HOUSE OF ASSEMBLY

Tuesday, April 4, 1972

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Appropriation (No. 1) (1972),
Cattle Compensation Act Amendment (Diseases),
Highways Act Amendment,
Mock Auctions,
Packages Act Amendment,
Pharmacy Act Amendment,
Rural Industry Assistance (Special Provisions) Act Amendment,
Solicitor-General,
Statutes Amendment (Law of Property and Wrongs),
Supply (No. 1) (1972),
Swine Compensation Act Amendment (Diseases).
Unordered Goods and Services.

MURRAY NEW TOWN (LAND ACQUISITION) BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

FRUIT FLY (COMPENSATION) BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

LOTTERY AND GAMING ACT AMENDMENT BILL (T.A.B.)

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PETITIONS: SEX SHOPS

Mr. Ryan, for the Hon. R. E. HURST, presented a petition signed by 25 persons, drawing attention to the recent appearance of sex shops in the community and expressing concern about the probable harmful impact of such shops on individuals and consequently on the community. The petitioners requested that Parliament would, if necessary, amend the law to put these sex shops out of business.

Mr. VENNING presented a similar petition signed by 50 persons.

Mr. Coumbe, for Mrs. STEELE, presented a similar petition signed by 246 persons.

Mrs. BYRNE presented a similar petition signed by 26 persons.

The Hon. L. J. KING presented a similar petition signed by 138 persons.

Mr McANANEY presented a similar petition signed by 103 persons.

Mr. PAYNE presented a similar petition signed by 822 persons.

Mr. WARDLE presented a similar petition signed by 60 persons.

Mr. Ryan, for Mr. LANGLEY, presented a similar petition signed by 223 persons.

Petitions received.

QUESTIONS

PREMIER'S STATEMENT

Dr. EASTICK: Will the Premier withdraw the allegation he is reported to have made that Mr. B. Glowrey (Managing Director of Myers S.A. Stores Limited) had been a member of the Australian Security and Intelligence Organization? I have no wish to involve myself in what appears to have become a personality clash between the Premier and Mr. Glowrey, but the statement that has been made is certainly not in the interests of the people of this State or in those of the Premier. The Premier is reported in last weekend's *Sunday Mail* as having said, in relation to Mr. Glowrey, the following:

> The stands he has taken on this have been so hopelessly inconsistent he should still be in A.S.I.O.

I have always been led to believe that membership of A.S.I.O. has involved anonymity for those who have operated within its structure and that, even when people have left the organization, their involvement in the organization has never been revealed. I wonder whether, in this case, the statement attributed to the Premier has resulted from a leakage of confidential information.

Members interjecting:

The SPEAKER: Order!

Dr. EASTICK: Mr. Glowrey has never been a member of this organization. For the information of honourable members or of any other persons, I can if necessary recite the history of the working life of Mr. Glowrey, a person who, among other

things, was a prisoner of war of the Japanese in Singapore.

The Hon. D. A. DUNSTAN: The statement that I made was from information that had reached me from sources which I have always considered to be impeccable and which I still believe to be so. However, Mr. Glowrey has made a public statement that he has not been connected with A.S.I.O. and, on the face of it, we must accept that. I am a little surprised that the Leader should even raise this question, because, given the views that he and some members of his Party have expressed, I should have thought that an allegation that Mr. Glowrey had at some time been a part of A.S.I.O. would be considered to be a compliment.

The Hon. D. N. BROOKMAN: As the Premier has stated that he must accept Mr. Glowrey's denial of any membership of A.S.I.O., I ask the Premier whether he will apologize to Mr. Glowrey.

The Hon. D. A. DUNSTAN: No.

SEX SHOPS

Mr. MILLHOUSE: Can the Attorney-General say yet what action, if any, it is intended to take regarding sex shops? I have asked the Attorney-General questions on this subject in the past and, since I last did so, petitions have been presented (including one that the honourable gentleman himself presented today) praying that action be taken in this matter. I have made a quick calculation and, although it may not be quite accurate, it appears that over 4,300 persons have signed the petitions presented in this place. Further, I know that in my own district several hundred signatures were on documents that were not in conformity with Standing Orders, and I expect that the same is true of some petitions signed by people in other districts. It appears, therefore, that a very substantial group—

The SPEAKER: The honourable member is commenting.

Mr. MILLHOUSE: —of people in the community desire some action from this House. As the matter is current—

The SPEAKER: Order! The honourable member is commenting.

Mr. MILLHOUSE: —and because so many petitions have been presented, I put the question to the Attorney-General.

The SPEAKER: Order! Before the Attorney-General rises, I point out that this question has been raised day after day and that, strictly in accordance with Standing Orders, it is out of order. Does the Attorney-General desire to reply?

The Hon. L. J. KING: Yes, Mr. Speaker. No doubt the member for Mitcham will realize that what is proved by the numbers of people who have signed petitions is that many people in this State (and I may say that I include myself in their number) heartily disapprove of sex shops. However, whether or not there should be any action by way of prosecution depends not on a poll of people who may disapprove of sex shops but on evidence whether the shops that exist in Adelaide and the way in which they conduct their business conflict with the law of South Australia. I have already told the member for Mitcham that the police are gathering information about the operation of these shops and about certain other relevant matters. If and when the information discloses a state of affairs in which it appears that the operations of these shops conflict with the law and that in all the circumstances there ought to be a prosecution, action will be taken. A decision on a matter such as this ought not to be taken on the basis of counting heads but rather on the evidence that becomes available. When that evidence is available, I will consider it, and a decision will then be made whether any action is called for.

LUCINDALE SCHOOL

Mr. RODDA: Has the Minister of Works any information to give to the House concerning work to be carried out at the Lucindale Area School?

The Hon. J. D. CORCORAN: Having informed the honourable member last week that change-rooms were to be provided at this school, I said that I would ascertain when it was likely that the work would commence, and I think I pointed out at the time that the provision of $30,000 had been approved for this project. Funds have been approved for the erection of standard change-rooms at the Lucindale Area School and consultant architects have been engaged to prepare contract documents for the calling of public tenders. It is expected that tenders will be called early in May with a closing date towards the end of that month. Subject to receipt of a satisfactory tender, the work should be completed in about six months from the date of acceptance of tender.

CLARE HIGH SCHOOL

Mr. VENNING: Has the Minister of Education a reply to my earlier question concerning roadworks adjacent to the Clare High School?

The Hon. HUGH HUDSON: The honourable member complains that he did not receive a reply to his question of November 10. Apparently, he does not remember that on November 24 I told him in the House that the road approaches to the Clare High School were the subject of an investigation by the Highways Department. I suggest that, before he makes another such complaint, he check the *Hansard* record a little more closely than he has apparently checked it on this occasion. I suggest he may care to check the accuracy of the statement I have just made. Since his more recent question, I have visited Clare High School, when this matter was discussed, and further information has been obtained from the Highways Department. The District Engineer for the area has submitted a scheme involving the widening and lowering of the gradient of the road and the provision of two additional lanes. Design plans for the work are almost completed, following which the approval of the Minister of Roads and Transport will be sought for the expenditure.

MELBOURNE STREET NOISE

Mr. COUMBE: Will the Attorney-General ask the Chief Secretary to take action on a petition which I received, a copy of which has been sent to the Commissioner of Police and to the Adelaide City Council, from about 50 people living near Melbourne Street, North Adelaide? The petition relates mainly to the noise nuisance and inconvenience caused to residents in that area, when hotels shut about 10 p.m., by larrikins (the term used in the petition) making much noise when driving through narrow streets. As this petition has been directed to the Commissioner of Police I ask the Attorney-General whether he will ask the Chief Secretary, who is responsible for the administration of that department, to obtain a report on what action can be taken to minimize this nuisance?

The Hon. L. J. KING: I will take the matter up with the Chief Secretary.

HOPE VALLEY SEWERAGE

Mrs. BYRNE: Has the Minister of Works a reply to my question of March 22 concerning the sewerage of a certain area at Hope Valley?

The Hon. J. D. CORCORAN: An investigation is being made into a sewerage scheme to serve Crissoula Avenue, Irene Avenue and Lagonik Drive, Hope Valley. Due to the large number of sewerage schemes being investigated, it will be approximately three months before the preliminary designs and estimates of cost and revenue return are completed, to enable consideration to be given to the proposal. The sewers in the new subdivision to the west have been completed, except for some minor works. The Engineering and Water Supply Department has a large programme of work in new subdivisions where the subdivider is paying the full cost, and commitments for sewerage schemes already approved. Consequently, there is no possibility of sewers being extended to this area in the near future.

SOUTH-EASTERN FREEWAY

Mr. McANANEY: Has the Minister of Roads and Transport a reply to my recent question concerning the extension of the South-Eastern Freeway to Verdun?

The Hon. G. T. VIRGO: It is expected that the traffic detour, via Ambleside and Verdun, at present in force, will be removed later this month. The 45 m.p.h. speed limit on the eastern approach to Verdun was introduced about 12 months ago as a buffer speed zone through an area of scattered development, as the 35 m.p.h. speed control was considered unrealistic. The built-up area of Verdun is still under a 35 m.p.h. control. Investigations have been carried out since the detour has been in force and the speed limit increased. These have shown that the average speeds of vehicles have increased by only 1 m.p.h. to 40 m.p.h. in this area and only three accidents have been reported (up to March 11, 1972), two of these involving semi-trailer transport vehicles. It is considered that the accidents have been primarily due to the large increase in vehicular movements through the town and not to the increased speed limit which has had an insignificant effect on vehicular speeds. The removal of the detour will overcome the increase in traffic and, therefore, no change to existing speed controls is proposed.

SUPERANNUATION PAYMENTS

Mr. MATHWIN: Will the Premier see to it that the late payment of cheques to South Australian Government superannuated personnel does not occur again? Great inconvenience was caused to people who receive the South Australian Government superannuation pension when their cheques did not arrive at suburban post offices until 1.30 p.m. last Thursday, when it was too late for them to be delivered, as many postmen were either making deliveries or had finished making them. Before a holiday period, could these cheques not be sent out earlier in the week, pre-dated with the correct date, so that the people receiving them could cash them? I understand that many

people who were relying on receiving their cheques for the Easter holiday period did not receive them in time.

The Hon. D. A. DUNSTAN: Appreciating the difficulty, I have already taken up the matter with the Superannuation Fund.

CLARENDON DAM

Mr. EVANS: Can the Minister of Works say whether work on the construction of the Clarendon dam has been postponed and, if it has, can he say for how long and why it has been postponed? I raised this matter with the Minister recently, saying that I did not think there was any necessity for the dam at this time. There is now a rumour throughout the area that the commencement of the construction of the dam has been postponed. Landholders who have not had their properties acquired are concerned about how far away that acquisition may be, and whether the Government will continue to acquire land compulsorily, whether or not the people desire to sell it. They wonder whether there will be sufficient time for them to build new dairies, which they can use before the dam is built. At present some landholders may lose their licence from the Milk Board as a result of their having unsatisfactory dairies. There is concern that some of the properties in relation to which acquisition was being negotiated may not now be needed at all for this project. In putting this question, I trust that an early announcement will be made to assist these people, who are really concerned about the future of this dam.

The Hon. J. D. CORCORAN: Concurrently with the Government's consideration of the Loan Estimates for next financial year, the project to which the honourable member has referred and many other projects are being considered. The honourable member will be aware that such consideration takes place about this time every year, for it is necessary, before the Premiers Conference in June, for the Government to indicate to the Commonwealth Government what its programme will be. This is the normal thing. No official decision has yet been made, because the Loan Estimates will not be finally decided until they are ready to present to Parliament. I think it is reasonable to say that the construction of dams is one matter being examined at present, but no final decision has been made by the Government. As soon as a decision is made, either the honourable member will become aware of it when the Loan Estimates are presented or, if it is possible to let him know beforehand, to allay some of the fears he has expressed on behalf of his constituents I will let him know.

NEPABUNNA SCHOOL

Mr. ALLEN: Has the Minister of Works a reply to my question of March 22 about air-conditioning at the Nepabunna school?

The Hon. HUGH HUDSON: The Director of the Public Buildings Department states that it is expected that six evaporative type air-coolers and a 240-volt power supply together with a petrol-driven alternator will be installed and operating at Nepabunna Aboriginal School in about six weeks time.

RAILWAY NEWSLETTER

Mr. GUNN: Will the Minister of Roads and Transport ask the Commissioner of Railways to review the statements he made in his newsletter of February 8, as those statements are grossly unfair towards graingrowers of the State, especially growers on Eyre Peninsula? On close examination, the statements in the newsletter have been found to be incorrect and grossly misleading.

The Hon. G. T. VIRGO: I certainly will not ask the Commissioner to retract his statements. In fact, I ask the honourable member to retract his statement that the information conveyed by the Commissioner is misleading and incorrect. The honourable member knows that what the Commissioner said is correct.

NURSES MEMORIAL CENTRE

Dr. TONKIN: In the temporary absence of the Premier, can the Minister of Works say whether any decision has been made regarding the acquisition of property at 18 Dequetteville Terrace, Kent Town on which it is hoped to build a nurses memorial centre? This property was purchased by the Royal Australian Nurses Federation at a stage when the Royal British Nurses Association building, which was located farther north in Dequetteville Terrace, was unfortunately sold as a result of a misunderstanding in planning. The nurses are keen to have the memorial centre established on this site as a focal point for nursing in South Australia. By their tremendous fund-raising efforts, they have paid for the property. As a result of those efforts, together with generous bequests, they can now afford to commence building. The owner of the property next door, with whom they were negotiating for extra land that is necessary for a parking area as provided under the new Planning and Development Act,

has now been served with a notice that the Government intends to acquire his property. This has left the management of the proposed nurses memorial centre in some doubt whether or not it will be possible to proceed, and this uncertainty is causing these people much concern.

The Hon. J. D. CORCORAN: I will refer the matter to the Premier, and obtain a report as soon as possible for the honourable member.

ROAD SAFETY

Mr. MILLHOUSE: Has the Minister of Roads and Transport anything to tell the House of additional plans for road safety following the disastrous holiday period, when so many people died on the roads? At the outset, I desire to make clear that I do not ask this question in any spirit of criticism of the Minister or in any spirit of Party politics, although the Minister has at times in the past injected politics into discussion of this matter.

Members interjecting:

The SPEAKER: Order!

Mr. MILLHOUSE: The carnage on the roads has caused widespread alarm and despondency in the State. The Minister is reported in the newspaper, I think yesterday, to have said that he did not know what to do. The matter has been taken up in the *News* this afternoon, as it was in the *Advertiser* this morning, and people are obviously looking to the Government for a lead on the matter. As my Leader prompts me, any action that the Government takes will have the support of the Opposition. Therefore, I ask the question to give the Minister this first opportunity in Parliament to make a statement on what has happened and on plans for the future.

The Hon. G. T. VIRGO: I wish that the member for Mitcham had concluded his remarks at the end of the first sentence and not spoilt his approach. I also wish he had not spoilt his approach of trying to engender a feeling that he was taking politics out of road safety (they should never have been there), but he spoilt it by referring to the report in the *Advertiser* this morning. Presumably he was referring to a letter to the Editor. Everyone is entitled to his own view. I know the honourable member's view and, as I have said previously, I am grateful that he showed sufficient interest in road safety to introduce the seat belt legislation in this House. I have commended him previously for doing that, and I commend him again. I repeat what I have said many times: there are no politics in road safety. Road safety is a matter of concern to each and every one of us and, rather than have some of the debates that take place here on a private member's Bill promoted by the Opposition, I think we would be better occupied in seeking ways and means to solve the problem. I think that the Government has done all that could reasonably be expected of any Government but, unfortunately, this last weekend has shown that much more needs to be done. I cannot say just what more needs to be done at this stage, but I can say that, unlike many other people, I did not have a public holiday yesterday, because I spent most of the day answering telephone calls from people who made all sorts of suggestion. I am grateful that they have shown sufficient interest in this subject to take the trouble, and to incur the expense involved, to make telephone calls.

Mr. Venning: Blame the Government!

The Hon. G. T. VIRGO: That is the very point to which the member for Mitcham has referred, and then he said that there were no politics in the matter! That interjection is typical of the irresponsible attitude of the member for Rocky River. I was extremely interested in the final statement made by the member for Mitcham, and I ask him to really face up to what he has just said, because his words were that any action by the Government would receive the support of the Opposition. A Bill that is before Parliament at present needs the support of the Opposition, both in this House and in the other place, and that Bill is directed at road safety. We will see how genuine Liberal and Country League members are and whether they will support that Bill.

Mr. EVANS: Will the Minister consider, with his Cabinet colleagues, the setting up of a Royal Commission into road safety? I am not usually one to advocate the setting up of a Royal Commission, but the evidence now before us shows we must do something about road safety, and I believe that this is the only means of obtaining and collating the necessary information from individuals and bodies concerned with this matter. I understand there has been no Royal Commission conducted in Australia to investigate road safety, although there was a Commonwealth Select Committee on road safety and, in South Australia, there was the Pak Poy Committee. However, there has never

been a Royal Commission and Mr. Boykett has said that he believes all the accidents that occurred over the Easter weekend should be investigated to determine their cause. I put this proposal to the Minister because I believe that we are all concerned about the rising road toll in our community.

The Hon. G. T. VIRGO: Every accident that occurs is investigated; statistics are compiled; and, from time to time, these statistics are made available. Whether those investigations are sufficiently deep I am not certain, although I believe they are. However, I will certainly be looking at that aspect. There are also recommendations relating to road safety, including those contained in the Pak Poy committee's report, which have still to be given effect to. This House is aware, as I have said earlier today, of one Bill currently before Parliament that is designed purely and simply to increase road safety. I have expressed the hope that this Bill will receive the support of members of the Liberal and Country League in the Legislative Council, although it does not look as though that will happen at this stage. Other associated matters concerning road safety have been introduced in this House but, because of certain action by members of the L.C.L., it has been found desirable to withdraw them until the facts can be put before the people concerned—

Mr. Gunn: What—

The SPEAKER: Order!

The Hon. G. T. VIRGO: —so that some of the fears they held will disappear. When all these things have been done, I believe that we can then look at what else must be done. I hope that within the next three or four months the new road safety centre will be in operation and, with the advent of that centre, I hope that this will start to have some effect. It must be emphasized, however, that all these measures concerning road safety are of necessity on a long-term basis. We just cannot change the habits of people overnight, but we are continually looking at the various problems and are anxious to consider fully any proposal that has as its objective the reduction of the road toll. This is a continuing policy of the Government, and especially of the Road Safety Council, which does a wonderful job despite the road toll.

Mr. WARDLE: Can the Minister of Roads and Transport say whether his department has any statistics on the maximum speed of motor vehicles travelling on open country roads? My question is prompted by two events at the weekend. One was a television segment which advocated that there was a moral obligation on manufacturers of motor vehicles to see that vehicles could not travel at very high speeds. The other was a telephone call from a constituent this morning concerning the speed of motor vehicles passing his property on a long downhill stretch of open road. He has followed several trucks travelling at speeds of up to 70 miles an hour. He has given up following several cars travelling at 100 m.p.h., and he was sure that some were travelling at speeds of up to 120 m.p.h.. Could a gadget similar to a counting machine be placed at certain points on the road so as to gauge the speed of motor vehicles and assess the maximum speed of those that are using many straight stretches of country roads where presumably most of the head-on collisions and serious accidents occur?

The Hon. G. T. VIRGO: I do not know of any such gadget but I would think the proper way of determining the speed of a motor vehicle would be by means of a radar unit, which is used fairly extensively to determine the speed of a vehicle accurately. I am very much disturbed to hear the constituent's report that trucks are travelling at speeds of up to 70 m.p.h., and perhaps this is one of the major causes of the accidents that are occurring. As members know, it is not always the vehicle that causes the accident that is necessarily involved in it, so this is a fairly difficult assignment. I think the question of the unlimited speed which is permitted on South Australian roads will soon have to be considered carefully. The fact that vehicles are capable of travelling at 100 m.p.h. or faster does not mean that the person behind the wheel is capable of controlling the vehicle and I think this is the point that has to be considered fully. All these things go back to the basis on which we are trying to approach the problem of road safety: we have to educate the person behind the wheel. I agree that certain safety features are absolutely essential in the manufacture of motor cars. I have deplored in the past, and I will deplore in the future, the advertising by motor car manufacturers and retailers of the speed capabilities of their products. I suggest that it all comes back to the person behind the wheel,

Mr. Coumbe: The nut behind the wheel.

The Hon. G. T. VIRGO: I am not prepared to call all drivers nuts, although some may properly be described that way. However, we must be careful that we do not inhibit the sensible 97 per cent (or whatever the percentage is) of road users in our efforts to

protect the irresponsible road users. The two sides of this coin have to be looked at. We are continually examining all these matters. Yesterday, many suggestions were made to me by telephone, and I know that the telephone in my office has been running hot today, as many other people have made suggestions. These suggestions will not go into the waste basket: they will be looked at closely. I hope soon to be able to tell the House what action we will take.

Mr. MATHWIN: Will the Minister seriously consider using police patrols in plain or private cars, as is done in many other countries, to try to combat the terrible road toll? I am sure we all share the Minister's horror and frustration that we are faced with because of the carnage on the road, both in the city and in country areas. Many other countries, the United Kingdom being one, have for many years had police patrols in plain cars of different types, such as Wolseleys, Humbers, Jaguars, and Mini-minors, to try to stop this road toll. This has had a steadying effect on road users, because people always tend to behave themselves when there is a possibility that the police are watching them.

The Hon. G. T. VIRGO: This matter was discussed by a special committee that the Government appointed 12 months ago, comprising the Police Commissioner, the Commissioner of Highways, and the Registrar of Motor Vehicles, to mention just a few members. The committee decided that it was undesirable to introduce the Q car system, as it is commonly called. However, about half an hour ago a representative of the *Advertiser* spoke to me at the front door of the House on the general subject of road safety and I told him that I would certainly be asking the committee to consider this aspect, together with the matter of speed limits and virtually the whole range, to try to do something.

Mr. EVANS: Will the Minister consider having reflectors built into the road pavement of that part of Highway 1, the South-Eastern Freeway, where they are not already fitted? There is a section of the road on the city side of the freeway where reflectors are not fitted into the pavement in the centre and near-side kerbs. Many of my constituents believe that, when the freeway is opened in May, vehicles will travel faster than they previously have travelled, with drivers perhaps breaking the law even more than they presently do. Consequently, in foggy and wet conditions we could have more serious accidents than we have had in the past. I do not believe the cost of implementing this suggestion is great and I put the question to the Minister hoping that the suggestion can be implemented before the coming winter.

The Hon. G. T. VIRGO: About three months ago I had discussions with the Commissioner of Highways concerning experimental work being undertaken, involving the fitting of various types of stud to the pavement surfaces. I cannot now provide the latest information on the matter, but I will obtain information from the Commissioner on how far this has gone. I can say, however, that a new type of reflectorized paint is being tried, I think on Unley and Payneham Roads. A contract has been let for this paint to be used and for its value to be assessed and I will provide this information for the honourable member. However, I would not be prepared to provide additional safeguards on the road for those drivers who break the law: I would rather ask the police to exercise greater vigilance to stop their breaking the law.

