that Government Printing Office staff and machinery would be moved early next year, but as yet I have been unable to get an answer as to when the building will be demolished, because that is tied up with the planning of the underground car park and other matters associated with the festival theatre. However, I shall endeavour to get the latest information for the honourable member.

URBAN LAND (PRICE CONTROL) BILL

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

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That this Bill be now read a second time.

It is designed to introduce price control on certain land. It complements the operation of the Land Commission Bill. While the purpose of that Bill is to ensure that there is a regular supply of allotments on the market which will continuously meet demand, the present Bill is designed to moderate demand for allotments by ensuring as far as possible that those who purchase building allotments do so for the purpose of home building, not for speculative gain. The Government intends to introduce controls of a selective nature which will not disrupt plans of subdividers to produce new allotments. The principal control imposed by the Bill relates to those who have since May 16, 1973, purchased residential allotments of less than one-fifth of a hectare in area. Blocks purchased before that date are not subject to control. In addition, control is imposed upon newly subdivided blocks. These controls are directed to the purpose of ensuring that those who genuinely require land for the purpose of establishing a home are not burdened with the heavy loading placed on the price of the home allotments by speculative activity.

As a necessary corollary of the imposition of price control upon residential allotments, control has also been placed upon the price at which new houses may be sold. This control is necessary to ensure that speculative buyers do not have the means of escaping the provisions of the new legislation. If the control were to relate only to vacant allotments, it is obvious that speculators could purchase allotments, enter into some arrangement with a builder for placing houses on the allotments, and then sell the improved allotment without the form of restraint that is envisaged by this Bill. To permit that kind of practice would be to allow a serious anomaly to develop in the operation of the Bill. The Bill therefore provides that a person who sells a new house (that is, a house that has not been previously occupied as such, or a house that has been occupied for a period of less than 12 months) must sell at a price approved by the Commissioner of Land Price Control. The Commissioner is required by the Bill to examine the costs incurred in acquiring, holding and maintaining the land and in improving it, and fix a reasonable level of profit for the vendor.

The Commissioner of Land Price Control will have heavy responsibilities in regard to the provisions of the Bill dealing with vacant land and in regard to those dealing with the price of new houses. The Government intends therefore to set up an expert advisory committee to assist him in the performance of his important functions. This committee will be formed of experts drawn from the public sector and from private enterprise. The controls imposed by this Bill will continue until the Government is satisfied that the supply of building allotments is in balance with demand and the Government's object of stabilizing land prices has been achieved.

Clauses 1, 2 and 3 are formal. Clause 4 removes the provisions relating to the control of land prices from the Prices Act. Clause 5 contains a number of definitions required for the purposes of the new Act. The Act is to operate within a controlled area which consists primarily of the Metropolitan Planning Area and additionally of any other area declared by proclamation to constitute a controlled area. Clause 6 provides for the appointment of a Commissioner of Land Price Control. Clauses 7 to 13 deal with the establishment of the Land Price Tribunal. The tribunal is to consist of a Chairman who is a local court judge and two other persons with appropriate expertise nominated by the Minister.

Clause 14 provides that the new price control provisions will apply to any vacant allotment of residential land within a controlled area where the holder of a proprietary interest in the land acquired his interest during the control period, that is to say, the period commencing on May 16, 1973. In addition, the Bill applies to newly subdivided blocks. Clause 15 provides that a person shall not enter into certain transactions in relation to land to which the new Part applies without the consent of the Commissioner. However, subclause (3) exempts certain transactions from the operation of subclause (1). No consent is required for the sale of newly subdivided blocks. No consent is required where the consideration for the sale does not exceed an amount calculated by adding 7 per cent compound interest to the amount for which the allotment was bought and other outgoings incurred in the acquisition of the land. This formula will ensure a fair return in many instances. Of course, the Government realizes that the formula will not invariably produce a just result. There may, for example, be cases where a prospective vendor has incurred

expenditure in improving his allotment which he can properly expect to recoup on sale. In such cases an application can be made for the consent of the Commissioner, and he will determine the matter in a manner that will do justice in the special circumstances of the applicant's case.

Clause 16 provides for the manner in which an application for the consent of the Commissioner is to be made. Clause 17 deals with the granting of consent by the Commissioner. Clause 18 provides that, where a transaction contravenes the new Act, it is not thereby invalidated. However, where a consideration has been paid in excess of that permitted by the new Act, the purchaser may recover the amount of the excess. Clause 19 provides that a person shall not sell or demise any allotment within a controlled area upon which a new house is erected except for a consideration approved by the Commissioner. Clause 20 deals with the manner in which an application for the Commissioner's approval is to be made.