TOURIST INDUSTRY

Mr. BECKER: Will the Deputy Premier, in the temporary absence of the Premier, say what efforts are being made to attract overseas tourists to South Australia? A report in the *News* of Wednesday, March 22, headed "Sydney may get $2,000,000 on flights", states:

> Sydney will get the bulk of the $2,000,000 expected to be spent when 3,500 American tourists pour into Australia on charter flights next year.

The report quotes the General Manager of the Australian Tourist Commission as stating that the tourists will land in Sydney and be in Australia for only four days. I ask the Minister whether there is any chance that we can encourage such tourists in future.

The Hon. J. D. CORCORAN: I take it that the honourable member has asked two questions, one at the beginning of, and the other after, his explanation. The first question was whether I would outline what steps were being taken to attract tourists to South Australia, and the second was whether there was any chance of these people being attracted to this State. I do not think I should take the time of the House in listing all that the State Government, the Tourist Bureau, and tourist groups and organizations throughout the State are doing to attract people here.

Mr. Mathwin: What about the sex shops?

The SPEAKER: Order! There can be only one question at a time.

The Hon. J. D. CORCORAN: I understand that they have sex shops in New South Wales, too. I think it is sufficient to say that no stone is left unturned in this State to try to attract people here. Of course, certain things that have been undertaken will lead to further development in future and may lead to tourists being attracted to the State. I remind the honourable member that American troops coming from Vietnam on rest and recreation leave did not go farther than Sydney, and that seemed to be by their choice. I cannot tell the honourable member the reason for that, but I know that the Tourist Bureau in this State tried unsuccessfully to have that matter rectified. I do not know whether the Tourist Bureau is aware that these 3,500 people are arriving, but I will have the Premier examine the matter to find out whether he wishes to add to what I have said.

HALLETT COVE SHACKS

Mr. HOPGOOD: Will the Minister of Environment and Conservation direct his attention to the ongoing problem of the partly demolished shacks at Hallett Cove? It must be over two years since the lessees of these shacks were ordered, I think by the local council, to demolish them, and they have done this rather imperfectly. Some of the remaining work has been done by vandals, and the mess remains. I am not clear about what authority is responsible for ordering the complete removal of what is left of the shacks, but I am sure that the Minister's department will be able to look into this.

The Hon. G. R. BROOMHILL: I know that there is a problem there and that the general beach area looks untidy because of these partly demolished shacks. I shall be pleased to examine the matter to find out whether the problem is one for the council or whether the shacks are on private land. I will see what can be done to clean up the beach area.

POWER SUPPLIES

Dr. EASTICK: Has the Minister of Works a reply to my recent question regarding the adequacy of power supplies in this State?

The Hon. J. D. CORCORAN: The gas turbine plant at Dry Creek power station is not yet in operation because of late delivery of the gas turbines from Germany. The first machine will now not be in service until late 1972 or early 1973. However, the Electricity Trust has adequate generating plant for the expected demands in the coming winter, and no difficulties are expected. The blackout on March 22 occurred when one of the 120,000 kW turbo-generators at Torrens Island power station ceased generating because of loss of supply from the generator auxiliary transformer due to a faulty cable. In this type of emergency condition, it is always likely that some blackouts will occur because other generating plant cannot immediately pick up the lost generation. The position should be improved when gas turbines are available because such machines respond quickly to load changes or can be brought into service quickly. However, the trust cannot guarantee that there are never to be blackouts of short duration brought about by emergency conditions.

WHYALLA STUART HOUSING

Mr. KENEALLY: Will the Premier, as Minister in charge of housing, obtain a report on any plans the South Australian Housing Trust may have to provide recreational facilities for residents of the trust suburb of Whyalla Stuart, either on its own initiative or in conjunction with the Whyalla City Commission? Whyalla Stuart, which is a dormitory suburb created by the Housing Trust, has limited recreation facilities.

The Hon. D. A. DUNSTAN: I will obtain a report for the honourable member.

BEDFORD PARK HOSPITAL

Mr. COUMBE: Has the Minister of Works a reply to my recent question concerning the proposed Bedford Park Hospital?

The Hon. J. D. CORCORAN: Plans are complete for the first stage, and contract documentation is proceeding to schedule. Stage I comprises the pre-clinical part of the medical school and the nurses training school. It is expected that tenders will be called for this work in June, 1972, and that work will start on site in August, 1972. However, a preliminary site works contract is about to be called and work on site should commence in about six weeks time. Briefly, the planning schedule for the whole project is as follows: phase 1, construction completed by August, 1974; phase 2, 350 beds plus all major departments, construction to be completed by August, 1975; and phase 3, extra 200 beds plus expansion of departments, construction to be completed by August, 1977.

HORSE TRACKS

Dr. TONKIN: Has the Minister of Conservation and Environment a reply to my recent question on horse-riding trails?

The Hon. G. R. BROOMHILL: Plans are under way for the fencing, construction and marking of a horse-riding track within Belair National Park. While it is recognized that horse riding is an outdoor activity very much in keeping with the enjoyment of nature, it nevertheless is an activity which can place a tremendous strain on the ecology of an area of native bushland and at worst can cause wholesale erosion unless it is carefully controlled. Horses, like any other form of traffic, need properly constructed tracks. In former years tan tracks have been used with great effect, but the shortage of this type of material necessitates trials with other materials. Pine bark is one suggested alternative. It is anticipated that, once a horse-riding trail is constructed in Belair National Park, horses will be banned from other areas in the park. It is nevertheless hoped to make the proposed horse-riding trail varied and interesting enough and that this will pose very little hardship on those persons interested in this type of activity. Evaluation of the use and construction of this trail will be carried out before any other plans are formulated.

DERNANCOURT SCHOOL

Mrs. BYRNE: Has the Minister of Education a reply to my question of March 1 about the provision of school walkways at the Dernancourt Primary School?

The Hon. HUGH HUDSON: Provision of a sealed pathway from the infant school to the timber frame classrooms and other civil works at the Dernancourt Primary School will form part of a group contract at this and other schools. Tenders are expected to be called on April 10. If a satisfactory tender is received, a contract should be let in about three weeks from the closing date. Following the letting of the contract, the Public Buildings Department will try to have the work at Dernancourt commenced first.

TEGUVON

Mr. GUNN: Will the Minister of Works ask the Minister of Agriculture to have investigated a substance known as Teguvon, which is used in the control of lice in cattle? I have been recently approached by constituents on this matter because it appears that this substance is causing trouble with cows calving and I was referred to one instance where eight calves were born dead and one stud breeder has lost four cows because of calving troubles that he thinks were caused by Teguvon.

The Hon. J. D. CORCORAN: I will refer the question to my colleague.

PENOLA RESERVE

Mr. RODDA: Can the Minister of Environment and Conservation say whether his department has taken any action in respect of providing a picnic area on the Penola reserve? Last year, on behalf of members of the Penola Chamber of Commerce, I raised this matter with the Minister, and I understood that officers of his department would visit the area and meet the people concerned to discuss their requirements with them on the spot. As this meeting has apparently not taken place, and as the people concerned are still anxious to exploit the tourist potential of the area, I should be pleased if the Minister would examine the matter and see that something effective is done.

The Hon. G. R. BROOMHILL: Although I have some recollection that the honourable member raised this matter at some stage last year, either by way of question or in correspondence, I cannot recall the outcome of any discussions that have taken place, but I shall be pleased to examine the matter and to see what stage has been reached. If a discussion with the people in the area has not taken place, I will ensure that it does take place as soon as possible.

SUNNYSIDE SWAMP

Mr. WARDLE: I ask the Minister of Environment and Conservation whether he will send an officer of his department to Sunnyside Swamp to investigate whether the plant growth or the regrowth in this swamp is dying as a result of saline water. Twice previously the Minister has been kind enough to give me information on whether salt water is affecting this area and I have accepted that information. However, two older citizens in the area, who have observed conditions at the swamp for 30 or 40 years, believe that something is definitely affecting the area, including its bird life. Will the Minister have a technical officer investigate this matter on the site?

The Hon. G. R. BROOMHILL: Yes. This matter has been raised previously by the honourable member and also in correspondence that I received this morning from people in the area who support the view just expressed by the honourable member. Having already asked the Director of the department to examine the views expressed, I shall be pleased to inform the honourable member of the result of the examination.

TOURISM

Mr. ALLEN: Will the Premier, in his capacity as Minister in charge of tourism, refute a statement made recently by the

Executive Officer of the Australian National Travel Association (Group Captain J. T. O'Sullivan) to a meeting of the Mid-North Tourist Development Committee at Clare? The statement attributed to Mr. O'Sullivan, which appeared in a country newspaper last week, is as follows:

Mr. O'Sullivan also made a startling revelation: In two years, he said, while the Premier (Mr. Dunstan) had been Minister of Tourism, the Opposition had not asked one question in the House about tourism.

That statement is not correct. Having checked on the matter this morning, I point out that during the 1970-71 session members of this House asked 13 questions about tourism, and two questions were asked about the matter in another place. So far this session, 12 questions have been asked about tourism. Will the Premier put this matter right?

The Hon. D. A. DUNSTAN: I have not seen a report of Group Captain O'Sullivan's statement, nor do I know the circumstances in which it was made, or whether there was any qualification to it. However, I will inquire of him, although I acknowledge that, as the Minister involved, I have been asked questions in this House about tourism.

BRIGHTON ROAD

Mr. MATHWIN: Has the Minister of Works a reply to my recent question about the laying of mains in Brighton Road?

The Hon. J. D. CORCORAN: Following discussions between officers of the Engineering and Water Supply Department and of the Highways Department, it has been arranged to commence main-laying in Brighton Road somewhat earlier than had been planned initially. This will enable the Highways Department to commence reconstruction of the road itself after the trunk main is laid. Main-laying is now planned to commence in August, 1972, when pipes should be available, just south of the Sturt Road intersection and proceeding north. I think the Minister of Education contacted me about this matter, and that is partly the reason for the speeding up.

OAT SALES

Mr. McANANEY: Will the Minister of Works obtain from the Minister of Agriculture an assurance that there will be no levy in respect of oat sales from farmer to farmer? Although in the Bill before the House I can see no reference to such a levy, I have received so many inquiries from primary producers concerning whether they will have to pay a levy that I should like this assurance from the Minister of Agriculture, if possible.

The Hon. J. D. CORCORAN: I will inquire of my colleague and let the honourable member know.

PORT PIRIE RAIL SERVICE

Mr. VENNING: Has the Minister of Roads and Transport a reply to the question I asked some little time ago about the rail service to Crystal Brook and Port Pirie?

The Hon. G. T. VIRGO: It is not some time ago that the honourable member asked the question: it was only on March 16. For some months tests and studies have been made of the passenger train running between Adelaide and Port Pirie, because it appeared that in certain areas some savings could be made; and in others, because of stations being unattended, additional time was necessary. Consequently, as from July 2, 1972, there will be reductions in running time on 12 trains a week, and on five occasions, all at weekends, extended times will be necessary. The maximum saving is scheduled at 14 minutes and the maximum additional time 20 minutes.

LOXTON ROAD

Mr. NANKIVELL: Has the Minister of Roads and Transport a reply to the question I asked on March 16 about progress of work on the Loxton to Swan Reach road?

The Hon. G. T. VIRGO: It is expected that about 35 miles of this roadway will be reconstructed and sealed by June 30, 1972, and a further 2½ miles will be constructed to sub-base standard in that time. In 1972-73, it is proposed that the District Council of Waikerie continue construction westerly from Maggea to complete a further four miles, including the sealing of work commenced this year. Because of heavy earthworks which will be encountered on this section, the rate of progress is expected to be slow. Construction by the Highways Department gang will proceed easterly from the Swan Reach end, and it is expected that a further six miles will be completed together with the Swan Reach by-pass and intersections and junctions in the Swan Reach area. It is expected that the whole length between Swan Reach and Loxton will be completely sealed in 1974-75, except for a short section which may not be constructed in time for the sealing season. This sealing may have to be postponed until November, 1975.

LITTLE RED SCHOOLBOOK

Mr. BECKER: Can the Minister of Education say what authority he is giving to headmasters and teachers in their endeavour to maintain their high teaching standards? I refer to the section in the *Little Red Schoolbook* which outlines plans to disrupt classes and suggests to students that, if they do not like sitting where they are, they change their position. The book also suggests that students call the teacher by his first name. I therefore ask the Minister what authority he will give to headmasters and teachers to prevent a blackboard jungle situation arising?

The Hon. HUGH HUDSON: I was interested to read in today's *Advertiser* that the Liberal Movement is adopting education as one of its aims. The report did not say anything about what the movement intends to do, how it will aim at education, whether it would miss the whole business as a consequence of faulty aim, or just what. We hope that the Liberal Movement will be able to refine its aims and avoid the mess that was made during Mr. Hall's term as Premier. The member for Hanson has apparently started the efforts of the Liberal Movement in aiming at education. I think that, if the honourable member is conversant with the position in schools, he will know that headmasters have authority already to take appropriate action in relation to these matters. Most headmasters have not even seen the *Little Red Schoolbook* or read any extracts from it. Copies are not readily available and headmasters would not have the same expert sources of information as has the member for Hanson to assist them in this matter. Material that is being prepared by the department will be circulated to the schools within the next few days, and discussions are taking place within the department and within the Institute of Teachers. Representatives of the department and of the institute will be meeting, at what is now an annual meeting, at Raywood next weekend and this matter will no doubt be discussed there. I expect as a consequence of everything that is in process at the moment that the schools and teachers will be adequately equipped and well placed to discharge their responsibilities in dealing with any kind of problem that may arise.

I have seen what is purported to be a version of the British edition of the *Little Red Schoolbook,* but whether it is or not I do not know. I do not know whether the edition that will be available for sale here is identical to the one that I have seen. I would not know, and consequently it is not possible as yet to determine all details of policy. I assume, however, that, as the Commonwealth Minister for Customs and Excise (Mr. Chipp) is admitting the British version of the book as a legal import into Australia, this is the version that will be sold generally. It is inevitable that we are operating in the dark on this matter and the only thing that I can do is assure members, particularly the member for Hanson (and I know the member for Mitcham will be very much concerned about this matter)—

The Hon. G. T. Virgo: They're members of the same Party.

The Hon. HUGH HUDSON: Yes, although I believe that the member for Mitcham is the servant of two masters, and I recommend that the honourable member watch a fine film currently on television if he gets the chance. I assure honourable members and members of the public generally that appropriate action is being taken and that schools will be well placed to act not only responsibly but also effectively in this matter.

CATTLE SALES

Dr. EASTICK: Has the Minister of Works obtained from the Minister of Agriculture a reply to my recent question about the sale of cattle by the live-weight method?

The Hon. J. D. CORCORAN: My colleague has informed me that the method of sale by weight was introduced several years ago at the Homebush abattoirs in New South Wales. In the initial stages, there was a total boycotting of sales by the buyers; however, the method has since been accepted and I understand that sales by weight now cover more than half the yarding. Percentages, of course, vary from sale to sale. My colleague considers that, ideally, sale by dressed weight would provide more accurate value for the carcass offered, but this method is more difficult to organize and has less educational value for the producers. From the producer point of view, selling cattle by live weight does offer advantages. Producers are able to estimate the value and quality of this stock in relation to the returns they receive. It also ensures a premium price for quality. For the buyer, it is only necessary to estimate dressing percentage, which varies uniformly with different classes of cattle, and to estimate the quality for his special requirements.

MODBURY HOSPITAL

Mrs. BYRNE: Has the Attorney-General a reply to the question I asked on March 8 about the progress being made on work on the Modbury Hospital?

The Hon. L. J. KING: The Minister of Works has supplied the following report:

The current works at Modbury Hospital comprise four separate contracts. The progress on each, with expected completion times, based on the contractors' performance to date, is as follows:

Main hospital block: The main structural work has been completed and progressive finishing trades and services to all floors are proceeding with some of the lower floors reaching completion. Expected completion is early October, 1972.

Nurses home: Structural work to the upper floors is well advanced and progressive internal finishes and services to the lower floors is proceeding satisfactorily. Expected completion is end of September, 1972.

R.M.O. quarters, workshops and offices: Similar progress as for the nurses home with an expected completion by the end of August, 1972.

Site works: Underground pipework has been installed, and ground formation to final levels is proceeding. Final completion to follow the completion of the buildings, is expected by the end of November, 1972.

MOANA CLIFFS

Mr. MILLHOUSE: Will the Minister of Environment and Conservation consider having action taken to preserve the cliffs between Seaford and Moana? For many years, when I have been staying at Moana, I have run up and down the beach between Seaford and Moana.

The Hon. Hugh Hudson: That's probably what's caused the trouble with the cliffs.

Mr. MILLHOUSE: I know I cause many explosions, shakings, and so on.

The SPEAKER: Order!

Mr. MILLHOUSE: Over the Easter period—

The Hon. J. D. Corcoran: That's why the beaches there are polluted.

The SPEAKER: Order! There are too many interjections.

Mr. MILLHOUSE: I suggest that the Minister of Works should take that up with the member for the district. Over the Easter period, I noticed that the cliffs to which I have referred had suffered landslides in five places, two at least of these landslides having been deliberate. A stormwater drain, which was put in about a year ago, was a complete failure: it fell to pieces, and the debris is now lying there. This caused one of the landslides of the cliff. Another stormwater drain has now been installed some yards away from the drain to which I have referred, and the cliff at that point has been deliberately broken down. At three other places landslides have been caused, I think, by persons, mainly young men, climbing down the cliff to get to the beach more easily for surfing. I believe that the putting in of the road along the seafront between Moana and Seaford (and I personally deplore this very much) is causing the trouble. Certainly, if no action is taken, the whole of that cliff face will be ruined in a short time. I have no doubt that the Minister will share with me the wish that that should not happen. I have taken the step of raising this matter in the House, even though the member for the district has not, I think, raised it at present, because I regard it as a most important matter of conservation.

The Hon. G. R. BROOMHILL: This is a serious matter, which the member for the district, who also regards it as serious, has raised several times with me, with the result that about two months ago I referred the matter to, I think, the Foreshore and Beaches Committee. I have certainly called for an examination. I shall be only too pleased to determine the result of that examination and to supply the member for Mitcham with a copy of the report that I will give to the member for the district.

NORTH ADELAIDE SCHOOL

Mr. COUMBE: Does the Minister of Works recall that I have several times asked him questions about the reconstruction and refurbishing of the North Adelaide Primary School and about the action likely to be taken on the matter? About five or six months ago, in a fine blaze of publicity in the local newspaper, the Minister of Education announced that this work would be undertaken early in the new year. In his last reply to me on the matter, on October 14, 1971, the Minister of Works said:

> Consultants have been engaged to examine and report on the extensive renovations and painting necessary at the school. It is expected that tenders will be called and a contract let for work to commence either in February or in March, 1972.

Over the weekend I inspected the school, and I could see no signs of any work having been undertaken. I ask the Minister again whether he will find out when work will commence.

The Hon. J. D. CORCORAN: I shall be happy to ascertain what is the present situation.

WOOL PROMOTION

Mr. RODDA: Will the Minister of Works ask the Minister of Agriculture to raise with his fellow Ministers at the next meeting of the Agricultural Council the advisability of sending abroad the two Western Australian ladies (Mrs. Cynthia Smart and Mrs. Jenny Thomas) who have done so much to promote wool throughout Australia? Both Mrs. Smart and Mrs. Thomas have struck at the grassroots (if one can use that word, which is being used frequently around the countryside) and their efforts have created a groundswell (another word that seems very popular). These ladies have brought home to wool users the type of wool that is needed, and they should be given all the assistance that can be given at Government level to enable them to promote this commodity, which means so much to the economic climate of Australia. I should be pleased if the Minister would ask his colleague to discuss with his fellow Ministers in other States the advisability of giving these two ladies every assistance in the worthwhile job they are doing.

The Hon. J. D. CORCORAN: I shall be pleased to ask my colleague to investigate the grassroots and groundswell and see whether he can report the matter to the next meeting of the Agricultural Council.

COROMANDEL VALLEY SCHOOL

Mr. EVANS: Can the Minister of Education confirm the commencement date of work on the proposed Coromandel Valley Primary School? In June last year the Minister told me that the work on the school was planned to commence in March, 1974. The school committee is concerned about the matter, and makes the following explanation:

At its next meeting, to be held on May 1, 1972, the committee will be required to make its plans for building changing sheds, parking of parents' cars when collecting children, etc., and these and many other plans cannot be finalized without definite information on the building of the school. The parents at the annual general meeting felt, in view of the information that has appeared recently in the press in relation to additional finance for schools being available, that the programme for the building of the new school was likely to be advanced.

The committee desires information on the following three points so that it can finalize its plans:

(1) The definite date for the commencement of building of the new school.
(2) When will the plans of the new school be made available to the committee?
(3) What possibility is there of an earlier starting date?

If the Minister can give me that information, I would appreciate receiving it, either during Question Time in the House or by letter after the House prorogues.

The Hon. HUGH HUDSON: This morning I received a letter similar to that received by the honourable member, and the matters raised in it will be investigated. Certainly, I should say that, while expenditure on school buildings has increased dramatically, we still have a large programme ahead of us on our design list, and it is even doubtful at this stage whether all the projects now on that list could be completed within four or five years. The additional money made available from the Commonwealth Government amounts to only a 9 per cent increase in the building programme, and I am sure the honourable member appreciates that that increase is relatively small: in terms of overall building requirements and needs throughout the State, it should be more like 100 per cent, and about this stage there is no way to obtain that kind of increase in expenditure on school buildings. With that in mind, I am certainly willing to ensure that the honourable member receives a copy of any reply that I send to the school committee on this matter.

LICENSING FACILITIES

Mr. McANANEY: Will the Attorney-General find out whether I can get a reply to my question of March 8 about licensing facilities at the festival boulevarde cafe on North Terrace? I think that the Minister who replied to my question on behalf of the Premier told me that the Attorney-General would get me the information.

The Hon. L. J. KING: I do not have a report on the matter yet but, as soon as I receive it, I will give it to the honourable member.

RAILWAY FIRES

Mr. VENNING: Has the Minister of Roads and Transport a reply to the question I asked regarding railway fires? The heading on the previous question is not quite correct, as my question dealt with fires made on the railway line by trains between Caltowie and Gladstone.

The Hon. G. T. VIRGO: I am pleased to give the member for Rocky River the reply. Following the honourable member's question regarding this matter, I discussed the whole matter with the Railways Commissioner and I found that the Assistant Superintendent at Peterborough did have discussions with Emergency Fire Service officers in respect of

the occurrence of fires in the area between Gladstone and Caltowie. The Assistant Superintendent explained to the E.F.S. officers the departmental policy in connection with fire protection on railway property. I can only assume, therefore, that the statement made by the honourable member, which alleges that the Fire Control Officer was unable to get any satisfaction from departmental officers, must be accepted as indicating that the explanations themselves were not deemed to be satisfactory rather than that the Assistant Superintendent did not go to any pains to explain the situation. In addition to proposals that the department has to widen the range of weed poisoning adjacent to these lines, the Commissioner is also trying to minimize the possibility of using air brakes and increasing the use of dynamic braking on this section of line. It is thought that such a procedure could well result in a reduction of brake block sparks, which could have been some of the cause of the six fires referred to by the honourable member.

BURRA ROAD

Mr. ALLEN: Has the Minister of Roads and Transport a reply to the question I asked some time ago, namely on March 16, regarding the Burra road?

The Hon. G. T. VIRGO: The question was asked on March 16 and on April 4 I am giving the reply. The proposal for an overpass on the Lochiel-Burra main road No. 46 has been abandoned because of the estimated cost of the work ($150,000), which is not considered warranted. It was originally expected that the terrain in this area would enable a low-cost overpass to be built, but detailed investigation has ruled out this possibility. Plans have been prepared for an adequate standard level crossing with flashing lights to be located just north of the existing crossing. A 24-hour traffic count at the Hanson end of this road has shown that only 150 vehicles a day will be involved and undue delays are not expected.

CEDUNA HOUSING

Mr. GUNN: Will the Premier, as Minister in charge of housing, say whether the Housing Trust gives preference to building houses for rental or houses for sale? I have been informed by constituents who have recently moved to Ceduna that they have found difficulty in obtaining suitable housing accommodation. They say that most of the houses built at Ceduna are for sale to the public and that there is a great shortage of rental houses there.

The Hon. D. A. DUNSTAN: I will bring down a report for the honourable member.

LAW OF PROPERTY ACT

Mr. MILLHOUSE: Will the Attorney-General say whether the Government intends to review the amendments made so recently to the Law of Property Act? The Attorney will remember that this Bill was one of the many that was before this House this session dealing with legal matters and that it was one of the many that was brought into this House, passed through it, and passed through another place in the space of about a fortnight. It has been now discovered by members of the legal profession that one of the effects of the Bill is to them unexpected and, I presume, unexpected to the Government as well. This is because the wide definition in the original Act concerning the word "mortgage", as follows:

> "mortgage" includes any charge or lien on any property for securing money or money's worth;

This has been made to include any conceivable kind of security. For example, bank debentures have been caught by the amendment. This means that, if the holder of a bank debenture is now not able to act immediately, he must wait for the 30-day period in respect of which Parliament has legislated, and this gravely prejudices the rights of the debenture holder—

The SPEAKER: Order!

Mr. MILLHOUSE: —and the effectiveness of a bank debenture. I understand that immediately the Bill—

The SPEAKER: Order! The honourable member is continuing to comment.

Mr. MILLHOUSE: No, Sir. I have left that aspect.

The SPEAKER: The honourable member is continuing to comment.

Mr. MILLHOUSE: Immediately the Bill was available to members of the legal profession, a meeting of the committee of the Law Society was called to consider it and to make representations to the Attorney-General. These representations were made within a week, but it was found that the Bill had already passed both Houses.

The SPEAKER: Order! The honourable member is giving a second reading explanation. I ask the Attorney-General to reply.

The Hon. L. J. KING: I will look into the points raised by the honourable member.

GEPPS CROSS ABATTOIR

Mr. VENNING: Will the Minister of Works take real action in getting the Minister of Agriculture to reply to questions asked in this Chamber concerning the shortcomings and inadequacy of the work of the Metropolitan and Export Abattoirs Board? True, primary producers appreciate the proposed expenditure by the Government of $200,000 to extend the beef-slaughtering facilities at Gepps Cross, but it is understood that these will not be ready until Christmas, and there is much time between now and Christmas.

Members interjecting:

The SPEAKER: Order! The honourable member cannot debate the issue.

Mr. VENNING: As a large surplus of cattle is coming into South Australia and the lamb season will be approaching in a few weeks, I ask the Minister to get some real action from his colleague and answer some of these questions concerning the workings of the abattoir. The reply to a question I previously asked on this matter came in three sections. First, the number of cattle slaughtered was provided. Secondly, the number of cattle slaughtered over a period from January 23 was also stated.

The SPEAKER: Order! The honourable member is commenting. I ask the Minister of Works to reply.

The Hon. J. D. CORCORAN: I will take the matter up with my colleague. I want also to impress on members that my colleague is just as concerned about this matter as is the honourable member who has just resumed his seat and as is the member for Alexandra, who has also raised the matter on several occasions; and other members are also concerned. The metropolitan and export abattoir is run by a board and that whole operation is currently being investigated because the Government is not satisfied with the way the abattoir is now conducted. The investigation covers not only the facilities involved in the slaughtering of both beef and mutton but other matters as well. The $200,000 was made available by the Government because of the urgent necessity to do something as quickly as possible about the slaughtering of beef cattle. It is recognized also that further steps must be taken. However, as the Minister has said previously and as he will probably say on this occasion, it is not prudent for the Government to take decisions relating to the future activities of the abattoir until the report is available. It can then be examined and the Government can decide what steps should be taken relating to the recommendations contained in that report.

COOKE PLAINS SCHOOL

Mr. NANKIVELL: Has the Minister of Education a reply to the question I asked on March 22 about retaining the records of schools that are closed, referring specifically on that occasion to the records relating to the Cooke Plains school?

The Hon. HUGH HUDSON: The Cooke Plains rural school was closed in 1960. The children subsequently attended the Coomandook Area School where the school records were also sent. This is in accordance with the normal policy. However, it appears that in the present instance some of the records were regrettably destroyed.

Mr. NANKIVELL: As records relating to the Cooke Plains School have been lost, because of the practice of transferring records to the new consolidated school when a rural school is closed, I ask the Minister whether he will consider having such records transferred to the department and kept in the archives there. I point out that this would obviate the danger of records being lost or destroyed when transferred to another school.

The Hon. HUGH HUDSON: Although the more appropriate thing to do may be to issue instructions to headmasters to see that such records are properly preserved and not destroyed, I will certainly take up the matter to see that the Coomandooking of the Cooke Plains school does not occur again.

MARIHUANA

Mr. BECKER: Will the Premier say whether the Government intends to support the Young Labor Party's suggestion concerning the legalizing of marihuana?

The SPEAKER: Order! The question is not proper.

Mr. MILLHOUSE: I take a point of order, if you are going to rule that way.

Members interjecting:

The SPEAKER: Does the Premier desire to reply?

The Hon. D. A. DUNSTAN: The Government has taken no decision in favour of legalizing marihuana.

OMBUDSMAN

Mr. EVANS: Will the Premier have the Government consider creating the office of ombudsman to act for citizens and ratepayers in local government areas? On March 25, an advertisement appeared in the *Australian,* inserted by the Shire of Gosford, for the appointment of an ombudsman to act for that shire and to help liaise with citizens and ratepayers in the area concerned. The salary was suggested to be between $7,500 and $8,500,

and the suggested qualifications were that the applicant understood administration and had had some experience in commercial and Government activities. It is suggested that we should have an officer in South Australia to act for all local government authorities and perhaps take from Parliamentarians the burden of unnecessary work that must be performed at times. This officer might also undertake certain work in an effort to help local councils solve some of their problems.

The Hon. D. A. DUNSTAN: Legislation in relation to creating an office of ombudsman in South Australia is being considered currently. I will refer the honourable member's question to the officers who are preparing that legislation for submission to Cabinet.

PUBLIC WORKS COMMITTEE REPORTS

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

Morphett Vale High School,
Parafield Primary School (Keller Road),
Salisbury Park Primary School.

Ordered that reports be printed.

STANDING ORDERS COMMITTEE REPORT

The Hon. L. J. KING (Attorney-General): I move:

That the report of the Standing Orders Committee, 1970-1972, including proposed amendments to the Standing Orders, be adopted.

The recommendations of the Standing Orders Committee and its reasons for such recommendations are set out in the committee's report, tabled in the House on March 29, 1972, and I do not intend to repeat them in detail in this debate. The proposed amendments to the Standing Orders, with one exception, bear the committee's unanimous recommendations. The committee proposes new financial procedure which assimilates the procedure on ordinary Bills, but which still retains existing opportunities for ventilating grievances, and continues the practice of detailed consideration of departmental estimates in a Committee of the whole House. The Standing Orders Committee considers the present financial procedure to be anachronistic, unnecessarily cumbersome and generally not fully understood by members, and that it ought to be simplified as suggested, without any loss of validity or any diminution of members' rights. The committee has also recommended 10 changes to the Standing Orders which govern the passage of a Bill through the House, so as to eliminate superfluous formalities. Delays between stages of a Bill are still imposed, and the opportunities for discussion remain unimpaired. To illustrate the kind of changes proposed, I point out that amendments are recommended which—

(a) will require the long title to be read once, instead of the present twice, at the introductory stage;

(*b*) enable the second reading of a Bill to be moved and the first speech made thereon (but taken no further) on the same day as the Bill is introduced, without a suspension of Standing Orders;

(*c*) provide an opportunity on a motion "That the report be noted" to discuss the report of a Select Committee on a Bill; and

(*d*) dispense with the requirement for a committee to be appointed to draw up a reason for disagreement to a Legislative Council amendment.

These and other amendments to the procedure on Bills introduce simplification without members' rights being lessened; in fact, in some circumstances, they will be increased. A perennial source of confusion has been caused by the form of putting questions to the House (or Committee) for decision on amendments, particularly where the amendments seek to leave out words. The mover of an amendment to leave out words finds, with his supporters, that when the question on his amendment is put by the Chair for decision in the form "That the words proposed to be left out, stand part of the clause" he must vote for the "Noes", even though he is the originator of the amendment. The new form proposed by the Standing Orders Committee "That the amendment be agreed to" will enable the mover of an amendment to leave out words, to vote with the "Ayes" and not have to vote with the "Noes" seemingly against his own amendment as is required by the present Standing Orders.

The committee recommends that the language of the prayers read by the Speaker at the commencement of each day's proceedings should be transposed into modern English. Neither the substance nor the spirit of the prayers has been impaired. The member for Alexandra found himself unable to agree to this change. The committee recommends also that a Bill should be introduced to amend the Constitution Act so as to substitute for the verbose oath at present prescribed (the historical background to which has no present-day

relevance) the simple oath set out in section 8 of the Oaths Act, 1936-1969, an oath which is substantially the same in nature and length as the oath taken by members of the House of Commons and members of the House of Representatives. After long discussions spread over four meetings and after reference of certain aspects of question time to Government and Opposition Parties, the committee unhappily found itself unable to achieve the changes to our procedure on questions and felt it prudent therefore at this stage not to make any recommendations to the House on the conduct of question time. I know I speak for all members of the Standing Orders Committee when I commend its report for speedy adoption so that new Standing Orders may be printed during the forthcoming recess and be in operation at the commencement of the next session of this Parliament.

The Hon. D. N. BROOKMAN (Alexandra): I oppose the adoption of the committee's majority recommendation that the language of the prayers be altered. It is clear from the report that I opposed the committee in this matter. Paragraph 8 on page 5 of the report states:

The prayers with which Mr. Speaker opens each day's proceedings in Parliament have been transposed into modern English. In this matter, the committee invoked the aid of the Bishop of Adelaide (The Right Rev. Dr. T. T. Reed) who advises that the amended form of the Lord's Prayer proposed is "that which has been approved and been put in use by an international committee of liturgiologists representing the major Christian denominations, including the Church of England and the Church of Rome in connection with the revision of liturgies". The Standing Orders Committee's recommendation leaves the substance of the present prayers completely intact. The change recommended was opposed by the member for Alexandra (Hon. D. N. Brookman, M.P.) "on the grounds that the present prayers are quite satisfactory and that the newly proposed wording is no clearer".

The committee far exceeded what it set out to do. It reached a conclusion which is no clearer than the prayer we now have. The question was first raised by the member for Mawson when he said that the word "vouchsafe" is not clear to many people. The prayer starts as follows:

Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Parliament.

The honourable member said that the dictionary definition of "vouchsafe" was as follows: "condescend to grant". Members of the committee looked at this and I think that in general they agreed that it should be altered; but I do not think it should be altered, because there is not the slightest doubt as to the meaning of that prayer whether or not one knows that the meaning of the word "vouchsafe" is "condescend to grant". The committee then had a meeting at which I was present, but it passed this motion at a meeting at which I was not present. The minutes of the Standing Orders Committee on this matter are as follows:

The Clerk of the House reported that from his inquiries there appeared to be no uniformity in the new form of the Lord's Prayer used in churches.

Resolved, on the motion of Mr. Millhouse, that the Clerk seek the aid of the Lord Bishop of Adelaide (Dr. T. T. Reed) to modernize the language of Standing Order 48, that the Standing Order so amended be circulated to members of the committee for their consideration and, if approved, be incorporated in the committee's report to the House.

The Clerk then wrote to Dr. T. T. Reed on March 27, as follows:

My Lord Bishop,

Further to our telephone conversation of even date, I now enclose herewith a copy of House of Assembly Standing Order No. 48 which prescribes the Prayers to be read by Mr. Speaker at the opening of each day's proceedings in Parliament. The Standing Orders Committee and I would greatly appreciate your suggestions as to how the wording of these Prayers could be modernized.

I want to make clear that the committee asked the Bishop of Adelaide to recommend how those prayers could be modernized: it did not ask his opinion whether or not they should be modernized. The Bishop of Adelaide replied:

Thank you for your letter, dated March 27, 1972. I am enclosing herewith a draft of the prayers used each day in Parliament transposed into modern English, in accordance with your request, and would advise you that the form of the Lord's Prayer is that which has been approved and been put in use by an international committee of liturgiologists representing the major Christian denominations, including the Church of England and the Church of Rome in connection with the revision of liturgies. I hope this will help you in what you are proposing to do.

Having read the Bishop's letter, I assumed that the Lord Bishop of Adelaide was on the side of those people who wished to make a reform. I therefore telephoned the Bishop and asked him about his attitude and he gave me authority to say that he had not proclaimed an attitude, nor was he asked to proclaim an attitude: he was simply asked to advise how the prayers could be modernized. He was not advising us to change; he was not saying

that we should not change; he has not given an opinion on that matter. Our Standing Order Committee asked a specific question and it got a reply, but the Lord Bishop is not recommending that we should make that change.

I took the matter further and found that, since the committee of liturgiologists made its decision on the modernization, further confusion has been caused. In the *Advertiser* of October 27 of last year, Canon Donald Robinson (Vice-Principal of Moore Theological College, Sydney, and a member of the Liturgiological Commission of the General Synod of the Anglican Church in Australia, which rejected the new version) is reported as saying, *inter alia:*

Another problem in the latest version was the words "do not bring us to the test".

He is reported as saying:

We feel that just doesn't make sense. What test?

I believe that it does not make sense and I am delighted to see such a learned person supporting me. This article was published in October last year—before the Lord Bishop gave us his ideas. In view of that, we should not try to make alterations which in themselves have not been finalized within the churches. The words we use were set down in 1662 and, when they were reviewed in 1928, they were not altered. I ask whether these words that are suggested are any clearer than the words we now use. The words of the Lord's Prayer, as suggested by the Standing Orders Committee, are as follows:

Our Father in Heaven, holy be your name, your kingdom come, your will be done, on earth as in heaven. Give us this day our daily bread. Forgive us our sins as we forgive those who sin against us. Do not bring us to the test but deliver us from evil. For the kingdom, the power, and the glory are yours now and for ever.

The Hon. L. J. King: Are you moving an amendment to the motion?

The Hon. D. N. BROOKMAN: I will come to that in a moment. I am making clear that I want to oppose the alteration of the prayer, and I want to develop my argument further, because to my mind the meaning of the words proposed is no clearer and the words are less graceful. There is absolutely no need for us to change. I ask honourable members whether they think the words proposed will be an improvement, merely because we have altered the pronouns from "Thy" and "Thine" to "You" and "Your", and that sort of thing.

I would say the words are no clearer and that they are much clumsier. The actual number of words in the prayer is reduced slightly, and in modern times one may try to make a few words out, but the dignity and beauty of the prayer are impaired seriously. Anyone who is aware of the Bible designed to be read as literature will agree that the Bible, in its own right, without any of its religious aspects, is still a work of beauty. We had that Bible translated when the English language was certainly in a very civilized state. Do we think that, if we set out to improve the present version of the Bible, we will improve it by reducing the number of words and by altering a few adverbs? For example, when the prophet Amos burst upon the merry feast of Bethel, and the Bible designed to be read as literature states that "He burst in like a moral thunderbolt upon the merry feast and he started by saying 'The Lord will roar' from Zion." Are we going to alter those things, for instance to "The Lord will criticize us?" Are we going to use words less powerful than those chosen by the prophet?

We are fooling about with something that we should be leaving alone. We should leave it to these liturgical committees to reach a final decision before we consider the matter. I believe that the modern version suggested is sterile, ugly and confusing and that it is much clearer to say, "Lead us not into temptation" than it is to say, "Do not bring us to the test." I move:

After the words "Standing Orders" second occurring in the motion to insert "except the amendment to Standing Order 48 relating to prayers".

Mr. McRAE secured the adjournment of the debate.

STATUTES AMENDMENT (JUDGES' SALARIES) BILL

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN BOARD OF ADVANCED EDUCATION BILL

Adjourned debate on second reading.

(Continued from March 28. Page 4342.)

Mr. GOLDSWORTHY (Kavel): I support the Bill. The Minister has acknowledged that it implements a recommendation in the Karmel report. Indeed, the recommendations of the Karmel committee have formed the basis of many of the activities and legislative policies being pursued in South Australia at present. This reflects tremendous credit on the member for Davenport (Mrs. Steele) who was Minister

of Education when the Karmel report was commissioned. I think the present Minister, even in his least generous mood, will acknowledge that that report has given a tremendous fillip to education in South Australia and that it reflects great credit on the former Minister who, in a difficult period, came in for much adverse and unjust criticism. I acknowledge what I think has been a matter of tremendous credit.

I also make a point that has been made on several previous occasions, namely, that there is limited time for scrutiny of legislation. I am not complaining about that time allowed for this measure, because this Bill can be understood fairly readily, although there is a complaint in a letter from the Institute of Technology. The Minister of Roads and Transport made the point (although I did not think it was valid) that, even if members of Parliament did not have time to consider legislation, organizations concerned were given adequate time to consider it.

I do not think that is a valid point. I think it is our duty to study legislation and that we should be given adequate time to do so. We have had 160 Bills before us this session and I doubt that many members on both sides could name many of those Bills, let alone understand them. I do not think the Institute of Technology was satisfied about the time that it had to study this legislation. The Minister has also told us:

> It is also noteworthy that a number of the recommendations in the report recently released by the standing committee of the Senate with reference to the Commonwealth's Role in Teacher Education are reflected in this Bill . . .

I think this is commendable. I could not find a report of the Senate committee in the Parliamentary Library and all I could find was a report in the *Advertiser* of February 23, setting out the recommendations. One recommendation states:

> Teachers colleges should be granted financial assistance for recurrent and capital expenditure under terms and conditions similar to colleges of advanced education.

This is one of the major forward moves in the Bill, with the teachers colleges coming under the Board of Advanced Education, and the teachers colleges will qualify for the sort of financial assistance from grants to colleges of advanced education from the Commonwealth. The Minister's second reading explanation is fairly clear. He made the point that the board will comprise 15 members, and he stated:

> It has not been conceived as a forum in which each college or particular interest is represented for the purpose of pressing for its own particular programmes.

I consider that this is a valid point. The idea of people being represented on councils and boards with some specific point to put up or some representation to be made seems to be gaining popularity these days. This has become apparent to me as a member of the Council of the University of Adelaide.

Many of these councils and boards are becoming structured and the idea seems to be that the various organizations should be represented. I consider that this is a retrograde step in many ways. It makes the councils and boards unwieldy. I think this has been the case with the University of Adelaide Council. Trying to make it more democratic and to give it representation from more areas make the board unwieldy. This is a matter of learning from experience and the experience up to this time has been that, although the Council has been functioning for only a short time, in this so-called democratizing process, we lose something in the efficient running of the body.

I agree with the Minister that this board should not be a forum comprising members who have an axe to grind in their own interests. As the Minister has said, various bodies get involved in working committees, and so on. I consider that there is a special case regarding Roseworthy Agricultural College, and doubtless the Minister has seen the amendment on the file. This college and its functions are distinctive and I consider that there is a special case regarding its representation on the board. The Bill, as it stands, certainly allows no possibility of a representative of this college to be elected to the board. Another point of significance is that the Minister referred to degrees and diplomas. Much argument has been advanced for and against the advisability of the South Australian Institute of Technology awarding degrees. I believe the institute should have the power to confer degrees for the professional courses it offers. Many courses are almost identical with the corresponding course provided by the university (for example, in engineering) and in such a case the institute is competent to award degrees. The word the Minister used was "accredit".

The Bill is straightforward and clause 5 is simple and very wide. It provides:

> The Governor may, by proclamation—
>
> (*a*) declare any existing or proposed college, institute body or department to constitute a college of advanced education;

Part II refers to the machinery of setting up the board. Subclauses (3) and (4) of clause 7 are unusual because they provide for the chairman to be appointed for a term of office not exceeding seven years, but he can be appointed, I believe, for any period up to seven years. Subclause (4) provides:

Where, in the opinion of the Governor, there are special circumstances justifying him in so doing, he may, by instrument published in the *Gazette,* extend the term of office of the chairman.

I see no reason for this. The Government would be competent to reappoint the chairman for a period under the terms of subclause (3). Subclause (6) provides:

A person who is of or above the age of sixty-five years shall not be eligible for appointment or reappointment as chairman of the board.

It is therefore possible under the terms of this Bill for the chairman to serve until the age of 71 if he is appointed at the age of 64. Although those subclauses were strange, I found the others to be sound and interesting. Subclause (7) provides:

The Governor may remove the chairman from office upon the presentation of an address by both Houses of Parliament praying for his removal.

The chairman seems to have considerable security, because he can be removed only if the move is initiated in Parliament by a joint address in both Houses; and if the Government or Governor wishes to suspend him he cannot be suspended unless one of the Houses is prepared to uphold the suspension. If not, he is reinstated. I have no objection to these clauses and have found them interesting, because I understood this to be the situation that applied to the tenure of appointment of the Police Commissioner, but apparently that is not correct; I believed he could be dismissed only by the joint resolution of the two Houses but his position is covered by the terms of the Acts Interpretation Act.

Subclause (9) concerns the full-time engagement of the chairman and provides that he is not to undertake any other duties. I have indicated that I am not happy with the constitution of the board. I believe that 15 members is an adequate number. Clause 8 (1) (*h*) is as follows:

two persons elected from amongst their own membership by the full-time academic staff of the colleges of advanced education of whom—

(i) one shall be elected by the academic staff of the South Australian Institute of Technology and the Roseworthy Agricultural College;

In these circumstances it appears that no person from Roseworthy Agricultural College would stand much chance of being elected to the board, simply because the South Australian Institute of Technology would have such an overwhelming majority numerically with its academic staff. I believe also that there would be no chance of election under any other provision. There is no other provision to allow for the inclusion of representatives of Roseworthy Agricultural College, although its functions and activities are distinct from those of any other college of advanced education. The Roseworthy Agricultural College is not centrally located, and I believe there is a strong case for increasing the size of the board by one member; in other words, one member from the Institute of Technology and one from the Roseworthy Agricultural College. The size of the quorum (eight members), bearing in mind that the board comprises 15 members, seems reasonable.