Clause 21 deals with the matters to which the Commissioner is required to pay regard in determining an application for his approval. The Commissioner is required to allow a reasonable margin of profit to the applicant when considering the amount for which he will permit the new house to be sold or leased. Clause 22 provides that, where a transaction contravenes Part IV of the Act, it is not invalidated, but under the provisions of clause 22 a purchaser or lessee could obtain a certificate from the Commissioner as to the amount for which he would have permitted the new house to be sold or let if due application had been made for his approval. Where it appears that the amount for which the house is actually being sold or let is excessive, the purchaser or lessee may recover the amount of the excess. Clause 23 enables any person aggrieved by a decision of the Commissioner to appeal to the tribunal against that decision.

Clauses 24 to 26 set out the procedures to be adopted by the tribunal in hearing and determining any such appeal. Clause 27 empowers the Governor to exempt from the application of the new Act any transaction or class of transaction, or any land or class of land, or any person or class of persons. Clause 28 provides that, where a consent or exemption is granted under the new Act subject to conditions, the person in favour of whom the consent or exemption has been granted must comply with all conditions that are applicable to him. Clause 29 provides that any instrument of transfer submitted to the Registrar-General for registration must be endorsed with a certificate signed by a legal practitioner or land broker which will disclose whether the transaction is in conformity with the new Act. Where the land is within a controlled area, and there is thus a possibility that a contravention of the Act could have occurred, the instrument must be accompanied by statutory declarations made by the parties to the transaction setting out the matters upon which the certificate is based.

Clause 30 provides that any person who is a party to a transaction prohibited by the Act or who counsels or abets any person in entering into any such transaction is guilty of an offence against the Act. It also creates certain ancillary offences. Clause 31 provides that where a person who is a legal practitioner or land broker, or is licensed or registered under the Land Agents Act, 1955-1964, is guilty of an offence against the new Act or aids, abets, counsels or procures any such offence, then there shall be proper cause for his disbarment or the revocation of his licence or registration. This provision does not, however, affect the discretion of a disciplinary authority to take disciplinary action of lesser severity than disbarment or revocation of the offending person's licence or registration. Clause 32 provides for offences against the new Act (except offences punishable by imprisonment) to be disposed of summarily. Clause 33 enables the Governor to make regulations for the purposes of the new Act.

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

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

Honourable members may recall that, towards the end of last year, amendments to the State Bank Act were enacted to provide for matters relating to the application, to the officers of the State Bank, of the Public Service Act and for provisions relating to appeals against promotions and appeals in disciplinary matters. In addition, provision was made for the creation of classification committees to advise that bank on matters relating to the classification of offices.

At that time is was foreshadowed that amendments, having a similar effect, would be introduced in relation to the Savings Bank of South Australia Act. Necessarily these amendments must be spelt out in somewhat greater detail than they were in the State Bank Act, the reason being that, in terms of the State Bank Act, the Public Service Act, to some extent, applies to officers of the State Bank, but it does not so apply in relation to officers of the Savings Bank. Thus, one purpose of this Act is to enact provisions relating to the officers of the Savings Bank of a kind referred to above. At the same time opportunity has been taken to bring parts of the Savings Bank of South Australia Act up to date and in conformity with modern banking practice and also to reflect certain changes in the law that have occurred since the principal Act was first enacted.

Clauses 1, 2 and 3 are formal. Clause 4 amends section 5 of the principal Act by inserting certain definitions the need for which will become clear in the consideration of the later clauses of the Bill. Clause 5 is formal. Clause 6 amends section 19 of the principal Act by striking out subsection (2), which provided for the giving of security by persons employed in the bank. A provision of this nature is quite archaic and is now not required.

Clause 7 amends the principal Act by inserting new section 19a, which provides for the establishment of a classification committee or, if necessary, a number of classification committees to advise the bank on matters relating to the classification of offices, that is, the arranging of offices into classes based on the nature of the work to be performed and assigning salaries or ranges of salaries thereto. The composition of each committee is set out at proposed new subsection (4), which provides for a Chairman who will not have a direct connection with either the bank or the relevant industrial association but who is acceptable to that association and for one member to represent the bank and one member the association.

Clause 8 amends section 20 of the principal Act by somewhat modifying the basis by which, in certain circumstances, an allowance for service is paid on retirement or death. Previously this allowance was fixed at one month's salary, based on the average salary paid in the last three years of the officer's service, for each year of

service. It is intended that the new basis of calculation will be one thirty-sixth of the notional total salary paid to the officer, during the last three years of his service, for each year of his service. This notional salary will be calculated on the basis of the rates prevailing, at the time the allowance becomes payable, for the office permanently occupied by the officer during the last three years of service. The effect of this amendment will be to ensure that any increase in salary payable in respect of the various offices during the period of three years will be reflected in the lump sum payment made to the officer.

Clause 9 repeals section 25 of the principal Act, which is now redundant since the bank does not appoint Commonwealth officers as agents of the bank. Clause 10, which inserts some 25 new sections in the principal Act, represents a substantial addition of material to that Act. This group of sections is divided into two Parts, one dealing with the filling of vacancies in offices and the other with discipline. Honourable members will note that these provisions follow closely the comparable provisions in the Public Service Act, and accordingly it is felt that a greatly detailed exposition of the provisions should not be necessary here.

New sections 26c to 26e provide for a system of nomination for appointment to an office, with a right of appeal by any applicant for the appointment who was not so nominated. New section 26f provides for an alternative method of proposed appointment without calling for applications, but this section also provides for an appeal by any officer of the bank against the appointment. New section 26g creates an Appointments Appeal Committee to which appeals may be directed. New section 26h provides for proceedings before the committee.

I draw honourable members' attention to the fact that this Division does not provide for appeals in the case of appointment to one of the prescribed offices in the bank. It is the intention of the trustees and the Government that these prescribed offices will be the most senior offices in the bank which may, to some degree, be likened to the office of permanent head in the Public Service. Honourable members will recall that under the Public Service Act an appeal does not lie against the appointment of a permanent head.

Proposed new Division III, inserted by this clause at sections 26k to 26z, formalizes the system of dealing with disciplinary offences within the bank. I am happy to inform honourable members that disciplinary offences do not often seem to occur in the bank. Hence it might well be asked why the need for these extensive and detailed provisions. The answer is, I suggest, that officers of the bank, no less than officers of the Public Service, have a right to have their rights and duties in matters of discipline spelt out in detail. In form the provisions closely follow the analogous provisions in the Public Service Act, modified to the extent necessary to suit the workings of the bank. An Appeal Tribunal, presided over by a special magistrate, is provided by proposed new section 26s, and on this tribunal both the bank and appellant are represented.

Clause 11 amends section 31a of the principal Act and, in addition to making a formal amendment, (*a*) increases the maximum amount of a personal loan that may be made by the trustees where the borrower can provide appropriate security; and (*b*) increases from three to five years the period in respect of which a personal loan may be made. Clause 12 amends section 32 of the principal Act by slightly enlarging the range of investments that the bank can make to include investments in investments authorized by section 5 of the Trustee Act.

Clause 13 amends section 38 of the principal Act by striking out a paragraph therein relating to payments to minor depositors who cease to reside in the State. This specific provision is now no longer necessary in the light of other amendments proposed by this Bill. Clause 14 amends section 39 of the principal Act by providing a simpler method for the trustees to exercise control over the school bank department. Clause 15 repeals section 42 of the principal Act which in general regulated the conduct of business by the bank and replaces that section by a shorter and simpler section based on section 41 of the Commonwealth Banks Act, which simply empowers the bank, subject to some restrictions, to carry on the ordinary business of a savings bank. The detailed enumeration of the powers in section 42 of the Act as it stood has, from time to time, caused some difficulty in the operations of the bank.

Clause 16 repeals and re-enacts section 42a of the principal Act, which dealt with deposits and withdrawals by minors, and sets out the powers of the bank in this matter in somewhat simplified form. Clause 17 repeals section 42b of the principal Act. The repeal of this section is a necessary consequence on the re-enactment of section 42 referred to previously. Clause 18 amends section 44 of the principal Act by substituting for the provision that interest on all accounts under the control of the Supreme Court is payable at the ordinary rates to depositors a provision that the payment of such interest shall be at rates as are from time to time determined by the trustees. It is felt that this provision will give greater flexibility in the bank's operations.