The powers and functions of the board are set out in Part III of the Bill, clause 14 (1) (c) providing that the board shall further the "promotion of the public interest by the provision of education and technological training at an advanced level". This is an important aspect of the Bill; it is only proper that the board should act in the public interest, for the public invests much money in tertiary institutions through the payment of taxation. I think that there are overtones here of tertiary institutions supplying to the community people who are highly qualified and who can work in a specialist field. The public, which invests large sums in these institutions, has an interest in seeing that its investment in tertiary education is not wasted. Clause 14 (2) provides that the board "shall, in the exercise and discharge of its powers and functions . . . collaborate where it is appropriate to do so" with various bodies, and that is a reasonable provision.

Clause 15 provides that the board shall "keep under review all aspects of advanced education", and that is another important provision. When referring earlier to the Minister's explanation, I said that I considered it important that the Institute of Technology be able to grant degrees, and this is provided for in clause 16. Subclause (6) contains the important provision that the register of courses available shall be open to public scrutiny. Clause 17 contains a fundamental provision dealing with the allocation of moneys in connection with the institute and this, again, is a most important provision. I do not think

anyone would cavil at the miscellaneous provisions. The board has wide powers; it may appoint committees in any field of advanced education, and may recommend the allowances to be paid to members of the various committees. We see, therefore, that the board has tremendous scope and powers.

I think a question was asked last session about the number of Government committees inquiring into various matters, and I wonder sometimes just what comes out of some of these investigations and how much money is spent on allowances, etc., of committee members. Indeed, not much information seems to come before Parliament as a result of the deliberations of certain committees. I hope that, under clause 18, there will not be a proliferation of committees and that the State will not be involved in great expense as a result. The board is not subject to the Public Service Act and, although I am not clear of the ramifications of this provision, I note with interest that under clause 22 the board shall submit a report that will come under the scrutiny of Parliament. I believe that that is essential because, when the public is being taxed and money spent on Government operations, such operations should come under the scrutiny of Parliament. Although I instance here the Attorney-General's refusal to release the Juvenile Court report, I am glad it is spelt out that in this case the report of the board will be tabled in Parliament. I consider that this principle should be adopted in respect of any Government instrumentality that furnishes a report.

The final clause in the Bill gives the Governor regulation-making powers, and there is no complaint about this provision. I believe that, if we are to apportion credit for this measure, the Bill itself reflects tremendous credit on a former Minister of Education (the member for Davenport), during whose term as Minister the Karmel Committee was set up. The report of that committee is the basis of the Labor Government's policy, as I believe it would have been the basis of the policy of a Government of any other complexion. It is a most worthwhile and comprehensive report and has repercussions throughout the whole of Australia. I support the Bill.

Mrs. STEELE (Davenport): Having listened with much interest to what the member for Kavel has had to say about this Bill, I do not intend to speak for more than a few minutes because he has discussed it in considerable detail. However, I question why the Government should bring down this legislation almost at the deathknock of the session. There has been ample time for the Government to prepare the measure and to introduce it long before this. The chairman of the committee was appointed long before Christmas and the functions of this committee have been cut and dried, so to speak. I do not know whether the measure has been introduced now because the Minister of Education had to be prompted to introduce it so many months after the committee was appointed, or whether it has been introduced because the Minister's nose was slightly out of joint as a result of everyone else's introducing Bills with gay abandon. Perhaps the Minister felt that he had been left out in the cold but, in any event, the Bill has been introduced at the end of the session.

In addition, a copy of the measure just was not available for members to study. I wanted to take home a copy of the Bill to study over the Easter weekend but it was not on the files and, because of difficulties in connection with the printing of *Hansard* during Easter, we could not see the Minister's second reading explanation until today. However, having made those comments, I support the legislation. It is rather interesting to note that this Bill really had its origin a considerable time ago. While I was Minister of Education I had the benefit of having several discussions with Sir Ian Wark, the then Chairman of the committee concerned in promulgating colleges of advanced education or (in those States where it applied) in setting up institutes of colleges. On more than one occasion, Sir Ian told me not to move in this matter until the Wiltshire Committee had made its report on the accreditation of degrees and diplomas. Sir Ian Wark gave me a great deal of help and information, and we discussed what would be the viable colleges within either an institute of colleges in South Australia or (as it is now named) a board of advanced education.

At the time, a committee was also considering the activities of the Roseworthy Agricultural College, as well as certain matters regarding the South Australian School of Art and, in addition, a move was afoot for the autonomy of teachers colleges. All of these things were in the melting pot, and that was the situation when we went out of Government in May, 1970. In fact, much attention had been given to this measure. South Australia had its own committee. The Simpson committee presented two reports on this important matter which was very much in the minds of the Government at that time. What the member for Kavel has said about

the Karmel committee report is perfectly true. The Government is now acting on and is putting into effect many of the recommendations of that committee. It has almost accepted this report as the blueprint for its education policy in South Australia, just as we would have done. Our purpose in setting up this committee was to get a committee of experts to look at every aspect of education and to make recommendations to the Government so that it might base its attitude to every facet of education in the future, and to use this committee and its recommendations in its planning and as its blueprint for the future. I do not want to discuss the Bill in detail; I just wanted to make these few points because it is best that they are understood. The legislation is clear cut, there is nothing controversial about it, and I believe it has the support of most members of this House. I support the Bill.

Dr. TONKIN (Bragg): I join the members for Kavel and Davenport in supporting this Bill, and I believe those two speakers have covered the points I wished to make. I praise the work of the former Minister of Education, the member for Davenport, as well as the previous Hall Government of which she was a member, and I also congratulate once again the members of the committee that published the report that became known as the Karmel report. The work which Peter Karmel in particular has done both in preparation of this report and as Vice-Chancellor of Flinders University is well known.

Mr. Nankivell: And in setting up the New Guinea University and acting as its first Vice-Chancellor.

Dr. TONKIN: That is so. He is a man of stature and we were fortunate that he was able to guide the committee in South Australia. I believe most of the policies coming into education have been based on the Karmel report and I think whichever Party occupied the Treasury benches these recommendations would have been implemented.

There is no doubt in my mind that the work of the present Minister of Education has been made tremendously easy because of the recommendations of this report and that the reputation the Minister has in the community is in no small measure due, and can be traced directly back, to the Karmel committee report. I commend his wise judgment in following the recommendations of the report.

I would also like to echo the remarks of the member for Davenport. I cannot see why the Bill was brought in at this stage. As far as we knew, we were not going to be sitting this week, but a copy of the Bill was not available last week. I, too, wished to take a copy of the Bill home to study over the Easter break and found I could not.

The Hon. Hugh Hudson: It was available in the front office.

Dr. TONKIN: I accept that statement, but it was not available when I wanted it, and it should have been. It seems to me very odd, when the committee was appointed well before the end of last year, that the Bill should be brought in now. As I think it is necessary to co-ordinate all aspects of advanced education under one body, a board of advanced education, I support the Bill.

Dr. EASTICK (Leader of the Opposition): This Bill creates a situation whereby the Minister of Education becomes responsible for the Roseworthy Agricultural College. This is a position which I hope will always be to the advantage of the college. Recently the staff at Roseworthy Agricultural College have been most unhappy, morale has been low, and there have been threats of change of employment. I am the first to accept that in a changing situation there will always be doubt, there will always be problems arising from the change, and there will be problems that arise because only a certain amount of information can be revealed and no more. However, following the acceptance of the recommendations of the Sweeney report on the Roseworthy Agricultural College that increased salaries be paid to senior lecturers and lecturers at Roseworthy, members of the staff who had given loyal service found their jobs advertised and were unable to determine in the first instance whether they were (*a*) eligible to apply and (*b*) whether, if they were not selected in the new category, their present position would be in jeopardy or whether a situation would unfold whereby they could still remain as effective members of the staff. In the event, no member of the staff who wished to stay has been lost to the college. Many members of the staff did leave because of difficulties they foresaw, but I believe that on every other occasion if a member was not able to proceed to the new position his own position was held at the salary and status he enjoyed before the new appointment.

I believe the method used in the restructuring of Roseworthy Agricultural College was most unfortunate. The Minister of Education said that at that time both he and the Minister of Agriculture were discussing the control of the Roseworthy Agricultural College and I

do not personally hold the unfortunate state of affairs against either one of them. However, I suggest that this lesson should be learned and that this should not be permitted to happen again in any other field with which these Ministers are concerned.

Another point raised has been the representation that Roseworthy Agricultural College will have on this board. The pertinent part of the Principal's speech, which bears the heading "The New System" and which was given in the presence of the Minister of Agriculture on graduation day, February 29, 1972, states:

Those of you who have been following Government announcements will be aware that we are on the threshold of a new managerial system for colleges of advanced education. It now seems clear that in the near future the long-established Agricultural College Department will cease to be and that we will become an autonomous institution managed by our own governing council. Between our own council and the Minister of Education there is to be an Advanced Education Board to rationalize budgets and works and for the accreditation of our awards. Here, at Roseworthy, we accept the point that we must be drawn into this system. There is no future in being different, but we are quite apprehensive of the fact that we have been left without a voice in the proposed Advanced Education Board. We believe that the viewpoint of an agricultural college is quite different from that of a teachers college or, for that matter, of the Institute of Technology, and that this should have been recognized.

The Minister of Agriculture duly acknowledged the point raised, indicating that he believed there would be no problem in future. The Principal was able to tell those who sought information from him that, on a purely mathematical basis, as there were five teachers colleges, one Institute of Technology, and one agricultural college, it was unlikely that the agricultural college (or for that matter the Institute of Technology) would be able to provide the sole representative on the board, as a result of the weight of numbers of the teachers colleges. I do not accept this entirely without qualification. We may well see the situation where, as a result of agreement by the five teachers colleges, the institute, and the agricultural college, the membership will be on a rotating basis, but such a gentlemen's agreement may not necessarily last. It may be that, after one or two such periods in which the organizations rotate in providing the representative, the situation changes and Roseworthy may never provide another representative.

By the very nature of the work carried out at Roseworthy, which is tied closely to agricultural pursuits, although it may be a teaching organization, to represent fully the views of this organization, as if it were involved with teaching only and not with ancillary services, may be most difficult. I ask the Minister to consider fully representations made to him that Roseworthy be given a more direct voice on the board. I do not say that this necessarily means a representative of Roseworthy to put its views. Provision is made in other cases where a similar situation arises. For instance, in the Commonwealth sphere members representing the Australian Capital Territory and the Northern Territory have been able to express an opinion on matters with which they are concerned, but they have no voice otherwise. A similar arrangement here may be the solution. I believe a better solution would be for Roseworthy to have a representative who could undertake responsibility for that college, along with the representatives who will be responsible for other organizations. I make this plea to the Minister on behalf of many of my constituents.

Mr. NANKIVELL (Mallee): I support the the principle of colleges. Many of us have been aware for a long time that there has been a big gap between secondary education and tertiary education, as provided by universities. Many of us have known that people at universities have often been trained with an academic slant, whereas there has been a demand in industry and commerce for people trained in a more practical way. I consider that the provision of this intermediate tertiary level of education (if I can describe it in that way) is a tremendously important step in education in this country. One problem that arises when colleges are set up is the question whether or not they should be autonomous. In this case the college will have autonomy. However, when autonomy is provided, there are real problems of accreditation.

During the time I was on the council of the Institute of Technology, when the training of social workers was transferred to that institute a problem of accreditation arose. The Institute of Social Workers, which was not happy with the standard of course provided, wanted certain alterations made and certain things done in order to meet its requirements for accreditation. A similar situation has applied in the case of the Institution of Engineers, which has been an accredited body for a long time. The diploma of the Institute of Technology has been highly regarded in the engineering world because it has been properly accredited by a recognized body. In the case of autonomous organizations, there needs to be a co-ordinating

factor in two areas: first, with regard to the allocation of funds, and secondly, with regard to accreditation. Regarding the benefits of this type of education, I believe that accreditation is terribly important, because there is not much point in a person's spending several years doing a course of studies and obtaining a diploma or degree only to be told that the standard of the institute he has attended is not recognized or accepted in other parts of Australia or, more especially, in other parts of the world. Therefore, the person who has obtained this standard of training at that institution finds that his work may have been a waste of time.

I wholeheartedly support the Bill. As I know that the Chairman of the board has been sitting anxiously in the gallery for over a week waiting for this legislation to go through, I am happy that we are now debating it. Knowing the necessity to get on with it, I support the Bill and hope that it has a speedy passage.

Mr. EVANS (Fisher): I also support the Bill and consider that it is important to get a better balance in our education system. I hope the Board of Advanced Education will consider a point that I have made previously, even though the teachers colleges and other organizations will be autonomous. I have considered for a long time that our teachers, on completing tertiary education, should be asked to take a job in the community. I do not intend that they should lose in salary and I think that their salaries should be made up to what they would receive as teachers; but, by giving them employment in the community, we would get a better type of teacher and one who understood practical living, which is what the children must be involved in when they leave school.

I do not denigrate the teachers; indeed, most of them are loyal to their task. They try to get the right results from the students. However, many of these teachers start their own schooling in kindergarten and move on to primary school, secondary school and to tertiary education. After doing that, they go back to the classroom, and this arrangement is not completely satisfactory if we want to get a balanced education system. We could take the suggested system a stage further later, when sufficient teachers were available, by sending the teachers out into the community again after they had taught for, say, 10 or 12 years.

They could take a job in an organization that was quite distinct from a teaching institution. If we put this idea into practice, the teachers would accept and welcome it. In the past, we have not had sufficient teaching resources to enable us to put that practice into operation. There has been a shortage of classrooms and of teachers, and the classrooms that we had have been overcrowded, but we are quickly approaching the stage when we will have available sufficient teachers to carry out the system that I am suggesting.

I consider that it is good for an institution, whether it is a teachers college, the Institute of Technology, or Roseworthy Agricultural College, to handle its own finance and programme and to be autonomous, but one will have to be aware of the priorities given. There may be a tendency for a member to have a greater influence on the board or, through the Minister, to Cabinet about the amount of money to be made available. I think Parliamentarians must be aware of this situation always and do all in their power to ensure that there is a balance of finance and that the proper priorities are given.

Explanations given by Ministers in this House, regardless of political Party, sometimes cloud the issue and perhaps tend to cover up the correct priorities. Sometimes it is difficult for members to find out where the right priorities lie, and we hope that, through the Board of Advanced Education, we may be able to find the proper priorities. I congratulate the Minister on introducing the Bill, but I also give credit to former Ministers of Education, departmental officers, and other persons who worked on the Karmel report and formulated the ideas in the Bill.

The Hon. HUGH HUDSON (Minister of Education): My first point in reply is that, although I appreciate that the Bill was not on members' files as soon as it normally would have been, it was available at the front office last Wednesday, and members who required a copy of it before the weekend were able to get one. Bills are introduced late in a session simply because of the difficulties in getting access to Parliamentary Counsel. Once Parliament commences to sit, Parliamentary Counsel are pressed to the absolute limit, and I do not think we can do other than accept the situation that has existed in this area for many years. I also point out that it was important that this measure and the measure dealing with the Institute of Technology be introduced at this time, not only to give the necessary statutory powers to the board and to provide for the institute to be able to award its own degrees, but also because of the large amount of legislation remaining to be introduced in the education field generally. However, I will

not go into details of that now. I was surprised at the number of members opposite who mentioned the Karmel report and even became ducky about it. I, too, regard it as a very fine report, but no member opposite pointed out the extent to which this Bill departs from the report. In fact, the Bill is one of the major areas of departure that the Government has made from the report. I assume that members opposite have not read the detailed parts of the report about what the report refers to as an institute of colleges.

First, the Karmel committee recommended the establishment of an institute of colleges comprising 25 members. That would have been a broadly based forum, as against the kind of arrangement involved in the Bill, which provides for more of an executive type of board. Secondly, the powers of the institute, as recommended in the report, were more detailed and went further than the powers in the Bill.

Thirdly, the committee recommended that the Vice-President, as the committee termed the office, should be an appointee of the board. By this Bill, the Chairman of the board, who is equivalent to Vice-President, is appointed not by the board but by the Government. Not the least of these matters is the change in name from the institute of colleges to the Board of Advanced Education. I have made these points so that those members who have not read the report will know where the report differs from the provisions of this Bill.

Regarding Roseworthy Agricultural College, if the recommendations of the Ramsay committee had been accepted (namely, that that college should be incorporated as part of the South Australian Institute of Technology) the matter that some members have been raising would not have arisen at all. The Government has made the correct decision in rejecting the Ramsay committee's recommendations and opting instead to make Roseworthy Agricultural College an autonomous institution, supported from the Public Service and the Agriculture Department, under its own governing council. The Government having made that decision, I point out that there is a large difference in the number of students involved in the various colleges of advanced education. It cannot be put to the teachers colleges that they should not have representation and that Roseworthy should, merely because it involves special interests. Roseworthy caters for 200 students, whereas the teachers colleges cater for about 5,500 students. Separate representation from each teachers college, even if each one had a special interest, would start to build up the size of the board and would make it ultimately unwieldy, and it would become a forum for so many different voices that it would become less effective. For example, it would be difficult to tell the Whyalla branch of the Institute of Technology, on the day it becomes an autonomous college of advanced education (as I hope it will) that it was not entitled to representation, whereas Roseworthy is so entitled. Concerning both that situation and the kindergarten teacher college, which may come under the board, and the Torrens College of Advanced Education, which will build up to a college of 2,000 students (that college will be 10 times as large as Roseworthy and will also cater for various special interests in art and design), the question arises why such a college should not be entitled to separate representation. The answer is that, if the proposition put by members opposite is agreed to, there is no limit to the process and it would be necessary to accept a board which would be much larger than that proposed and which would be unwieldy and, therefore, relatively ineffective.

The interests of Roseworthy Agricultural College can be expressed in several ways. First, the Principal of the college will, with Principals of the other teachers colleges, elect two members of the board. There are currently seven Principals because the Principal of the South Australian School of Art is included. They will elect two members of the board and they have already done so. Concerning the election of the staff members I specifically rejected the notion of incorporating the Roseworthy staff with the teachers college staff in electing a member to the board, but included Roseworthy with the Institute of Technology. Members opposite may be aware that there are groups within the Institute of Technology that will try to obtain representation on the board and that the Roseworthy staff may in certain circumstances hold the balance of power. Indeed, it may be able to influence the composition of the board in that way. I have been informed that some candidates for election intend to make special trips to Roseworthy to see staff prior to the election and, of course, that is completely within their competence so to do.

The function of the board is in all respects a committee operation. I have little doubt of the effect of the committee's workings, directly or indirectly, on Roseworthy Agricultural College. I do not doubt that its representation will be obtained, and that, in any circumstances

where the interests of Roseworthy should be considered, they will be considered in an appropriate manner. Therefore, I do not believe there are any real grounds for the fears that have been expressed by the Principal and other staff members of the college. In fact, I believe that the board, with its existing composition and with the people that we have been successful in obtaining as members of the board, will be sufficiently competent and broad-minded in its outlook to consider the interests of the college fully. I remind members opposite who have raised this matter that the interim board which has been established, and which will continue with the permanent board, includes three former members of the Commonwealth Advisory Committee on Advanced Education. It includes the current Chairman (Mr. Braddock), the former Chairman of the Commonwealth Advisory Committee on Advanced Education, (Sir Ian Wark), and a former member (Mr. Huddleston). Each member has a relatively wide experience of various aspects of tertiary education and I am confident that all members are capable of approaching and determining in an independent manner the various problems that will come before the board. This is the function we are asking the board to carry out. We have not set up a board representative of all the colleges that will come under its overall control. Board members, even if they be members elected by some of the principals, are elected to consider the interests of all colleges. The representation on the board (that is, outside the colleges) is sufficiently large and strong in character and membership to ensure that the board will function in that way, and that any special pleas from any member of the board who comes from one college will get short shrift.

Concerning development, the board must recommend to the Minister and to the Government the process of Parliamentary influence on the balance of financial allocation between the various colleges, which is something that can still be expressed (and no doubt will be expressed). It may often be necessary for the representatives of the community, either in Parliament or in Government, to point out to the board that special needs must be considered. I refer, for example, to a need for teachers or agricultural technologists, or whatever may be required. There are provisions in the Bill to allow that to be done. I may have missed one or two points in this reply, but they can be dealt with in Committee. I thank members for the attention they have given to this Bill and the support they have shown for it.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—"Membership of the Board."

Dr. EASTICK (Leader of the Opposition): I move:

In subclause (1) (*h*) to strike out "two" and insert "three".

As the Minister has indicated, the Roseworthy Agricultural College represents a relatively small area of the considerations of the board. However, the college, which is relatively isolated, experiences certain difficulties.

The Hon. HUGH HUDSON (Minister of Education): I am not willing to accept the amendment, for I believe that the board is constituted in a way that will ensure that the interests of any college (including the Roseworthy Agricultural College, even though it is relatively minor in character) will be looked after effectively. I point out again that, if we make this kind of amendment every time there is any kind of geographical isolation and every time there is any special interest in a college, we commit ourselves to the establishment of a board that will ultimately become large in numbers and quite unwieldy as an instrument for carrying out the functions that we intend to give it.

Amendment negatived.

The Hon. HUGH HUDSON: Am I correct in assuming that the Leader will not proceed with the further amendments consequential on that amendment?

Dr. Eastick: Yes.

The Hon. HUGH HUDSON: I move:

In subclause (1) (*i*) after "experience of" to insert "primary or".

It has been pointed out to me in submissions made by both the Salisbury Teachers College and the Wattle Park Teachers College that, as teachers colleges are actively engaged in the training of primary teachers, it would be wrong to exclude for all time a member of the board whose qualification was that he had had extensive experience of primary education. Members who are aware of the current membership of the advisory board that has been established would know that the Headmistress of the Gepps Cross Technical High School (Miss Joan Young) is the person on the advisory board who comes into this category; and, of course, she would qualify under the original provision. However, in

future someone with extensive experience of only primary education may be available for appointment to the board, and there could be a good case for appointing that person.

Dr. EASTICK: I support the amendment. Although the situation may not arise that would warrant including this provision at present, it is better to include it now than to consider it at some stage in the future if necessary.

Amendment carried; clause as amended passed.

Clauses 9 to 16 passed.

Clause 17—"Recommendation upon financial matters."