Clause 19 makes a provision similar to that made by clause 18 in relation to moneys deposited by the Official Receiver. Clause 20 repeals and re-enacts section 46 of the principal Act and, substantially, continues the restriction on the bank having, as a customer, a body engaged in profit-making activity. However, this restriction is now subject to one modification in that the bank may accept such a body as a customer, to open and operate a credit cheque account only, if its acceptance is approved of by the State Bank. In fact, it is expected that such customers will be customers who would operate accounts with the State Bank but who for one reason or another cannot be serviced by the State Bank as conveniently as they can by the Savings Bank.

Clause 21 repeals section 50 of the principal Act which will render it unnecessary in the bank to open separate accounts in which moneys received are deposited. Clause 22 amends section 51 of the principal Act by striking out subsection (2), which required notice of withdrawal of sums of more than $100. It is thought that a provision of this nature is now unnecessary. This clause also strikes out subsection (5) of section 51, which again is not necessary in view of the powers conferred on the bank by proposed new section 42.

Clause 23 amends section 52 of the principal Act by granting considerably more flexibility in the manner in which interest can be calculated on deposits. Clause 24 repeals section 53 of the principal Act. This section again circumscribed the manner in which interest was to be calculated, and is now thought to be unnecessary. Clause 25 repeals section 57 of the principal Act. This section merely stated, in relation to a particular form of property, what is now a general law in relation to married women's property. This section is, hence, no longer necessary.

Clause 26 amends section 60a of the principal Act, which deals with deposit stock. The amendments proposed are to obviate the need for the stock to be dealt

with in amounts of $20 or some multiple thereof and also the need for individual notices to be given to stockholders as to variations of interest rates. In fact, in the case of stock deposited for a specific term the interest rate is fixed in advance, and in the case of stock held for an indefinite period appropriate public notices seem to be all that is required. There are about 20 000 deposit stock accounts, and the need to notify each of the holders does impose an unnecessary burden on the bank. Provision is also made by this clause to enable interest on deposit stock to be credited at intervals other than half-yearly.

Clause 27 amends section 65 of the principal Act by substituting for the concept of "net profits" of the bank the concept of "surplus of income over expenditure". Clause 28 inserts a new section 67a in the principal Act and gives the trustees power to make rules providing for the payment of fees and allowances to the Chairmen of the Classification Committees established under the amendments proposed by this Bill, to the Chairman of the Appointment Appeals Committee and to the Chairman of the Appeal Tribunal, as well as for the payment of allowances to witnesses before some of these bodies.

The Hon. F. J. POTTER secured the adjournment of the debate.

MURRAY NEW TOWN (LAND ACQUISITION) ACT AMENDMENT BILL

Read a third time and passed.

NURSES' MEMORIAL CENTRE OF SOUTH AUSTRALIA, INCORPORATED (GUARANTEE) BILL

Third reading.

The Hon. D. H. L. BANFIELD (Minister of Health) moved:

That this Bill be now read a third time.

The Hon. C. M. HILL (Central No. 2): I support the third reading. By inference, the Minister of Health claimed yesterday that I opposed a freeway route in metropolitan Adelaide because it was intended to pass through my district. I deny that claim entirely. The route was not approved, first, because of the public objections that were raised during the six-month period allowed for scrutiny and objection, and, secondly, because the Government then in office made every attempt to restrict freeway routes to minimal requirements.

Bill read a third time and passed.

MONARTO DEVELOPMENT COMMISSION BILL

Third reading.

The Hon. A. F. KNEEBONE (Minister of Lands) moved:

That this Bill be now read a third time.

The Hon. R. C. DeGARIS (Leader of the Opposition): I support the third reading of this Bill. The public must be extremely confused regarding the legislation dealing not only with Monarto, as this Bill does, but also with other legislation relating to land tenure and other matters at present before Parliament. As a result of the amendments that have been passed, this Bill is better now than it was originally and, that being so, I thought it would be reasonable for me to spell out clearly my attitude to the legislation concerning land that is before the Council and to comment on the amendments to this Bill. Before I outline my general attitude, I suggest to interested people in South Australia that there should be in this State a land study group responsible for informing the public of all matters concerning land use, tenure and legislation, as well as any other matters that may be of interest.

The Hon. A. F. Kneebone: Would you like us to publish an advertisement in the paper about this?