The Hon. HUGH HUDSON: The Leader raised the point earlier in relation to the salaries and status generally of the staff at the Roseworthy Agricultural College. Clause 17 (1) *(d)* enables the board through the issue of a proclamation by the Governor to bring any college under its overall determination in regard to conditions of employment and salaries. This can be done step by step, and I expect that, when the legislation regarding the Roseworthy Agricultural College is passed by this Parliament, provision will be made for conditions of employment and salaries to be determined under this clause. Once the relevant Act is assented to, the proclamation bringing that college under this clause can be issued, and the Public Service Board would no longer determine, as it does now, the conditions of employment and salaries under this clause.

Dr. EASTICK: In association with the Sweeney report, there has been a complete restructuring of the staff at the college and of salaries. I was complaining about the fact that members of the staff who had given long and loyal service were not aware of their future position and did not know that they would be tied to the provision contained in this clause. They accepted that the situation in the long term would be satisfactory. The situation was not satisfactory, because people were not aware of what the situation was or would be. This meant that they did not know whether they should take other opportunities offering at that time or stay where they were.

Clause passed.

Remaining clauses (18 to 25) and title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN INSTITUTE OF TECHNOLOGY BILL

Adjourned debate on second reading.

(Continued from March 28. Page 4344.)

Mr. COUMBE (Torrens): I support this Bill with much pleasure because of my association for many many years with this rather unusual and leading type of educational institution, right back to the days when I was a student and when it was called the School of Mines and Industries. This institute was established in 1889 and, unlike the present case in which autonomy is proposed for the teachers colleges, the School of Mines was granted autonomy by an Act of Parliament in 1892 and it was the only institution of its type with autonomy until recently, when the new types of college of advanced education were established.

It is also interesting to recall that the Institute of Technology led Australia, especially in the mining field, and provided many of the mining managers at Broken Hill, as well as many of the leading engineers in Australia long before the University of Adelaide had its own engineering school. In this regard, one name that comes to mind is that of Essington Lewis, who was a graduate of the School of Mines. This is a historical institute and, as the Bill we are now considering sets out to improve it even further, any move that will raise the status of the Institute of Technology has my complete support.

I recall the association that took place with the University of Adelaide. The late Professor Sir Robert Chapman, who set up the school of engineering at the Adelaide University and was the first professor of engineering, was regarded at that time as one of the leading engineers in Australia. He was involved in this joint scheme. Later, Professor Sir Kerr Grant, the great physics professor (according to those who could understand him) was also associated with the School of Mines, serving a term as President of the organization. In 1957, the school offered for the first time courses that led to the award of degrees. Before this, it had offered fellowships and associateships in various disciplines. The old F.S.A.S.M. and A.S.A.S.M., of which fewer and fewer remain as people get older and retire, are highly regarded by engineers.

In 1957, a change was made whereby courses were introduced in applied sciences, technology and, later, in pharmacy that led to an award of a degree with the University of Adelaide. Unfortunately, following the Martin report, these degree courses were removed. I say that

this was unfortunate because I think it was a retrograde step, and I definitely opposed this move at the time. Up to that time, the degrees had been conferred by the university and awarded by the institute. With the greater commitment by the Commonwealth Government in tertiary education, many changes occurred in the institute. The current professional level courses of the institute lead to the award of a Diploma in Technology.

I must emphasize that, with regard to technology, applied science, and pharmacy, the Diploma of Technology courses now given are identical to the courses conducted at the university, so that a student at the Institute of Technology comes out with a Dip.Tech. and, if he goes to the university, he comes out with a B.E. or an architect's degree. However, a person can go to the University of Adelaide and get a B.Sc. in three years. It is interesting to note that the local chapters of professional bodies such as the Institution of Engineers and the Royal Australian Institute of Architects accept these students of the institute for membership. The Wiltshire committee is presently working on the question of accreditation. I believe that in a short time degrees will be conferred. The accrediting requirement on a national basis must come about so that we can get uniformity. At present, some of the technician courses are being transferred from the institute to the Education Department. The institute, which at present has about 9,000 students (some full-time and some part-time), will have graduates, diplomates, technologists and some certificate holders.

An important part of the Bill provides that the institute can in future confer degrees, subject to meeting the requirements of the accreditation committee. That is a major step forward. The other major part of the Bill relates to the composition of the council. In his second reading explanation the Minister admits that he could not get agreement on all matters. He has probably come up with a compromise. The present council consists of 19 members, of whom two are nominated by the academic staff. At present, there are no student representatives, although two students can sit in, by invitation, as observers. The remaining members of the council, apart from two members of this House and staff members, are people representing commerce and industry. One member represents trade unions. I agree with the Minister's move to increase the membership of the council to 21 members. Under the Bill, five members will be elected by the academic staff. One member will be a member of the ancillary staff, elected by that staff. There will be two members who are students of the institute.

This will be the first time that the council has had on it student members, and this conforms to the latest developments with regard to the universities. The Director will continue to be a member of the council. There will be 12 persons appointed by the Governor on the nomination of the Minister. I point out that the University of Adelaide has a senate and Flinders University a convocation. A difference between the situation applying to the universities and that which applies in this case is that, in the election of the senate or convocation, there is provision for graduates to have a voice in the election of members, but that provision is not made in respect of the institute. I do not suggest that it should be made. However, perhaps some of the academic staff could be elected on a selective basis, and this is the subject of an amendment I have on the file. In his second reading explanation the Minister stated:

> Clause 13 empowers the council to confer fellowships, degrees, diplomas, certificates, or other awards upon persons who comply with the prescribed requirements. The council is also empowered to confer awards *ad eundem gradum* on persons deemed deserving of them by reason of their attainments or public services.

I believe that is a worthwhile provision. So, apart from the fact that I have foreshadowed an amendment, I support this Bill believing that the Institute of Technology plays a unique part in South Australia in the field of tertiary education. I said earlier that it had, in the early stages of its history, led Australia in many fields of engineering and mining and, together with its branches at Whyalla and The Levels, the institute is playing a significant part in this type of tertiary education in South Australia.

I hope this institute will never become a third university in South Australia. I make that point advisedly because, if we are to have a third university (which could come in years ahead), it should be set up elsewhere. I have seen the precedent of what was known as the New South Wales University of Technology, which failed completely because it was orientated entirely towards the applied side of the disciplines and there were no humanities. I believe that a university must be representative of all types of discipline, so I hope this institute never becomes a third university. It may well be that the council, which is looking years

ahead, will in due course have another site to take some of the expansion that must occur. With those remarks, I fully support the measure.

Dr. TONKIN (Bragg): I, too, support the Bill. I agree entirely with the closing remarks of the member for Torrens and hope that this institute will never become a third university. In this I speak with some experience of the difficulties encountered in setting up a medical school in the new University of New South Wales. The difficulties were considerable. I hope this institute will remain and will be proud to remain an institute in its own right.

My only comment is some slight misgiving, which I am sure is unnecessary, about the power to award degrees. The Minister and the member for Torrens have covered the history of the matter very well. If in technology, applied sciences and pharmacy the courses are identical, there seems little point in their not being degree courses. This was not an easy decision to make. We have seen the situation in the United States, where degrees can be awarded or obtained for almost anything—in fact, for needlework, I think. (Its status is being enhanced by the awarding of a diploma, anyway). I ask that full consideration be given to this aspect of degree-awarding, as I am sure it has in this case. Unfortunately, the motive for awarding degrees in some subjects can seem facetious. I do not know whether or not these are intended to be facetious, but they tend to lower the standard of degrees. This must be looked at, as I am sure it has been in the preparation of this and past legislation.

The status of degrees depends very much on the institution that awards them. I am proud to put after my name, as I am sure all other graduates are proud, the name of my university. I think there is some status in this. I am proud to say that the M.B., B.S. (Adelaide) is one of the most highly regarded medical degrees of that standard in the world. It makes a tremendous difference. The status of a degree depends on the status of the institution awarding it, and the status of the institution depends, in turn, on the character and calibre of the academic staff. Here we have a safeguard in the present situation regarding the institute. Ultimately, the calibre of the staff is the responsibility of the council and I am sure the council will be well aware of the need to maintain the highest possible standards. I wish the institute well in this new programme of degree awards and trust its reputation will be enhanced through the reputation of its staff and the students who graduate from it.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Constitution of the council.''

Mr. COUMBE: I move:

In subclause (2) *(b)* to strike out "five" and insert "two".

I shall speak to this amendment and my next one together, in order to make sense. In the case of the University of Adelaide, there is a senate whose graduate members have an opportunity of selecting members of the council. There is no such body at the Institute of Technology that has a voice in appointing members to the council. Admittedly, the council of the University of Adelaide is much larger and far more disciplined but my idea here (and I emphasize that I am in agreement with the increase in the number of staff members of the council) was to see that in the interests of the staff and of the institute itself there should be representatives of heads of schools or heads of departments. I believe that the staff association would have the good sense, if this amendment was not carried, to elect heads of departments or heads of schools. However, as we must legislate not only for today but also for years to come, we should write into the legislation what we really intend. I am seeking to provide that at least three of the five shall be members elected by heads of schools or heads of departments.

The Hon. HUGH HUDSON (Minister of Education): I regret I cannot accept this amendment. I have had representations from people associated with both the council of the institute and the academic staff institutions which would support what the Bill proposes. My feeling could be summed up by saying that, whilst the electorate that elects any category of members to the council is narrower than in the case of the University of Adelaide, that is not an argument for making it still narrower. At Flinders University, the staff elected is merely the staff. It is the kind of situation that is characterized in the Bill, and that system works well, providing a mixture of professorial and non-professorial members on the council.

However, I return to the basic point that members of this kind are there as representatives of the academic staff as a whole, and I do not think that this Parliament should pass legislation that might cause divisions amongst

the staff of the Institute of Technology and might lead the heads of schools and of divisions to regard themselves as a completely separate group in trying to influence, on the council, matters coming from the academic staff.

It is important, when we are talking about staff representation, to deal with the matter in this way. I would have been willing (although there was not support for this in the institute) to go along with the system that applied to the University of Adelaide and provide that, in the election of academic staff members, the ancillary staff would get a vote and, in the election of ancillary staff, the academic staff would get a vote. That is provided in the University of Adelaide Act, but there was not any support for that by the Institute of Technology, and, therefore, I did not persist with it.

I consider that, if the amendment is accepted, there could be a danger of dividing the staff unnecessarily amongst themselves, and I think we can leave it to the good sense of the staff of the institute to ensure that, when they are electing their staff representatives to the council, there will be some reasonable kind of balance. They may end up with four heads of schools and divisions and only one other member, or it may go the other way, but they are the ones who are electing the representatives, and it seems to me that, to the extent that we can get them to be a united group and to act as such, we should encourage them.

Amendment negatived; clause passed.

Remaining clauses (8 to 21) and title passed.

Bill read a third time and passed.

NATIONAL PARKS AND WILD LIFE BILL

In Committee.

(Continued from March 29. Page 4454.)

Clause 38—"Creation of zones within a reserve."

The Hon. D. N. BROOKMAN: Nothing is prescribed as to what a zone shall be, and obviously the administration would want to make the provision flexible. Perhaps some part of a wilderness road can be used for other purposes, and I should like to know whether the definition of "zone" is hard and fast. Places such as Flinders Chase will have a wilderness zone as well as other parts. I hope that the roads through there now used by tourists will be open. That will be a matter for the new administration, but I hope that calling it a wilderness zone will not mean that people will not be able to travel down a road that has been made virtually for them in the past.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I do not think that the honourable member need have any fear on that matter. The object of the zone is primarily for areas like Katarapko Island and the Coorong, where we have declared the whole area to be a national park.

[*Sitting suspended from* 6 *to* 7.30 *p.m.*]

The Hon. G. R. BROOMHILL: The Government has taken the opportunity to consolidate areas that used to be in small sections, such as the Coorong and Katarapko Island, which are two areas that it would be necessary to zone as national parks and game reserves.

Clause passed.

Clause 39—"Implementation of management plan."

Mr. GUNN: Will the management plan include the fencing of reserves, the cutting of fire breaks and the provision of fire access roads? The reserves with which I am concerned are the Hambidge and Big Heath reserves, which adjoin property on which problems have been caused by kangaroos entering because there have been no fences. Farmers should not have to contend with their crops and fences being destroyed. Will these reserves be fenced? If a fire were to break out in the hundred of Hambidge, it would be virtually impossible for fire fighters to gain access to it. If suitable access roads and fire breaks were provided, it would be in the best interests of the reserves and it would make it easier for fire fighters to carry out their duties.

The Hon. G. R. BROOMHILL: Regarding the general policy of the national parks authority, the Government has allocated specific sums each year for the fencing of national parks, but this sum has been insufficient to keep all the parks adequately fenced. As a result, the Government has applied its attention to those areas that most urgently require attention; this means that many of the areas the Government would like to have fenced remain unfenced. This matter concerns all people associated with national parks, because it creates bad feeling if farmers have their fences and crops destroyed by animals. We can do only as much as possible with the levels of priority we must undertake. If we devoted all our resources to fencing national parks, it would mean that we would have to discontinue purchasing areas of land as they become available. The Government will apply its priorities as best it can, bearing in mind that this is a vitally important matter.

Mr. GUNN: Is it also intended in the management plan that under certain conditions certain animals will be destroyed when they reach plague proportions? If kangaroos are allowed to breed unchecked they could reach plague proportions. Will people be brought in to thin them out?

The Hon. G. R. BROOMHILL: Yes, but not under this clause. The Government intends that the national parks service will shift and thin out excessive numbers of animals.

Clause passed.

Clause 40 passed.

Clause 41—"Prohibited areas."

Mr. EVANS: Concern is felt that, if a fire broke out in a prohibited area or in an area adjacent to it, fire fighters could be prosecuted if they entered a prohibited area. Will the Minister consider giving automatically to such people in the area permission to enter prohibited areas when there is a fire? This would be to the benefit of the area in relation to its ecology and in relation to neighbouring properties.

The Hon. G. R. BROOMHILL: Subclause (3) allows the Minister to issue a permit to a person, which includes an organization.

Mr. Evans: Time is of the essence.

The Hon. G. R. BROOMHILL: It would not be necessary for a fire unit to obtain a permit each time it wanted to enter a prohibited area; the permit would be an overall one.

The Hon. D. N. BROOKMAN: Will the Minister say whether it would be appropriate, when declaring a reserve to be a prohibited area, to give the reasons for prohibiting access? It has been put to me that people would like to know why an area was prohibited. For example, it might be to protect the nesting habits of a species of bird. Obviously, a good reason must exist before an area is declared prohibited, so I think it is not unreasonable to provide that the reasons must be given.

The Hon. G. R. BROOMHILL: I agree that this matter should be publicized so that people interested in a certain area would be told why the advisory council had suggested that a certain area should be declared to be a prohibited area. I will undertake to do this by including it in the notice in the *Government Gazette,* because the community is entitled to know the reasons why the Government wishes to prohibit people from entering reserves, which are established primarily for the use of the public.

The Hon. D. N. BROOKMAN moved:

In subclause (1) after "area" to insert "and publish the reasons for the declaration".

The Hon. G. R. BROOMHILL: I do not argue about the principle, and I therefore accept the amendment.

Amendment carried; clause as amended passed.

Clause 42—"Rights of prospecting and mining."

The Hon. D. N. BROOKMAN: Subclause (5) provides:

A proclamation under this section in respect of lands constituting a national park or a conservation park (except a proclamation revoking a previous proclamation) shall not be made unless—

(*a*) the proclamation is made for the purpose of continuing rights of prospecting or mining vested in any person immediately before the commencement of this Act in respect of those lands;

(*b*) the proclamation is made simultaneously with the proclamation constituting those lands a national park or a conservation park;

or

(*c*) the proclamation is made in pursuance of a resolution passed by both Houses of Parliament.

It has been put to me that we should remove the words "in respect of lands constituting a national park or a conservation park" because, by putting in those words, we are restricting mining only in those two types of park, and game reserves and recreation reserves have not the safeguard of having to be subject to a resolution of both Houses of Parliament. A realistic approach is required towards mining and we cannot be too short-sighted on such a matter. In recent years there have been many controversies throughout Australia concerning mining. I am not yet convinced that we should not protect other areas in the same way as it is proposed to protect national parks and conservation parks. They can be proclaimed mining areas only after Parliament has considered the matter. I would like to hear whether the Minister has strong views on this matter.

The Hon. G. R. BROOMHILL: I have strong feelings on this matter and I do not believe it is necessary to protect those areas. The same thoughts exist concerning this matter as exist concerning the security of tenure matter we have previously discussed. This provision for the protection of national parks and conservation parks is stronger than any other provision in Australia. It prevents any mining activity taking place in these areas unless both

Houses of Parliament consider that the issue is sufficiently important for them to make an alteration to the Act. This has never occurred in the past and it is unlikely to occur in the future. It is a matter that has had to be balanced by an important mineral development before members of Parliament would permit mining in national parks. Concerning game reserves and tourist resorts, we are not altering the current position, and the protection to which the honourable member has referred does not presently apply because tourist resorts and game reserves are for certain purposes. True, there has never been any mining activity on any of these areas because they are generally not large enough for any useful mining activity. If some useful activity occurred in these areas, as a result of amendments made to the Mining Act last year the Minister has the right to impose conditions to safeguard the areas. As they are not held in the public eye to have the same importance to the State as a national park or conservation area, I believe that, because of the protection under the Mining Act and the unlikely situation of mining being undertaken in these areas, these areas do not warrant the importance being placed on them that we place on other types of park.

Mr. GUNN: In view of the problems facing the opal mining industry at Coober Pedy because of the prohibited area at Woomera, can the Minister say whether, in areas put aside for parks and reserves in this locality, favourable consideration is being given to prospecting for precious stones? Opinions have been expressed to me that problems are being caused by the prohibited area.

The Hon. G. R. BROOMHILL: If any areas in that vicinity were to be contemplated as national parks, the opal mining interests there at the moment would be protected under the provisions of this clause. Proclamations may be made at the time of dedication of any area under (5) (a), and this would cover the problem the member has mentioned. I move:

To strike out "prospecting or mining" wherever occurring and insert "entry, prospecting, exploration, or mining".

This is to strengthen the protection of our national parks and conservation areas. Currently, no rights of prospecting or mining shall be applied or exercised pursuant to the Mining Act. While the Government feels sure that the words "prospecting or mining" cover exploration, in case there should be any doubt, and, because the words I now seek to insert were recently included in another piece of legislation to strengthen it, I move accordingly.

Amendment carried; clause as amended passed.

Clause 43—"Establishment of sanctuaries."

Mr. EVANS: Under the provisions of this clause, private land can be declared a sanctuary. If it is sold, it is important that the Minister should be notified. Will the regulations cover this and will there be an obligation on the owner to inform the Minister that he is selling the property? In the event of the property changing hands, the new owner might not be as interested as he should be in the native flora and fauna. The Minister should be given the first right of purchase if the property is to be sold and he should know through whose hands it passes.

The Hon. G. R. BROOMHILL: I cannot help the honourable member on this question. I am not sure of the present practice when a sanctuary is transferred from one owner to another. I assume it would continue as a sanctuary unless the new owner sought to have it revoked. I do not know of any provision that requires the owner of a sanctuary to notify the department. I think it would be done as a matter of course as a result of general inspectorial work by departmental officers. I will examine the question, because I think perhaps it is necessary for the department to be aware of any change that may take place.

The Hon. D. N. BROOKMAN: From my knowledge of the Fauna Conservation Act, introduced in 1964, the private sanctuary was to enable people to carry on with their normal practices but nevertheless to get the protection of the Government to see that the sanctuaries were observed. The owner would apply for an area to be declared a sanctuary and the Governor had the right to proclaim it as such. The Governor also had the right, at the request of the owner, to revoke the proclamation. It was within the competence of the Governor at any time to revoke the declaration if he thought the purpose of the sanctuary had not been achieved or if, through a change in circumstances, it was not suitable to continue as a sanctuary. The owner may request the area to be made a sanctuary; it may or may not happen, according to the wish of the authority, and it can be terminated at the request of the owner or of the authority. If people are voluntarily to put themselves and their property under some legal restraint then they must be given the incentive that if the circumstances change they have the right to ask for revocation.

The existing Act has been in force for eight years, in which time 134 properties have been declared, covering an area of 1,300,000 acres. The only revocation has been that of a small area at the request of a district council which had plans for a recreation park. The private sanctuary system has been most successful because of the relative freedom with which it has operated. Any suggestion to alter those conditions would be bad. Owners would say that faith had been broken. On the other hand, there is no problem about the Government. As we have seen on many occasions, if it wishes to buy land it will do so.

I see no reason to alter the Bill. I support the Minister on this; he has taken a realistic attitude, appreciating that the system has worked well. Provided it is not disturbed by some fear of bureaucracy or some stern Government action, it will continue to work well. It is only necessary to suggest to people that they are running a slight risk through this restraint and the whole system will be adversely affected. The attitude of the Minister in this respect is sound.

Mr. EVANS: I did not intend by my suggestion to say that the Government should interfere directly. However, it would be an advantage to the Minister if he knew of the owner's intention to sell. Perhaps the Minister could take up the matter with his colleague in another place to see whether such an amendment was desirable. Further, I suggest that the Minister take up with his Cabinet colleagues the matter of lifting land tax on areas that have been made private sanctuaries.

The CHAIRMAN: Order! Discussion along those lines is not permitted at this stage.

Mr. McANANEY: I support the idea of facilitating the creation of a private sanctuary and also of facilitating the case where the owner of a private sanctuary may desire to remove his land from this category at any time. About 30 years ago, for financial reasons, I had an area of land at Mosquito Point declared a bird sanctuary, this being an area where Cape Barren geese were rarely seen. Now they are in flocks of about 1,000. In addition, on one of the nearby islands there is a new colony of ibis. We have in this State a sanctuary only 50 miles from Adelaide that is known throughout Australia. The more sanctuaries that can be established and the easier we make it for a landholder to allow his property to become a sanctuary, the more people will benefit and the greater the opportunity they will have to see native fauna, especially in areas near Adelaide.

The Hon. G. R. BROOMHILL: I move:

In subclause (1) (*a*) to strike out "Crown land, the Minister" and insert "reserved for or dedicated to, a public purpose, the person".

I have noted the various comments made by members. The amendment does not alter the intention of the clause. Under the present definition of Crown land, an area dedicated or reserved cannot be Crown land, and it is therefore necessary to insert the additional words.

Amendment carried; clause as amended passed.

Clause 44—"Protection of animals within a sanctuary."

Mr. GUNN: The only mainland colony of seals in Australia is to be found in my district. Unfortunately, however, on one or two occasions vandals have gone to the area in question and shot seals, killing some and leaving many others wounded. Although the owner of the property in question has co-operated with the various Government departments concerned, I ask the Minister what can be done to protect these seals all year round. Actually, I think the penalty of $200 is insufficient.

Mr. EVANS: I should like to know whether in subclause (2) (*a*) a "dog or cat" would include a fox or dingo. If, for instance, a fox is not included, I think it should be specifically included.

The Hon. G. R. BROOMHILL: In fact, paragraph (*a*) "a dog or cat" was included as an example: the regulations will include many animals, including foxes, dingoes, and goats, etc. The relevant regulations will be carefully drafted to cover all sorts of animal of a "prescribed species". In reply to the member for Eyre, I point out that it is almost impossible to prevent offences involving the destruction of any species of fauna. I believe that the area in question should be sign-posted, so that people who might otherwise do harm (in this case to seals) are warned of the penalty provided. People should be asked to co-operate in this regard, but it is almost impossible to protect the areas in question completely. I do not think it would help much if we increased the penalty even to an enormous sum. We are trying to solve the problem as best we can.

Mr. McANANEY: A court is often lenient and may let a first offender off with a small fine. I should like to see provided a minimum fine of $200 and a maximum of $500, for I think this would be much more realistic.

Mr. GUNN: People must drive a motor vehicle into these areas to commit an offence. Therefore, it is only right that they should run the risk of losing their driver's licence. Such a penalty would be a deterrent.

The Hon. G. R. BROOMHILL: Although I realize that the honourable member puts this suggestion forward sincerely, I do not think it would help to solve the problem. I now wish to move some amendments to this clause. I move:

In subclause (1) to strike out "injure or destroy" and insert "take".

This amendment will make the wording of this provision consistent with that in an earlier provision of the Bill.

Amendment carried.

The Hon. G. R. BROOMHILL: I move to insert the following new subclause:

(1a) Where the Minister is satisfied that it is desirable in the interests of conserving wild life to do so, he may grant to any person a permit to take an animal (other than an animal of a prescribed species) within a sanctuary.

This amendment covers an omission in the original draft. For some reason or other, a situation may arise where there are more animals than there should be in a certain area. Under this provision, the Minister may issue a permit to enable animals to be removed from a sanctuary.

Amendment carried.

The Hon. G. R. BROOMHILL: I move:

In subclause (2) to strike out "subsection (1) of".

This is purely a formal amendment.

Amendment carried; clause as amended passed.

Clause 45 passed.

Clause 46—"Interference with native plants and wildflowers."

The Hon. G. R. BROOMHILL: I move:

In subclause (1) (*c*) after "land" to insert "reserved for or".

This amendment complies with an earlier amendment.

Amendment carried; clause as amended passed.

Clause 47—"Sale of protected wildflower or native plant."

Mr. EVANS: I move:

In subclause (2) (*b*) after "taken" to insert "by, or".

As the provision is now worded, the owner must give himself consent in writing.

The Hon. G. R. BROOMHILL: I cannot support the amendment, as this provision has always been in this legislation and has caused no problem.

Mr. EVANS: That may be the case, but my amendment would make the position clear. Surely the owner should not have to write to himself.

The Hon. G. R. BROOMHILL: Although the amendment seems unnecessary, I will accept it.

Amendment carried; clause as amended passed.

Clauses 48 and 49 passed.

Clause 50—"Protected animals."

Mr. PAYNE: Under this provision, it is an offence to take a protected animal or its eggs. Members of the Field Naturalists Society of South Australia Incorporated have asked me whether the Minister has considered also protecting nests.

The Hon. G. R. BROOMHILL: We think the position is adequately covered by protecting the animal or its eggs. After all, the eggs and not the nests are important. The eggs would be the problem, and there is a heavy penalty for interfering with eggs.

Mr. ALLEN: The word "take" is used but, with many species of birds, there is no need to take the egg from the nest. One needs only to touch the nest or to walk within a few feet of it, and the birds will not use it.

The Hon. G. R. BROOMHILL: I move to insert the following new subclause:

(2) In any prosecution under this section, it shall be a defence that the defendant did not wilfully or negligently commit the act subject to the charge.

This subclause is considered necessary because, under the definition of "take", a motorist may strike a wombat or a kangaroo accidentally, and the new subclause makes it a defence that a person did not negligently or wilfully commit the act.

Amendment carried; clause as amended passed.

Clause 51 passed.

Clause 52—"Permits to take protected animals."

Mr. GUNN: Will people have to go back to the permit system if they wish to destroy kangaroos?

The Hon. G. R. BROOMHILL: This provision is to grant a permit for the purposes set out. The honourable member has mentioned the old permit system for destroying kangaroos, and the situation remains the same.

Clause passed.

Clause 53 passed.

Clause 54—"Animals of rare species."

The Hon. G. R. BROOMHILL: I move:

In subclause (3) (*b*) after "the" third occurring to insert "escape,".

The subclause did not require the holder to report the escape of an animal kept in pursuance of the provision, and I am correcting that omission.

Amendment carried; clause as amended passed.

Clause 55—"Prohibited species."

The Hon. D. N. BROOKMAN: I move:

In subclause (2) after "Minister" to insert "import, release,".

A submission from the Ornithological Association, dealing with this clause, states:

This section omits the stipulation that no person shall release a prohibited species. (Surprisingly, the following section does provide that no person, without a permit, shall release an animal of a controlled species.) In view of the fact that section 55 is intended to reduce the future numbers of species which may be pests to humans or threats to indigenous wildlife, this omission appears to be an obvious mistake. The point that section 68 might be used to provide by regulation that prohibited species are not to be released is appreciated; but we feel strongly that the gravity of such an offence is such that it should be underlined by being written into the Act. We note too that illegal possession of a rare species carries a penalty of $1,000. This deterrent recognizes the need for a penalty approaching the profits made on illegal dealing. We find it hard to understand, therefore, why a similar penalty for illegal importation, possession or release of a prohibited species which might cause property damage counted in millions of dollars has not been provided.

I am not clear about what will be a prohibited species, but I assume it will be one that is, first, of exotic origin and does not now exist, or does not exist in a widespread way. The book *They all Ran Wild* sets out the problems that have arisen since species that should have been prohibited have been released. Without the words "import" and "release", the provision does not seem to be strong enough. If someone imports or releases, will he be caught? Further, although I am not normally in favour of increasing penalties and generally argue the other way, I suggest that the penalty of $100 should be increased.

The Hon. G. R. BROOMHILL: There is confusion on this matter. People with whom I discussed this matter were satisfied with the explanation I gave. I cannot accept the amendment, and I believe that the confusion would have been overcome had clauses 55 and 56 been reversed. Clause 56 (2) provides:

A person shall not, without a permit granted by the Minister, release from captivity or control an animal of a controlled species.

This includes a prohibited species and the Queensland toad would come under clause 55 and is the sort of animal which is often used for research by universities, but which would be a serious threat to the environment if it were released with other animals that we intend to prescribe as prohibited species. It is clear that these species will be declared a controlled species and, if they are released, the penalty incurred is provided under clause 56. I see no reason for that amendment, because the situation is covered.

The Hon. D. N. BROOKMAN: I see no purpose for clause 55 if the prohibited species are all to be controlled species. Clause 55 simply prohibits people having a species in their possession. Will the Minister say, first, what is the purpose of that provision and. secondly, what are his views on the penalty? It is clear that $100 is not heavy and I refer to the theoretical situation of wild rabbits being released on Kangaroo Island. That is not a severe penalty considering the gravity of the offence. I advocate a much heavier penalty.

The Hon. G. R. BROOMHILL: I have pointed out that a certain prohibited species could be a threat to the environment and, at that level, it is intended that no person without a permit shall have in his possession or under his control an animal of a prohibited species. Clause 56 does not provide that a person shall not have them under his control: it provides that a person shall not, without a permit, release from captivity or control an animal of a controlled species. In this sense we are thinking of a domestic cat, for example. We need both these clauses, although we can make a prohibited species a controlled species for the purpose of release.

We have considered the penalties and we have updated substantially many of the penalties as a result of the advice we have obtained. In some instances we may have gone too high and in others too low, but in all cases the penalties are higher than those currently existing. It is difficult to divorce the various offences in the Bill. If a person does release a domestic cat after it has been declared a controlled species, he is fined $100, and it is difficult to differentiate between the cat, the toad and the rabbit on Kangaroo Island, and a rabbit in any other area. I believe that the present penalties are sufficiently heavy to prevent any of these offences from being committed. Evidence may show that such penalties do not act as a deterrent and should be increased but, as these penalties

have been updated, they should be left as the Bill provides, and amendments, if necessary, can be made later.

The Hon. D. N. BROOKMAN: I seek leave to withdraw my amendment because of the explanation given.

Leave granted; amendment withdrawn.

Mr. EVANS moved:

In subclause (2) to strike out "One" and insert "Two".

The Hon. G. R. BROOMHILL: Unless the honourable member can point to an area that would cause problems, we could go on altering penalties *ad hoc* throughout the Bill merely because we did not believe they were sufficiently strong. We have spent some time considering penalties. Perhaps they are not perfect, but they have all been increased on the existing penalties and, until there is evidence that there is a need to update them. I cannot accept the amendment.

Mr. EVANS: The Bill provides a penalty of up to $500 for disturbing or interfering with wild life, and we have here a case where a person could change the whole environment, for example, on Kangaroo Island. Here, the fine provided is only one-fifth of the maximum applying in respect of other provisions. Surely the sum should be increased.

The Hon. D. N. BROOKMAN: I support what the member for Fisher has said, for I believe that the fine should be increased. I think the Minister might step down a little here.

The Hon. G. R. BROOMHILL: I am afraid that I cannot accept the amendment. Some people, who may have in their possession a large number of a prohibited species, might become frightened if the penalty were too high and release the numbers in their possession in order to avoid paying the fine. That was another factor that led us to provide what we considered to be a realistic penalty.

Amendment negatived; clause passed.

Clause 56—"Controlled species."

The Hon. D. N. BROOKMAN: I move:

In subclause (2) to strike out "One" and insert "Two".

The Ornithological Association states that it believes that the penalty is insufficient to deter a person who might wish to introduce a controlled species into a part of the State in which it has not been established. Further, it states that it knows of three instances in which blackbirds and Indian ducks have been released. We know that blackbirds are aggressive nesting birds, and the association states that control of this species was released a few years ago in the Millicent district. A person who commits an offence through ignorance is rarely fined the maximum penalty but, in the case of a blatant defiance of the law, it seems to me that $100 is inadequate, and I should like the Minister to accept the amendment and thereby provide a heavier penalty.

The Hon. G. R. BROOMHILL: I regret that I cannot accept the amendment, and my reasons are virtually the same as those for declining the earlier amendment. We may well find that in some areas the penalty provided is insufficient and, as a result, we may have to divide certain categories in order to name the type of species that is likely to cause more damage than others, and impose varying penalties. However, bearing in mind our experience under the existing legislation, I think that the penalty provided here is adequate. I do not think the honourable member can cite an instance to prove that the provision of a fine of $200, or even $2,000, resulted in preventing a certain offence from occurring.

Mr. EVANS: I regret that the Minister has made this decision and will not accept the amendment.

Amendment negatived; clause passed.

Clause 57 passed.

Clause 58—"Export and import of protected animals."

The Hon. D. N. BROOKMAN: What is the position with regard to exports from another State? Would it not be safer to allow the Minister to grant a permit, but not without the authority of another State?

The Hon. G. R. BROOMHILL: I realize that some groups have said that before a person is allowed to import into one State he should show his export permit from another State. I do not know how such a system could work, for each State, before issuing an export permit, would have to wait to receive the import permit from the other State. As there has been no trouble about this in the past, I think that the honourable member's fear is unfounded.

Clause passed.

Clause 59—"Illegal possession of animals, etc."

The Hon. G. R. BROOMHILL: I move:

In subclause (1) after "possession" to insert "or under his control".

This is simply to be consistent with other provisions in the Bill.

Amendment carried; clause as amended passed.

Clauses 60 to 62 passed.

Clause 63—"Unlawful entry on land."

Mr. GUNN: Does this provision mean that a person will have to seek permission from all owners, whether the land is leasehold or freehold, or does it apply only to freehold property?

The Hon. G. R. BROOMHILL: The definition of "owner" includes the occupier of the land, so that both freehold and leasehold land are covered. I have some amendments to this clause. I move:

In subclause (1) to strike out "an animal, or the eggs of an animal" and insert "a protected animal, or the eggs of a protected animal".

This and the following amendment are necessary to conform to the definitions.

Amendment carried.

The Hon. G. R. BROOMHILL moved:

In subclause (5) to strike out "an animal" twice occurring and insert "a protected animal".

Amendment carried; clause as amended passed.

Clauses 64 to 67 passed.

Clause 68—"Permits."

The Hon. G. R. BROOM HILL: I move:

In subclause (3) (*b*) after "has" to insert "in the opinion of the Minister".

This provision is necessary, otherwise there may be some difficulty in connection with the Minister's revoking a permit.

The Hon. D. N. BROOKMAN: If these words are added, there will be no possible challenge in law. Where similar words have been included in other legislation, the result has been bad legislation. Obviously, whatever the Minister's opinion is based on, it is still his opinion. Will this provision apply to all permits issued under the legislation?

The Hon. G. R. BROOMHILL: I believe special circumstances apply in this case. Most of the permits issued under this legislation are issued at the discretion of the Minister, who may issue permits to control species, to take protected wildflowers or native plants, and so on. The Minister has this discretion so that he can issue permits for conservation or research purposes. If a person is granted a permit to keep an animal for scientific reasons and fails to provide the Minister with the information required, the permit should be revoked. The granting of the permit is at the Minister's discretion, and limitations are embodied in that. The only way for the Minister to act if a permit is not being complied with is to revoke it.

Amendment carried; clause as amended passed.

Clauses 69 to 74 passed.

Clause 75—"Summary disposal of proceedings."

The Hon. D. N. BROOKMAN: I think that six months is the normal time provided in most legislation, but a short time ago we dealt with a Bill that provided for a period of 12 months, and I wonder why the Government has become attracted to the latter period and whether it desires to extend this period to all legislation.

The Hon. G. R. BROOMHILL: There was a specific reason for inserting this provision. It flowed from difficulties that the fauna conservation people have had with prosecutions. Because of the unusual nature of these offences, a delay arises, and the period of six months was causing difficulty regarding offences under the Act. I assure the honourable member that there was a specific reason for extending the period to 12 months.

Clause passed.

Clauses 76 to 78 passed.

Clause 79—"Exemption from tortious liability."

The Hon. D. N. BROOKMAN: I should like to know whether, if a person is grievously injured because of the negligence of the Minister or his servants, the Minister will be exempt from any liability for compensation. The provision seems unusual.

The Hon. G. R. BROOMHILL: I think this provision was borrowed direct from the New South Wales Act and was included to cover such a situation as that of a person, who visited a national park and parked his car under a tree, being injured when a portion of the tree broke. The national park people would not be liable in such an event. However, I have spoken to the Attorney-General on this matter and he also has some doubts about it. I will have the clause considered to find out what its implications are before it is dealt with in another place and, if any areas need adjusting, I will see that the adjustment is made.

The Hon. D. N. BROOKMAN: I accept the Minister's assurance. I know that it is difficult to specify whether a person injured when a tree falls on him is subject to compensation, but it seems to me that the whole clause could well be struck out. In most cases where there is negligence, the Minister will feel a sense of responsibility anyway. Ministers do not want to be sued and they therefore behave reasonably.

Clause passed.

Clause 80—"Regulations."

The Hon. G. R. BROOMHILL: I move to insert the following new paragraph:

(*ja*) regulate, restrict or prohibit the taking of firearms or other devices into, or the use of firearms or other devices in, a reserve or sanctuary;

This new paragraph is to provide regulation-making powers to prohibit the taking of firearms or other devices into a reserve or sanctuary and it corrects an omission.

The Hon. D. N. BROOKMAN: This regulation-making power is a real "Uncle Tom Cobley and all" provision, because paragraph (*w*) provides:

Make any other provision that may in the opinion of the Governor conduce to the preservation or conservation of wildlife.

The Government can make any regulation it likes; that is what it amounts to. It is subject to the sort of control that we know about. I point to a situation that will occur in the future if this amendment is carried. Some of our reserves, recreation parks, national parks and game reserves will be or are in remote places, and people travelling to those places like to carry firearms with them. People travelling in the North of the State generally like to have a shotgun with them. They are not necessarily looking for trouble, but for various reasons they like to carry a firearm in their vehicle. Let me take the national park that juts into Lake Eyre as an example. People who will be away from populated areas for a week or a fortnight are likely to carry firearms, but they will be hindered by not being able to take them into the national park area. The Minister's point is well taken: it may be necessary to make regulations to prevent people blazing away with their rifles, but he should consider the reasonableness of some people carrying firearms when they are far away from home for a long time.

Amendment carried; clause as amended passed.

First, second, third and fourth schedules passed.

Fifth schedule.

The Hon. D. N. BROOKMAN: There are two exceptions here. One is Katarapko game reserve, which is in the hundred of Katarapko, Cobdogla Irrigation Area, Weigall Division, sections 73 and 74. If this schedule is passed in its present form, Parliament should be aware that it is actually revoking what is now a national park. I am not against that being done, because of the Minister's explanation, but we have had a provision since 1967 that national parks shall not be revoked except by the passage of legislation through both Houses of Parliament. It should be pointed out that what we are doing now by passing this schedule is just that. The other one is the Bool Lagoon game reserve, hundred of Robertson, sections 223, 224 and 249. This is now a fauna reserve.

Schedule passed.

Sixth schedule passed.

Seventh schedule.

The Hon. D. N. BROOKMAN: Are the additions to and subtractions from this schedule capable of being done by proclamation?

The Hon. G. R. BROOMHILL: Yes.

The Hon. D. N. BROOKMAN: I said in the second reading debate that the first three plants mentioned in this schedule should not be protected, and several others were mentioned that should be considered for protection, according to one botanist I spoke to.

The Hon. G. R. BROOMHILL: We thought this matter should be referred to the new advisory body so that it could carefully examine it and make recommendations for amendments in conformity with the current situation.

Schedule passed.

Eighth schedule. .

The Hon. D. N. BROOKMAN: In my second reading speech I mentioned a number of different species. I shall not refer to them again but I hope the Minister will consider this. Various organizations interested in this schedule have discussed the matter. Will this matter be considered?

The Hon. G. R. BROOMHILL: Yes, that will be done.

Schedule passed.

Ninth schedule.

Mr. ALLEN: I move:

After "Little raven (*Corvus mellori*)" to insert "Wedge-tailed eagle (only north of 35° 30' S. Lat.) (*Uroaetus audax*)."

The wedge-tailed eagle was in the ninth schedule, and this Bill takes it from the ninth schedule and makes it a protected species over the whole of South Australia. Sufficient research has not been done into the wedge-tailed eagle in the drier parts of South Australia, the northern parts, although research has been done in the Canberra area. There is a great deal of difference between a wedge-tailed eagle in the Canberra area and one in the North of South Australia. Research has been carried out into their eating habits at nesting time, and this proves that the eagle eats a variety of other bird life and fauna. However, in the northern parts of the State

in dry years in which rabbits, etc., are unobtainable, the only diet is lambs. Sufficient research has not been done in these areas. The Commonwealth Scientific and Industrial Research Organization's wildlife research section has pointed out that about 30,000 eagles are destroyed each year in Australia. At present, the eagle is protected in Tasmania and the Australian Capital Territory, but it is not protected in the remaining States. The figure of 30,000 has been used as an argument for protecting the eagle throughout Australia, so if the C.S.I.R.O. can use that figure in support of its argument for protecting the eagle I can use it as an argument against protecting the eagle.

If 30,000 of them are destroyed every year in Australia (and it is claimed that at present these eagles are not diminishing in the North), it will mean that we will have an additional 30,000 eagles in Australia the first year, and every year thereafter the number will multiply with natural increase, so that at the end of 15 years the number could amount to millions. (After several decades we could have as many eagles as sheep in Australia.) I appeal to the Minister to accept the amendment.

The Hon. G. R. BROOMHILL: There are several reasons why I cannot accept the amendment. As Minister, I must be guided by the evidence and submissions placed before me by my department. In this regard, the Fauna Authority Council of Australia, which carefully considered the wedge-tailed eagle question, recommended to the various States that these birds be protected in all States. The council took into account all the views expressed by Opposition members, the observations and research done by the various States, and the work of the C.S.I.R.O. Although the eagle causes some problems in relation to healthy lambs, the bulk of the evidence suggested that the lambs killed were generally in a weakened state and would have died anyway. Tests made by examining eagles' nests generally established that lizards and other birds comprised the bulk of their diet.

Mr. Allen: That was for only six weeks of the year.

The Hon. G. R. BROOMHILL: The test was not made simply over six weeks. It has been held by fauna officers throughout Australia that the eagle causes only minor problems to farmers. The information I have before me was supplied by the people best fitted to decide whether the eagle should be protected. In view of the interest shown, I will do what I can to pursue further research on the question and, if it can be established that there is merit in the suggestions put forward, I shall be only too happy to reconsider the matter later and to consider an amendment.

Mr. Venning: Have you been instructed?

The Hon. G. R. BROOMHILL: I believe that the Fauna Authority Council of Australia would know more about the subject than would the honourable member, who is one of the most emotional members in the House, whereas the people to whom I have spoken have been able to undertake their work in an unbiased way simply to provide the various Ministers throughout Australia with the best possible advice. I must be guided by that advice rather than by the advice of the member for Rocky River.

Mr. GUNN: I support the amendment. I was not impressed by the Minister's argument; he is relying on his officers' advice. The Minister should not put the cart before the horse. He said that, if evidence could be brought forward that the wedge-tailed eagle was causing damage, he would review the situation. The eagles are found in certain areas at certain times, and property owners should have the right to destroy them, especially in the lambing season. The Minister is the one who has become emotional, because conservationists are not always very practical.

Mr. Payne: You believe in conservation as long as your cheque book doesn't get in the way.

Mr. GUNN: That is the kind of remark one would expect from the honourable member.

The CHAIRMAN: Order! Interjections are out of order.

Mr. GUNN: I know that the Government does not like property owners. That is part of its Socialist philosophy, and it is typical of the attitude to which we have become accustomed. When members such as the member for Frome advance an argument to try to assist people who are trying to make a living out of some of our primary industries, which have done much for the country, the Government likes to push it aside. Submissions have been made to me on behalf of the Stockowners Association, which is aware of the problem. In its submission, the association stated that the permit system would be totally unsatisfactory, because eagles shift quickly from one area to another and, by the time people observed all the procedures involving red tape in order to get a permit, the eagles might have shifted to another area. I hope the Minister

will reconsider his short-sighted attitude and support the amendment.

The Hon. D. N. BROOKMAN: I support the amendment. I consider that the Minister might well exercise the discretion that he says he will be exercising and leave the situation as it is until he is convinced otherwise. The member for Frome advanced a sound argument when he said that research had been carried out by the C.S.I.R.O. mainly around Canberra, and that area is infinitely different from that encountered in the arid pastoral areas of South Australia. It seems to me that we might well leave the position as it has existed for a long time until we have seen the results of some definite research carried out in our own arid areas where any signs of civilization are extremely remote and where eagles can exist without disturbance. The amount of natural food available to eagles varies enormously: at times, rabbits are readily available, but at other times no rabbits are available at all, and in these circumstances eagles can do much damage.