The Hon. R. C. DeGARIS: The Government is sufficiently expert in that matter not to need advice from me. The amendments to the Bill included one to clause 39, where the reference to "proclamation" was amended to "regulation". This will give people in the community an opportunity to take an interest in what is happening and to make their views known. They will have an opportunity of changing the course of action that may be taken on certain matters by the Government or the authority administering the legislation. Because of those changes, such an organization, whether in Monarto or in any other decentralized area that may be developed, or whether in the general approach to land legislation, tenure and use, will play a most important role in these matters. Not only could it organize study groups and seminars, but also closely examine any matters associated with land. Not only could it act as an adviser to people threatened with compulsory acquisition of their properties, but it could play a most constructive role in ensuring that the Government (or the commission, or whatever administrative body is involved) knows what people are thinking. One could go on with examples of the work it could do. Unless such a group is formed in South Australia there is a chance that the interest of the individual will be squeezed by doctrinal administrations that have, in my opinion, a basic hatred of private ownership. Such a group exists in Western Australia and has already acted to inform individual landholders on legislation.

It has been formed to convey to the Government the thinking of people in various areas where development is taking place and also to inform the Parliament of any regulations or other matters concerning the area where the views of people should be known to the Legislature. I was pleased to read in the press on Sunday that there is a possibility of such a group being formed, and I quote from the *Sunday Mail*, as follows:

The Land Use Advisory Committee has suggested that plans for the proposed city of Monarto should be subject to an independent investigation. The committee's chairman, Mr. T. E. Doherty, said yesterday that his group would like to help instigate an independent study of the proposed city.

This is a step in the right direction, something that should receive support, and I am using this opportunity at the third reading of this Bill on Monarto—

The Hon. A. F. Kneebone: I thought you wanted the Public Works Committee to look at it.

The Hon. R. C. DeGARIS: Yes, but I think once again the Chief Secretary does not understand the difference between the two. First of all, the Public Works Committee already investigates proposals anywhere else in South Australia where the Government is to spend more than $300 000. At the same time, we have the Town and Country Planning Association, which could make representations to Parliament on the regulations. This anology must be transplanted to the new ideas coming out in these decentralized areas where a commission will be given certain power to do certain things. Any building in those areas that will involve public expenditure could still be investigated by the Public Works Committee, whether it be a school or any other public work, but there should be also a group formed, something like the Town and Country Planning Association but with a different emphasis, to concern itself with land use, land legislation, and possibly to put to the Parliament views on regulations.

The Hon. C. M. Hill: And to concern itself with social planning.

The Hon. R. C. DeGARIS: Absolutely; that is a very good description—to concern itself with social planning, to understand what is happening in its district, to advise members of Parliament and the commission and to make sure that the views of people are known. There is a need for this group to examine the development of all growth centres in South Australia, and it should be done before the actual selection of a site. The choice of a site such as Monarto should have been part of the study of this group. All the information we have so far is that the Government says Monarto is a good site for the new city, and there is not much else to go on. Examination should be made, for example, of the effect on the established towns, in this case Murray Bridge and Mannum.

The Hon. A. F. Kneebone: That would have given a good opportunity for the speculators, wouldn't it?

The Hon. R. C. DeGARIS: I do not think that is quite the point.

The Hon. A. F. Kneebone: Not much!

The Hon. A. J. Shard: Dicken it's not!

The Hon. C. M. Hill: Members opposite cannot see further than the speculators. That is about the extent of their imagination.

The Hon. R. C. DeGARIS: I realize that. The question is where the next growth centre will be. We could be looking at that now, although it may be 15 years or 20 years away. It could be part of the committee's examination, not the question of the rather narrow confines of a group involved with town planning or country planning, or a group involved with a much wider view taking in, as the Hon. Mr. Hill has said, a whole series of aspects such as sociological aspects—

The Hon. C. M. Hill: Decentralization.

The Hon. R. C. DeGARIS: I am quite certain even now that, if such a group developed and had available to it expert knowledge and expert opinion, serious flaws would emerge from any in-depth study of the proposed centre as a growth centre. It may well reveal that these serious flaws could be corrected at some future date, perhaps through the amendments the Council has already introduced and the changing of "proclamation" to "regulation". This is a matter that I should place on record at this stage, and I must state some of the principles that should be followed in the development of these new growth centres as well as principles that should be followed in other measures to come before us.