I acknowledge that results of scientific research should be accepted when that research has been shown to be conclusive. However, until then I think we should carry out the appropriate research which, to date, has not been carried out in the correct places. The problem existing in the arid areas is accentuated by the fact that the policy relating to those areas is often dictated by people living in the south, and we hear the sort of interjection made that an honourable member is talking through his pocket.

The CHAIRMAN: Order! References to interjections are out of order.

The Hon. D. N. BROOKMAN: Although I strongly support protection of the wedge-tailed eagle in the southern area (the amount of damage it can do in the South is negligible), I believe that its existence in the North is different and that, until its habits have been defined and we are convinced by the research carried out in the areas in question, we should follow the wise policy mentioned by the member for Frome. We should not add to the difficulties already experienced by the people he represents by legislating on the basis of research carried out in an area about 1,000 miles away.

The Committee divided on the amendment:

Ayes (14)—Messrs Allen (teller), Becker, Brookman, Carnie, Coumbe, Eastick, Ferguson, Gunn, Mathwin, McAnaney, Millhouse, Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill (teller), Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hopgood, Jennings, Keneally, King, McKee, McRae, Nankivell, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Pair—Aye—Mr. Rodda. No—Mr. Hudson.

Majority of 9 for the Noes.

Amendment thus negatived; schedule passed.

Title passed.

Bill reported with amendments. Committee's report adopted.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation) moved:

That this Bill be now read a third time.

Mr. GUNN (Eyre): During the second reading debate, the member for Stuart referred to a statement I had made in that debate and implied that I supported actions by Governments to stop concessions by way of income tax relief for money spent in developing properties. I did not make this statement. I repeat what I said earlier.

The SPEAKER: Order! Is the honourable member making a personal explanation?

Mr. GUNN: I can tie up my remarks.

The SPEAKER: The honourable member's remarks must be confined to the contents of the Bill, otherwise they are out of order.

Mr. GUNN: My remarks are related to the Bill, because this matter was widely canvassed during the second reading debate, during which the member for Stuart made one or two remarks.

The SPEAKER: The honourable member must confine his remarks to the Bill as it has come out of Committee.

Bill read a third time and passed.

SUPREME COURT ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from March 28. Page 4344.)

Mr. MILLHOUSE (Mitcham): I support the Bill. It has only two provisions, the first of which is to allow interest on judgment debts to run from the date of judgment. With that I have no quarrel. On the other matter I have some doubts. It follows legislation I introduced as Attorney-General, and takes out of the Act the restriction of the number of puisne judges in the Supreme Court. I cannot oppose that, but I express the view that we have enough Supreme Court judges. We have nine, and I hope no additional appointments will be made. This provision will allow of any number, but I express the hope that no additional appointments will be made, because in my

view we have sufficient judges now; if anything, I should like to see the number reduced. Appointment to the Supreme Court should be regarded as the summit of a practitioner's career in South Australia. It should be kept as a very high position, and that can only be done if the number is kept small.

The creation of an intermediate jurisdiction in the local court was designed to relieve the pressure on the Supreme Court, and I think it has done so, especially in its appellate jurisdiction. If anything, I think the number of Supreme Court judges should be allowed to drop. However, that is an expression of opinion, and time alone will tell whether I am right, whether I am in a position to do anything about it, or whether the present Attorney-General continues to be in a position to do something about it.

Mr. McRAE (Playford): I support the Bill. The provision for interest is reasonable, satisfactory, and long overdue. It will encourage defendants, particularly insurance company defendants, to avoid undue delay. Too often in the past we have seen actions deliberately strung out, year after year, by the judicious use of interlocutory and other proceedings so as to put the plaintiff in a more and more invidious position. Another motive on the part of defendants, particularly insurance companies, has been that if the case can be strung out long enough the money which can be reasonably expected to be paid can be invested in the meantime, so the total amount of damage is offset. With the provision in the Bill, that tactic can no longer be used, and I support that provision.

I do not share the view of the member for Mitcham with regard to the number of judges. In fact, with the current delay in the Supreme Court list, I believe that there is every justification for the appointment of another judge. One cannot get an early trial until September. One judge has been set aside for four months starting in September to deal with one murder trial. I seriously believe that judges will have to consider reducing the number of vacations they have each year (and in many ways I consider it is rather difficult to justify the number of vacations they have) and increasing their working time, or another Supreme Court judge will have to be appointed.

I can well see some justification for a Supreme Court judge's claiming the right to a number of vacations during the year so that he can help keep himself *au fait* with the law, because, with the current pace at which the law is moving, it is almost impossible for a private practitioner to keep himself abreast of the law in more than one or two fields and, theoretically at least, a Supreme Court judge is required to keep himself abreast of the whole of the movements of the law. I think there is ample scope for the Attorney-General and the judges to consider either reducing the number of vacations and therefore increasing working time or having greater specialization so that some judges can be allocated, for example, to the admiralty, probate and divorce division, as in England, other judges can be allocated to civil causes, and other judges to criminal causes. Alternatively, contrary to what the member for Mitcham said, I think it is imperative that we have another Supreme Court judge. At the rate we are going plaintiffs are not getting justice in the lists because, notwithstanding all the provisions made for interim assessments and notwithstanding the creation of the intermediate court structure, the cases are falling back into the same state of disarray as they were once in. Frankly, I am tending to be alarmed that this procedure has been gone through again, notwithstanding all these legal steps. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Power to award interest.''

Mr. MILLHOUSE: Although I support this provision, I make clear that I do not support it because of any belief that any insurance company defendant or any other defendant has deliberately strung out proceedings (although there may be the odd one) by interlocutory proceedings to avoid payment of judgment.

Mr. McRae: That's a novel concept to you, is it?

The CHAIRMAN: Order! Interjections are out of order.

Mr. MILLHOUSE: I refute that altogether. It is certainly not one of the reasons why I support this provision. I have known of delays, but I have never known an insurance company to instruct its solicitors deliberately to string out proceedings by interlocutory proceedings, and so on, to avoid payment of judgment.

Clause passed.

Clause 5 and title passed.

Bill read a third time and passed.

LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from March 28. Page 4346.)

Mr. MILLHOUSE (Mitcham): I support this Bill, too, although I regret some of its provisions. I regret that we are cutting out the title of "recorder" for Local Court judges when they are sitting in the criminal jurisdiction. This was something that rather appealed to me when the legislation was being drafted and when it came to me. I fought hard to keep it in the Bill, and succeeded, but I must admit that the title has not really caught on. I have never heard any of the judges referred to as recorders, even when they are sitting in the capacity in which that title would be appropriate. Therefore, I suppose I have been defeated in the long run by apathy.

I support the other provisions of the Bill. I support the provision for the making of declaratory judgments. I particularly support the provision giving power to transfer proceedings from the Local Court to the Supreme Court. A few weeks ago I asked the Attorney-General a question about the matter. On many occasions now I have had to advise people on the proper form in which to take proceedings. If the award of damages was likely to be about $8,000 to $10,000, it was claimed that it would be most incautious to begin proceedings in the Local Court in case one was met in the end by a judge who said, "Well, I think this claim is probably worth $10,000 but I cannot give more than $10,000, and the claimant will have to whistle for the rest." That would be a most unfortunate position in which to be caught. This provision will avoid that happening.

Again, in this Bill provision is made for interest on judgment and I repeat what I said in the previous debate. I think this is a good idea but, in case the member for Playford is minded to say it again, I refute absolutely that as a rule insurance companies of any significance deliberately string out proceedings to avoid payment of a judgment. I think it is absurd for the honourable member even to make the suggestion.

I support the provision that appeals from judgments of local courts in special jurisdictions may be heard by a single judge. When the legislation was introduced, it seemed wise to provide that all appeals should be made to the Full Court. However, Their Honours the judges of the Supreme Court have (and I say this respectfully) grumbled about the number of appeals coming before them. This may be one way to satisfy them and lighten their burden.

Mr. McRAE (Playford): Although I support the Bill, I hope that this time the Master of the Supreme Court and the Registrar of the Local and District Criminal Court will help plaintiffs by giving due consideration to applications to set down these matters, because this has been the trouble in the past: applications to get matters on for decision as to liability have been thrown in with a jumble of other proceedings. I hope that on this occasion we will not again have the machinery of the law put us back to where we started. The Bill is a most admirable concept, and I strongly support it.

I am inclined to agree with the member for Mitcham that it is a pity Their Honours the judges have not seen fit to use the title of Recorder when sitting as judges in criminal causes, because there is a long history in support of it. I adhere to my earlier remarks regarding the interest on judgments. I sometimes think that those who protest too much may weaken their case.

Bill read a second time and taken through its remaining stages.

CROWN PROCEEDINGS BILL

Adjourned debate on second reading.

(Continued from March 28. Page 4346.)

Mr. MILLHOUSE (Mitcham): I strongly support the concept of this Bill. For a long time we in South Australia have needed a simple procedure for suing the Crown, and by "Crown" I include Government instrumentalities as well as Ministers thereof. I am therefore glad that the Bill has been introduced. It has taken a long time. The idea of this legislation was started in the term of office of my predecessor and has continued until now. However, I regret that the Bill is being introduced and passed through this House so quickly. Its second reading explanation was given only on March 28, and a copy of the Bill was not available in printed form at the end of last week. I presume that it is on file now; the copy I have is in typescript. This means that those outside the Parliament have had virtually no opportunity whatever to study its contents.

On reading through the Bill carefully, I thought it looked all right. However, how it will appeal to other members of the legal profession who examine it I do not know. I presume that the Attorney-General plans to push the Bill through this House tonight and through the Legislative Council within the next two

days so that it can become law within a few weeks. I protest against this. Only this afternoon I raised with the Attorney an unfortunate experience that we have had in South Australia regarding the amendment to the Law of Property Act, which was pushed through in about the same time as that in which this Bill is being dealt with, although perhaps a little longer, because as I remember that Bill was printed and therefore available to those interested to see, whereas the Bill before us has not been available to them. It has been discovered that there is a quite serious flaw in the amendment to the Law of Property Act. I did not see it; no member in the other House saw it; and the Attorney General did not foresee it.

This Crown Proceedings Bill has been a long time in preparation, and it would not matter if it were left over until the next session so that there would be a chance for members of the profession and other persons to look at it and be satisfied that it was right before it became law. I know that every Government, particularly the present one, glories in the volume of legislation that it puts forward. I am willing to concede that already the present Attorney has far outstripped me, my predecessor, and any other Attorney-General in this State, so there is no need for him to push this Bill through for the sake of getting another Statute on the book. The Attorney already has the crown.

It is far more important that the quality of the legislation churned out be high than that the number of Bills be high. As I have said, this Bill may be all right and it looks all right to me, but I should be far more pleased in supporting it if I knew that there had been a proper opportunity for all persons, not only members of the Council of the Law Society (who, I presume, have seen it), to look at it and assess it before it became law.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Commencement."

Mr. MILLHOUSE: This clause brings the legislation into operation on a date to be fixed by proclamation, and I wonder what the Government's plans are on this matter. During the second reading debate, I made some observations about the haste with which the Bill was being pushed through Parliament. Contrary to his usual practice, the Attorney-General did not reply to that debate or to my remarks. Therefore, I take this opportunity to invite his comments on what I said then and let the Committee know upon what events the proclamation will depend.

The Hon. L. J. KING (Attorney-General): I see no reason why the commencement of this Bill cannot be proclaimed almost immediately after it is assented to, but, in view of the remarks made by the member for Mitcham and the fact that, unfortunately, as the situation has developed, it is necessary to pass this Bill without its being left on the Notice Paper for the length of time I would desire, I will delay the Bill to give everyone interested an opportunity to study it. If any flaw or difficulty then emerged, the proclamation would be deferred further until Parliament sat again.

I personally would very much like to see Bills remain on the Notice Paper for a longer period than has been the practice during this session, and I think this applies particularly to Bills of what may be described as a technical legal kind. That would give an opportunity to everyone interested to study the Bills and make suggestions. The member for Mitcham knows better than I how Parliamentary sessions develop, what pressure there is on Parliamentary Counsel, and how difficult it is to get Bills up in time to enable them to remain on the Notice Paper for a lengthy period.

As the session draws to a close, this state of affairs becomes more and more difficult. Therefore, I do not regard what has happened about this Bill as the ideal by any means in disposing of legislation. In view of the fact that I think there has been only a limited period for study of the Bill, I will defer proclamation of the commencement of the Act to ensure that interested parties have the opportunity to study it and make any submissions they desire.

Clause passed.

Remaining clauses (3 to 18) and title passed.

Bill read a third time and passed.

EVIDENCE ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendment:

Page 8, line 6 (clause 14)—After "output" insert "and that all information upon which the data was prepared was preserved for a period of at least 12 months after the day on which the data was prepared".

The Hon. L. J. KING (Attorney-General): I move:

That the Legislative Council's amendment be disagreed to.

This matter was considered by the House last session, when very much the same issue arose.

The Legislative Council has inserted this amendment to clause 14. It would have the effect, if agreed to, that the output of the computer would be only admissible in evidence if the information upon which it was based was kept for a period of 12 months. On more than one occasion I have pointed out to members the impracticability of this suggestion. The very reason for seeking admissibility of computer output as evidence in a court is precisely that the information on which it is based is not in practice retained by commercial organizations. Therefore, to insist as a condition of its admissibility that the information be retained is simply to defeat the purpose of the Bill. As I have pointed out previously, this sort of provision will not have the effect of making commercial organizations keep the information: it will simply have the effect of depriving courts and litigants of the advantage of having the true facts of the situation proved in court.

Under the Legislative Council's amendment, courts will be faced with a situation in which the relevant facts on which a case can be decided are available in the computer but cannot be made available to the court because the computer operator or the organization operating the computer destroyed the information on which the output is based. That is bad enough, if it affects only the organization that destroys the information. I say it is bad enough because it still means that cases will be decided without relevant information, and sometimes in the absence of information it may not only leave a gap in the facts before the court but also actually distort the facts that are proved.

That would be bad enough if it affected only the organization operating the computer and, therefore, the organization destroying the information. But that is not only how it operates, because there may be litigation between two people who are strangers to the computer and whose case depends on information in the computer, which means that a litigant who had nothing to do with the operation of the computer might find that he could not prove an essential fact in a court case because someone else over whom he had absolutely no control had destroyed the information on which the computer output was based. This is manifestly unjust and absurd. I can only think that, despite my efforts and the efforts of other members of this Committee, members of another place who have inserted this amendment have not appreciated what they are doing. I can only hope that what I am saying now will, even at this late stage, persuade them that what they are doing is wrong and can only be conducive to injustice, if not to absurdity. I shall not repeat what I have said previously about this matter. We want modern and effective legislation to deal with the concept of computer output being used by courts in determining cases.

Dr. EASTICK (Leader of the Opposition): I accept what the Attorney-General has said and agree with him that no useful purpose can be served by agreeing to the amendment. However, I seek clarification from the Attorney about proving the original computerized evidence. The member for Peake indicated earlier that there could be doubt about computer output based entirely on a failure of the human factor in the initial compilation of the computer record. We had an unfortunate instance of this last year in respect of the Public Examinations Board and its computer problem. It has also been evident in other spheres on previous occasions. With an assurance from the Attorney that the material will be proved in the first instance, I agree with him that there is no useful purpose in continuing to hold the material, and I accept his suggestion of advising the other place to that effect. It would satisfy all members on this side if the Attorney could, without dispute, indicate to us that the matter or information will be proved in the first instance and, therefore, cannot be subject to subsequent argument.

The Hon. L. J. KING: I merely refer the Leader of the Opposition to new section 59b, inserted by clause 14, which sets out the matters on which the court must be satisfied before it can receive computer evidence. I do not wish to read them (they are lengthy), but the Leader will see from them that the court must be satisfied about everything that one can conceive as affecting the accuracy of the output of the computer. I suppose nothing can overcome the possibility of human error at some stage. This is true on any sort of information that goes before a court but, in trying to protect ourselves against the possibility of an error somewhere along the line in some cases, we must not exclude from the notice of the court the vast mass of information (and the increasing mass of information) that is now stored in computers. We simply have no choice about this; it is not a matter of preference. The fact is that the information is in the computer. It cannot be proved in any other way and we are faced with the alternatives of the court being blindfolded and not being able to look at information that is available or of the

court accepting this sort of information. If we exclude it from the notice of the courts, it not only means that the court is deprived of a piece of information it would otherwise have, but in many cases it distorts the evidence that is actually given, because the court is seeing only part of the picture, and a distorted picture at that.

Motion carried.

The following reason for disagreement was adopted:

Because the amendment renders the computer provisions of the Bill nugatory.

Later, the Legislative Council intimated that it did not insist on its amendment to which the House of Assembly had disagreed.

STATUTES AMENDMENT (MISCELLANEOUS PROVISIONS) BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, lines 21 and 22 (clause 6)—Leave out "conduct legal proceedings" and insert "act".

No. 2. Page 2 (clause 6)—After line 23 insert new subsections (2) and (3) as follows:

(2) When the mental unsoundness of a person on behalf of whom a legal practitioner is acting comes to the knowledge of the legal practitioner, his authority to act on behalf of that person shall, subject to subsection (3) of this section, cease and determine.

(3) Where it is necessary for the purpose of protecting the interests of a person of unsound mind in any legal proceedings or other business, the authority of a legal practitioner shall, notwithstanding that he knows of the mental unsoundness of a person on behalf of whom he is acting, continue for the purpose of completing those proceedings or that business.

No. 3. Page 7 (clause 17)—After line 33 insert new subjection (3) as follows:

(3) Where a person commits serious and wilful misconduct in the course of his employment and that misconduct constitutes a tort, the provisions of this section shall not apply in respect of that tort.

The Hon. L. J. KING (Attorney-General): I move:

That the Legislative Council's amendments be agreed to.

These amendments, moved by the Government in another place, are designed to improve the provisions of the Bill. They result for the most part from submissions received after the Bill had been introduced and after those submissions had been studied by members of the legal profession, the Law Society and the judges. The first amendment substitutes "act" for "conduct legal proceedings" in relation to the abolition of the rule in *Young* v. *Toynbee,* because the incapacity of the solicitor to act after the insanity of the client when the insanity of the client supervenes is not confined to the conduct of legal proceedings under the present law.

The second amendment refers to the situation that arises when the mental unsoundness becomes known to the legal practitioner. It provides that "when the mental unsoundness of a person on behalf of whom a legal practitioner is acting comes to the knowledge of the legal practitioner, his authority to act on behalf of that person shall, subject to subsection (3) of this section, cease and determine". Subclause (3) of the Bill, inserted by the Legislative Council, preserves the authority of the solicitor where it is necessary for the purpose of protecting the interest of the person of unsound mind.

The third and final amendment deals with the provision in the Bill which abolishes the right of an employer to sue an employee for a tortious act in relation to the liability of the employer, which liability has arisen from a tortious act of the employee committed in the course of his employment. It excludes from that abolition the situation where the employee is guilty of serious and wilful misconduct. This is an important exclusion, because there could be a situation, such as wilful dishonesty, where it was necessary to preserve the right of the employer to recover back from the employee. Many other instances can readily be imagined.

Motion carried.

INHERITANCE (FAMILY PROVISION) BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, line 12 (clause 4)—Leave out "legally" second occurring.

No. 2. Page 2, lines 12 to 14 (clause 4)—Leave out "(whether according to the law of this State or the law of another place)" and insert "according to the law of this State or a child adopted according to the law of another place, whose adoption is recognized under the law of this State".

No. 3. Page 2 (clause 4)—After line 14 insert new definition as follows:

" 'legitimated child' means a child legitimated according to the law of the Commonwealth or a State or Territory of the Commonwealth, or a child legitimated according to the law of another place, whose legitimation is recognized under the law of the Commonwealth or of this State:".

No. 4. Page 3, lines 2 to 4 (clause 6)—Leave out subparagraph (iii) and insert new subparagraph as follows:

(iii) who satisfies the court that the deceased person acknowledged him as his child, or contributed to his maintenance.

No. 5. Page 3, line 6 (clause 6)—After "spouse" insert "being a child who was being maintained wholly or partly or who was legally entitled to be maintained wholly or partly by the deceased person immediately before his death".

No. 6. Page 3, line 10 (clause 6)—After "person" insert "if such deceased person dies without leaving a spouse or any children".

No. 7. Page 3, line 11 (clause 6)—After "child" insert "who dies without leaving a spouse or any children".

No. 8. Page 7 (clause 15)—After line 9 insert new subclause as follows:

(2) Notwithstanding the provision of any other Act, where an order is discharged, rescinded, altered or suspended, a due adjustment of the duty payable on the estate of the deceased person shall be made.

Amendments Nos. 1 *to* 4:

The Hon. L. J. KING (Attorney-General): I move:

That the Legislative Council's amendments Nos. 1 to 4 be agreed to.

These amendments, which are really of a technical nature, have arisen from submissions made after the Bill was introduced, notably by certain Supreme Court judges. The first amendment simply effects an improvement in drafting. The second amendment makes clear that, where the Bill treats an adoption as recognized by the law of another place, the validity of the adoption depends on the law of the other place being the law governing the adoption according to the law of South Australia. Amendment No. 3 applies the same considerations to the legitimating of a child. Amendment No. 4 deals with the situation where the father of an illegitimate child does not fall within any of the provisions in the existing Bill but, nevertheless, during his lifetime has recognized the legitimate child as his child.

Motion carried.

Amendments Nos. 5 to 7:

The Hon. L. J. KING: I move:

That the Legislative Council's amendments Nos. 5 to 7 be disagreed to.

These amendments involve the limitation of the classes of person who may apply for provision out of an estate. I put the Government submission in relation to this matter when the Bill was previously before members and, for the reasons I then gave, I ask that the amendments be disagreed to.

Mr. MILLHOUSE: I support the Attorney-General's opposition to these amendments. In my view, the classes of person who may claim the benefit of this legislation were properly set out when the Bill left this Chamber, and I should be sorry to see any restriction on them. As that is just what these amendments do, I see no justification for them.

Motion carried.

Amendment No. 8:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 8 be agreed to.

This makes clear the position with regard to the adjustment of duty where an order has been made under the legislation for provision out of an estate with consequent adjustment of duty, and then that order is either proceeded with or suspended.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 5 to 7 was adopted:

Because the amendments are unnecessarily restrictive of the class of person who may apply for provision.

Later, the Legislative Council intimated that it insisted on its amendments Nos. 5 to 7, to which the House of Assembly had disagreed.

MISREPRESENTATION BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, lines 23 to 25 (clause 4)—Leave out "a misrepresentation in fact acted as a material inducement to any person" and insert "a person was reasonably induced by a misrepresentation".

No. 2. Page 3, lines 2 to 5 (clause 4)—Leave out paragraph (*a*) and the word "or" immediately following that paragraph.

No. 3. Page 3, line 7 (clause 4)—After "made" insert—

(i)".

No. 4. Page 3 (clause 4)—After line 10 insert—

"or

(ii) that the defendant did not know, and could not reasonably be expected to have known, that the representation had been made, or that it was untrue".