There will be more than just a State involvement; the Commonwealth will become increasingly interested in the whole question in years to come, as it has become more interested over recent years in urban development. The attitude of the present Commonwealth Government seems inclined toward assuming power rather than toward achieving objectives. Once again, the group to which I have referred could play a most important role in keeping the public informed of developments at State and Commonwealth levels. The first principle, therefore, is that I recognize that the Commonwealth has an interest in urban development but it should confine itself to broad objectives and not use its monetary strength to achieve power purely for power's sake. Already an announcement has been made in relation to this Bill (although it is not included in the Bill) that the Commonwealth will have a say in the nomination of the Monarto commission.

On the other question of land tenure, I recognize the desire of every Australian to own his own house and the desire of most Australians to have freehold title to their land. I know that attitudes already expressed indicate that the Government does not accept the principle that has been laid down in the legislation by amendment.

I hope the Government takes notice of what I have said. I commend the group that has recommended an independent study of the Monarto site and of the Monarto development, and I hope a group will be established that will play an important part in informing the people of South Australia of problems relating to growth centres, land legislation, and land tenure. I believe that such a group can play a most important part not only in keeping the public informed but also in assisting the Government and the Parliament to legislate sensibly in this field. I support the third reading of the Bill.

Bill read a third time and passed.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (QUEENSTOWN)

Second reading.

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That this Bill be now read a second time.

It arises from the disturbing events that have surrounded the proposed establishment of a regional shopping centre at Queenstown by Myer Shopping Centres Proprietary Limited. The attempted misuse by the Port Adelaide council of its powers under section 41 of the principal Act (which provides for interim development control) cannot be countenanced by the Government or by this Parliament, which enacted the provision and laid down the guidelines for the exercise of the powers that it confers. When the Port Adelaide council purported to grant consent to Myer's application, it had already submitted its proposed planning regulations to the State Planning Authority, after they had been publicly exhibited and objections had been heard. On February 15, 1972, the State Planning Authority approved these regulations, which showed the Queenstown area as a residential zone R2 (zoning that was in accord with the 1962 Metropolitan Development Plan).

On February 24, 1972, interim development control over the area of the Port Adelaide council was conferred on the council pursuant to section 41 of the Planning and Development Act. On March 9, 1972, Myer Shopping Centres Proprietary Limited applied to the council for consent to erect a shopping centre at Queenstown under section 41. The matter of the shopping centre had been before the council before this, but no consents had been granted. This application for consent was not granted by the council until after a special meeting was called by the Mayor for the evening of the day when the regulations were made by the Governor. The Town Clerk was informed of the making of these regulations before the meeting began. This meeting lacked a quorum and was adjourned to the following day, when again a quorum was lacking. Nevertheless, the members of the council present purported to consent to an application under section 41, and thus to authorize the erection of the proposed Queenstown centre. At the present time the validity of this purported consent is the subject of proceedings in the Supreme Court.

The matter is, however, of such gravity and of such overall importance to the proper planning and development of the greater metropolitan area that it is vitally necessary for Parliament to state again, so that there can be no doubt or dispute, the intendment of the provision conferring interim control. That provision was designed to confer temporary powers that would not be used to introduce radical departures from existing plans of development.

However, in this case the council in question gave its consent to a proposal that departed dramatically both from the existing plan and, indeed, from a proposed plan that the council itself had approved only a short time previously. Such a course of action was violently opposed to the normal principles on which section 41 powers had been previously exercised and, moreover, constituted a substantial breach of faith with the people of Port Adelaide, who, of course, had every reason to expect that the council would follow those planning proposals that it had itself proposed only a short time previously. That it did not do so can be regarded only as a gross aberration from the principles upon which it should have acted and a serious dereliction of its duty.

The purpose of this amendment is therefore to ensure that in this case and in any future case of this kind the validity of any consent purportedly granted under interim development control will be dependent upon consistency with the general policy of the Act. Clauses 1 and 2 are formal. Clause 3 declares that, for the purpose of resolving any doubt about the effect of subsection (7) of section 41, that provision requires and always has required the authority or a council in determining whether to grant or refuse its consent to make a decision that is not at substantial variance with the provisions of the authorized development plan as in force when the decision is made.

However, the city of Adelaide is a special case because of the establishment of the City of Adelaide Development Committee. Therefore, proposed new subsection (7b) exempts the decisions of the Corporation of the City of Adelaide from the operation of paragraph (*a*) of the existing subsection (7) and from proposed subsection (7a).

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

ADJOURNMENT

At 3.27 p.m. the Council adjourned until Tuesday, October 23, at 2.15 p.m.