No. 5. Page 3, line 12 (clause 4)—Leave out "it is false in any material particular" and insert—

"—

(*a*) it is false in a material particular; and

(*b*) it is made by a person—

(i) with knowledge of its falsity; or

(ii) recklessly and regardless of whether it is true or false."

No. 6. Page 3 (clause 4)—After line 23 insert new subclauses as follows:

(9) Proceedings for an offence against this section shall not be commenced unless the Attorney-General has consented to the commencement of those proceedings.

(10) In any proceedings for an offence against this section, an apparently genuine

document purporting to record the consent of the Attorney-General to the commencement of those proceedings shall be accepted as proof of that consent in the absence of evidence to the contrary.

No. 7. Page 4, line 41 (clause 7)—After "contract" insert "on the ground of misrepresentation".

No. 8. Page *5,* lines 18 and 19 (clause 8)—Leave out "(whether made before or after the commencement of this Act).

Amendment No. 1:

The Hon. L. J. KING (Attorney-General): I move:

That the Legislative Council's amendment No. 1 be disagreed to.

This amendment requires, before an offence is committed, that the person who is induced to enter into the contract as a result of misrepresentation must be reasonably induced. I suppose that what is intended to be conveyed by this amendment is that, if the misrepresentation has induced a person to enter into the contract, but it would not have induced a reasonable person to enter into the contract, no offence is committed by the representor. This would really mean that, if a representor selected a person who was less intelligent, less experienced, less sophisticated and less emotionally stable than the reasonable person and therefore did not exercise the prudence and judgment of the reasonable person, the representor would escape criminal liability for his misrepresentation. In my view, that is entirely wrong, and I ask the Committee to reject the amendment.

Motion carried.

Amendment No. 2:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 2 be disagreed to.

This is the first of a series of amendments designed to change the basis of criminal liability under the Bill. The amendment converts the whole basis of liability to liability for fraudulent misstatements, for which the criminal law caters adequately at present. The purpose of constituting a summary offence of misrepresentations in the course of trade punishable by fine is precisely to enable us to catch those who carelessly throw out inducements to people to enter into business transactions with them, without taking any sort of care to ensure that those representations are true, and thereby misleading the gullible into entering into business transactions. I ask the Committee to disagree to an amendment that seeks to convert the criminal liability imposed by this part of the Bill into liability for deliberate fraudulent misrepresentation which, as I say, is already catered for by the criminal law.

Mr. MILLHOUSE: I support the view expressed by the Attorney-General. When the Bill was considered earlier in this Chamber, I supported it and said I considered that it was the sort of Bill that we should either support in full or reject. I said that if we started to fool about with the Bill we would make a mess of it. For that reason, I could not support any amendment at all and certainly not amendments such as those proposed by the Legislative Council.

Motion carried.

Amendments Nos. 3 *and* 4:

The Hon. L. J. KING: I move:

That the Legislative Council's amendments Nos. 3 and 4 be agreed to.

These two amendments were made by the Government in the Legislative Council and are substantially one amendment. The amendments provide for the situation of a defendant who did not know, and could not reasonably be expected to know, that the representation had been made or that it was untrue. They are especially designed to cater for the situation of a business man who engages an agent, who may not be under his direct control as an employee, and may be in a situation where he could not set up the defence elsewhere provided but is entitled to plead under this amendment that he simply did not know, and could not be expected to know, that the representation had been made or that it was untrue.

Motion carried.

Amendment No. 5:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 5 be disagreed to.

I have already dealt with this matter, which involves the substantial amendment that converts criminal liability under the legislation from both negligent and fraudulent representations to fraudulent representations only.

Motion carried.

Amendments Nos. 6 *to* 8:

The Hon. L. J. KING: I move:

That the Legislative Council's amendments Nos. 6 to 8 be agreed to.

Amendment No. 6 requires that proceedings have the authority of the Attorney-General, and I think that is reasonable in this type of legislation. Amendments Nos. 7 and 8 are simply drafting amendments.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 1, 2 and 5 was adopted:

Because the amendments lessen the effectiveness of the Bill.

Later, the Legislative Council intimated that it did not insist on its amendments Nos. 1, 2, and 5, to which the House of Assembly had disagreed.

COMMERCIAL AND PRIVATE AGENTS BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, line 3 (clause 3)—Leave out "AND INQUIRIES" and insert "INQUIRIES AND APPEALS".

No. 2. Page 3, lines 29 to 42 (clause 5)—Leave out all words in these lines.

No. 3. Page 3 (clause 5)—After line 44 insert " 'order' includes decision, direction or declaration:".

No. 4. Page 4 (clause 6)—After line 33 insert new paragraph *(da)* as follows:

(*da*) a person licensed under the Land Agents Act, or the Business Agents Act, while acting in the ordinary course of the business conducted in pursuance of the licence;

No. 5. Page 5, line 17 (clause 7)—Leave out "four" and insert "five".

No. 6. Page 5, line 22 (clause 7)—Leave out "three" and insert "four".

No. 7. Page 5, line 22 (clause 7)—After "persons" insert "(at least two of whom are persons licensed under this Act)".

No. 8. Page 6, line 21 (clause 9)—Leave out "Two" and insert "Three".

No. 9. Page 6, lines 27 to 29 (clause 9)—Leave out all words after "Board" in line 27.

No. 10. Page 6 (clause 9)—After line 29 insert new subclause (3a) as follows:

(3a) Each member of the Board shall be entitled to one vote on any matter arising for decision by the Board.

No. 11. Page 7, line 22 (clause 14)—Leave out "(*d*) a loss assessor".

No. 12. Page 7, line 32 (clause 14)—Leave out "(*d*) a loss assessor".

No. 13. Page 13—After clause 29 insert new clause 29a as follows:

29a. *Recovery of moneys from debtor*—(1) A commercial agent, or a commercial sub-agent acting on his behalf, shall not ask or demand (whether directly or indirectly) from any debtor any payment in addition to the amount of the debt other than the fee, or part of the fee, that the commercial agent has charged or agreed to charge, the creditor in respect of the commercial agent's services in recovering or attempting to recover the debt.

Penalty: Five hundred dollars.

(2) In this section—

'creditor' means any person on behalf of whom a commercial agent is acting, or has been engaged to act, in recovering or attempting to recover a debt:

'debt' includes any interest, costs or other charges for which a debtor is legally liable to a creditor:

'debtor' means a person from whom a commercial agent has recovered or is attempting to recover a debt on behalf of a creditor.

No. 14. Page 14, lines 6 to 13 (clause 31)—Leave out the clause.

No. 15. Page 14, line 15 (clause 32)—After "licensed" insert "or a business name registered by the agent in accordance with the provisions of the Business Names Act, 1963".

No. 16. Page 15, line 25—In the heading leave out "AND INQUIRIES" and insert "INQUIRIES AND APPEALS".

No. 17. Page 16, line 36 (clause 41)—After "agent" insert "(being a commercial agent or commercial sub-agent)".

No. 18. Page 17 (clause 42)—After line 14 insert new subclause (4) as follows:

(4) Where the conduct of any agent becomes the subject of any inquiry conducted by the Board under this Part, the agent may be represented by counsel at the inquiry.

No. 19. Page 19, lines 31 to 41 (clause 48)—Leave out the clause.

Amendment No. 1:

The Hon. L. J. KING (Attorney-General): I move:

That the Legislative Council's amendment No. 1 be agreed to.

This is simply an improvement in drafting in relation to the headings under which the Bill is arranged.

Motion carried.

Amendment No. 2:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 2 be disagreed to.

This is the first of a series of amendments inserted in another place designed to exclude insurance loss assessors from the provisions of the Bill. No logical reason has been advanced for the exclusion of loss assessors from the provisions of a Bill designed to license and control agents. Loss assessors are agents who act for insurance companies in negotiating the settlement of claims with third parties, and in other matters in relation to claims against other companies. They not only come into contact with third parties but they also can have a considerable influence on the outcome of the third party's claim against the insurance company. It is of great importance that the people who engage in this work should be of high character and integrity and should be subject to the discipline imposed by the Bill. An unscrupulous loss assessor, or even one who is over-zealous in the interests of his client, can bring great misfortune to the third party claimant with whom he is dealing. I received a deputation from loss assessors who suggested that, because they were organized into an institute with a self-imposed code of conduct, they should be

removed from the formal disciplines in the Bill. The mere fact that people organize themselves and impose some standard of conduct on themselves does not mean that it is unnecessary or undesirable that they should be subject to the control of the law.

Mr. Mathwin: It's a good point though.

The Hon. L. J. KING: There are many organizations of those engaged in an avocation. Many people organize themselves to protect their own interests, to organize the way in which they work, and to organize the standards of their professional calling. That does not mean that they should be immune from proper control exercised under the law. The professions are all subject to control by disciplinary tribunals and, by way of either direct jurisdiction or appellate jurisdiction, to the control of the courts.

Moving away from the learned professions, I point out that land agents also have this control. We have recently imposed it on motor vehicle agents, and there are many other cases. Of the type of agent that we seek to include in the Bill, the loss assessor probably as much as any ought to have some sort of formal recognition by the law, and some sort of formal control by the law. When the loss assessors put the point to me that they should not be included in the Bill, because they have an organization of their own, I told them that if their organization was effective and if its members observed its code of ethics they had nothing to fear from the provisions of the Bill. On the contrary, the fact that the law gives them formal recognition as loss assessors, that they can say the law imposes disciplines and rules of conduct on them, and that they are in good standing adds to the status and dignity of the calling. I cannot understand why anyone who intends to live up to the proper standard of conduct of his calling or the standards prescribed by the Bill should be opposed to being licensed as an agent under the Bill and being subject to the disciplines the Bill imposes. I should have thought that the honest, scrupulous loss assessor would welcome licensing under the Bill. I cannot really see any valid reason at all for the exclusion of loss assessors, but I can see many valid reasons, from the point of view of protecting the public, why loss assessors should be included in the Bill.

Mr. MILLHOUSE: These amendments were not available last Wednesday, so I have not had much time to digest them. I do not intend to oppose at all the substance of what the Attorney-General has said. I had a short conversation with a reputable loss assessor (and I do not suggest that they are not all reputable) who claimed that they were not given an opportunity, before the Bill was introduced, to discuss its contents with the Attorney-General. He said that they were in the dark about the Bill. A second point he made strongly to me (and I should be surprised if he did not make it to the Attorney-General at the deputation) was that the loss assessors regretted that they had been lumped together with a number of other callings in the same Bill. They considered that they were entitled to separate treatment and should not be joined with some of the others. I will not mention those that were mentioned to me, but I am referring to those persons who are brought under control in this Bill. That point certainly is rankling with the loss assessors. Perhaps the Attorney has been guilty of a lack of tact in handling this problem and, if he has been, I am sorry for that. These are some of the points that I think it is necessary to put before the Committee in justification of the attitude taken by the assessors, in view of what the Attorney said in opposing the amendments.

The Hon. L. J. KING: I should have thought that none of the people included in this Bill had any reason to complain at finding himself in the company of the others. One assumes that in all callings there are many respectable and reputable people, and I do not know why one group is unwilling to be included in the Bill with other groups. They all have in common that they are agents, and that is why they are covered in the Bill.

Mr. Millhouse: But you haven't put land agents in the Bill.

The Hon. L. J. KING: No, because they have their own legislation, and there seemed little point in repealing that Act and putting land agents in this Bill. True, I did not discuss the matter with loss assessors or anyone else before the Bill was introduced, because the member for Mitcham, during his term of office as Attorney-General, had the foresight to appoint a committee to investigate the matter. That committee did that and made recommendations, upon which this Bill is based. I also made some additions to the Bill but, substantially, it is based on the findings of the committee that the honourable member appointed.

There is a saying about not doing the barking when you have a dog to do it for you. In this case there was an excellent committee presided over by the then Master of the Supreme Court, now Mr. Justice Forster of

the Northern Territory Supreme Court. People had the fullest opportunity to express their views to that committee. Having had the opportunity to read those views, I saw no point in seeking further submissions until the Bill was introduced. When it was introduced I was pleased to receive a deputation from the loss assessors and other persons who came to see me about it.

Motion carried.

Amendments Nos. 3 *and* 4:

The Hon. L. J. KING: I move:

That the Legislative Council's amendments Nos. 3 and 4 be agreed to.

The first amendment arises out of a point made by the member for Mitcham relating to the appeal from the refusal of a licence. The honourable member considered that the Bill was not explicit about this and, therefore, amendments were inserted at the instance of the Government in another place. This amendment excludes from the provisions of the Bill land agents acting in the ordinary course of their business.

Motion carried.

Amendments Nos. 5 to 12:

The Hon. L. J. KING: I move:

That the Legislative Council's amendments Nos. 5 to 12 be disagreed to.

The first five of these amendments alter the constitution of the board, increasing the number of members from four to five and depriving the Chairman of a casting vote. No good reason that I can see has been put forward for this, and I ask the Committee to reject the amendments. Amendments Nos. 11 and 12 simply relate to the deletion of loss assessors from the provisions of the Bill.

Motion carried.

Amendment No. 13:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 13 be agreed to.

This amendment was inserted following the remarks made by the Leader of the Opposition during the debate, and it limits the right of an agent to demand fees to the amount that he actually proposes to charge his own principal.

Motion carried.

Amendment No. 14:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 14 be disagreed to.

The amendment relates to the provision that an agent shall not unlawfully enter or remain on any premises. That provision has been deleted in the Legislative Council. This matter was debated here and I do not wish to add anything to the reasons that I gave then. I ask the Committee to disagree to the amendment.

Mr. MILLHOUSE: Here the Attorney and I part company, because I support this amendment and suggest that the Committee should accept it. During the second reading debate and perhaps also in Committee I raised this matter, pointing out that in future the provision would impose a greatly increased difficulty in many cases in getting evidence of adultery (and this is the example I used) when that evidence should be available readily. Frequently a woman is seeking evidence to support a petition for dissolution of her marriage, and it is proper, in the view of the overwhelming number of members of the community, that she should be able to obtain it. This provision will put a great barrier in her way. Not only is there the question of the principal relief, the dissolution of the marriage, but there are several ancillary matters on which she will require relief, such as maintenance, custody, and access, and these also will be denied her if she is not able to obtain the evidence which is now readily available through the actions of inquiry agents.

Mr. Coumbe: How else will she get evidence?

Mr. MILLHOUSE: It will be impossible for her to get it. I am fairly confident that, if a property is jointly owned by a husband and wife and one spouse has left and the other spouse is the occupier, under the provisions that the Legislative Council has deleted the joint owner who is out of occupation would not even be able to go on the property. This seems to be going to absurd lengths. I am sure that I will not be able to change the Attorney's mind once he has made it up, but I suggest strongly that we could accept this amendment quite properly and in justice.

The Committee divided on the motion:

Ayes (22)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hopgood, Jennings, Keneally, King (teller), McKee, McRae, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (17)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Gunn, Mathwin, McAnaney, Millhouse (teller), Nankivell, Rodda, Tonkin, Venning, and Wardle.

Pairs—Ayes—Messrs. Burdon and Hudson. Noes—Mr. Goldsworthy and Mrs. Steele.

Majority of 5 for the Ayes.

Motion thus carried.

Amendment No. 15:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 15 be disagreed to.

This amendment is an amendment to the clause which provides that a licensed agent may carry on business only in the name under which he is licensed. It is of some importance to the administration of this legislation that an agent, once licensed under a certain name, should trade under that name only. Difficulties of detection and enforcement arise if agents can trade under names other than those under which they are licensed. If an agent wishes to carry on business under a business name, he should be licensed under the business name: nothing in the Bill would preclude his using that business name. However, if he chooses to be licensed under one name, he should not be permitted to carry on business under a different name. I ask the Committee to disagree to the amendment.

Motion carried.

Amendment No. 16:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 16 be agreed to.

This amendment is similar to amendment No. 1.

Motion carried.

Amendment No. 17:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 17 be disagreed to.

The relevant provision in the Bill is that the board may refuse a licence to or cancel the registration of an agent who is an undischarged bankrupt. The amendment seeks to limit that to certain types of agent, namely, commercial agents and sub-agents, but I draw the Committee's attention to the fact that it is a discretionary power only: the board may or may not exercise it. In deciding whether or not to exercise the power, the board would take into account the type of agency being conducted. I think this is a far better provision than to limit it in the Statute itself to certain types of agent, because there may be circumstances in which agents, other than commercial agents and sub-agents, ought to be financially sound. I think the provision in the Bill as drafted is far more satisfactory.

Motion carried.

Amendment No. 18:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 18 be agreed to.

This amendment gives to an agent a right to legal representation when his conduct is being inquired into by the board. In fact, it is the practice before the Land Agents Board to allow legal representation, although there is no provision giving a right to legal representation. It was assumed when this Bill was drafted that the same procedure would apply here, but I think it is an improvement to the Bill to provide that right in the measure. I should think, at any rate, that the rules of natural justice would require that a board of this kind inquiring into the conduct of an agent should permit him legal representation.

Motion carried.

Amendment No. 19:

The Hon. L. J. KING: I move:

That the Legislative Council's amendment No. 19 be disagreed to.

This amendment has the effect of deleting clause 48, which deals with the limitation on the functions of a loss assessor in relation to the settlement or compromise of claims after proceedings have been instituted.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 2, 5 to 12, 14, 15, 17 and 19 was adopted:

Because the amendments lessen the effectiveness of the Bill.

Later, the Legislative Council intimated that it insisted on its amendments Nos. 2, 5 to 12, 14, 15, 17 and 19, to which the House of Assembly had disagreed.

MOTOR VEHICLES ACT AMENDMENT BILL (LICENCES)

Consideration in Committee of the Legislative Council's message.

(For wording of message see page 4449.)

The Hon. G. T. VIRGO (Minister of Roads and Transport): I move:

That disagreement to the Legislative Council's amendment No. 1 be insisted on.

This matter was thrashed out previously when a motion to disagree to the Legislative Council's amendment was carried. The Government has acted in accordance with the terms of a report which was made by a committee set up by the Australian Transport Advisory Council and which was presented in the term of office of the previous Government and was, as far as I can ascertain, accepted by that Government and the former Minister of Roads and Transport. Now, for reasons best known to itself, the Legislative Council objects to what has been set down as a general pattern to be followed throughout Australia. Other States have followed that pattern, but this State's

attempts to do so are receiving some resistance from the Legislative Council. It is extremely regrettable that this is occurring at any stage, and it is particularly regrettable that it is occurring following the road tragedies over Easter, of which we have heard so much in this Chamber today.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs. Becker, Coumbe, Payne, Slater, and Virgo.

Later, a message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room at 9.30 p.m. on Wednesday, April 5.

POLICE REGULATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

METROPOLITAN TAXI-CAB ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 3, lines 16 to 23 (clause 6)—Leave out the clause.

Consideration in Committee.

The Hon. G. T. VIRGO (Minister of Roads and Transport): I move:

That the Legislative Council's amendment be disagreed to.

The Legislative Council has sought to remove clause 6 from the Bill. Obviously, it has lost sight of the purpose of the Bill and of the Government's policy, namely, the co-ordination of all forms of public transport, which can be achieved only by proper Ministerial control. At present, that does not apply to the Metropolitan Taxi-Cab Board, which is an autonomous body capable of formulating its own policy and of running its own affairs in complete disregard of the Government's policy. I am not suggesting that the board is acting contrary to any requirements by the Government. However, if the functions of the Director-General of Transport and the Government's policy are to be carried out, it can be done in only one way. This House and the Legislative Council agreed with that philosophy when it was proposed that controls should be exercised in relation to the operations of the South Australian Railways and the Municipal Tramways Trust.

The Hon. J. D. Corcoran: The Minister is responsible to Parliament and answerable to it.

The Hon. G. T. VIRGO: That is so and, since the legislation in relation to those two bodies has been amended, the Minister has not, as some people suggested might happen, taken over control of their day-to-day operations. Indeed, a minimum of Ministerial control has been exercised. However, the opportunity and facilities for control exist and, as a result of that authority which Parliament has granted, the Government will be able to pursue its policy, and the function of the Director-General of Transport will be greatly enhanced in pursuit of that policy regarding the co-ordination of this State's public transport system. I ask the Committee to support the motion.

Mr. McANANEY: I support the Legislative Council's amendment. I can see some merit in the Government's having some control when co-ordination of road transport is necessary. However, I cannot see why the Minister wants to interfere with the free running of taxis, which provide a service to the public.

Mr. COUMBE: I do not recall any member of the Metropolitan Taxi-Cab Board asking for the board to be controlled by the Minister. Until now, eight members of the board have come from local government, four from the Adelaide City Council (Alderman Hargrave is Chairman of the board), and four from suburban councils. I have heard no request from local government for the board to be controlled by the Minister. The Minister has said that he needs control so that he will have more room for liaison to work out the future programme for transport in the metropolitan area. I point out that, as local government is greatly involved in future transportation plans, it will obviously take notice of the Government's views. As I do not think this provision is necessary, I support the Legislative Council's amendment.

The Hon. G. T. VIRGO: Obviously, the board would not ask the Minister to put it under control, unless it was in a mess. Equally, I do not think representatives of local government would ask me to place the board under Ministerial control. I point out that, although eight members have represented local government on the board, both Chambers have now agreed to reduce that number to four, so that position is different. I think that the term "Ministerial control" is misleading. This provision states that the board shall comply with the directions, if any, given by the Minister. This is a convenient way of saying that this organization, being a Government organization, shall comply with the policy of the Government of the day in the same way

as the Engineering and Water Supply Department, the Housing Trust and the Highways Department comply.

Mr. Coumbe: Are you saying that this is a Government department?

The Hon. G. T. VIRGO: I did not say that. I said that the board was part of the Government set-up in the same way as the Electricity Trust, the Housing Trust and the Municipal Tramways Trust are part of the Government set-up. They are all part of the Government organization.

Mr. Coumbe: Is it operating successfully at present?

The Hon. G. T. VIRGO: I have already said that I have no complaints about the board. All instrumentalities and departments in Government operation should be required to carry out the policy of the Government of the day, irrespective of what Party is in office. When the member for Torrens was Minister for Works he dictated the policy that should be followed by the Engineering and Water Supply Department and the Public Buildings Department, and rightly so. He insisted that the policy of the previous Government should be carried out. The same situation should apply in relation to the Metropolitan Taxi-Cab Board as applies in the case of other Government instrumentalities.

Mr. EVANS: The Minister's attitude frightens me. He now assumes that he should have absolute power over the board so that he can direct that board to have absolute power over a group of people in private enterprise. He puts these people in the same category as employees of the Engineering and Water Supply Department or of any other department.

The Hon. G. T. Virgo: To carry out the policy of the Government.

Mr. EVANS: That is exactly the attitude of a typical Socialist—to take over the private enterprise system. He says this is the Government's policy. Of the three cab drivers who have been lucky enough to take me home recently, only one has known that the board will be placed under Ministerial control. The members of this industry do not know that their controlling body is to be taken over by the Minister.

The Hon. J. D. Corcoran: What did they say about it?

Mr. EVANS: They are not happy with it. If the Minister was in that business, he would want to know what was happening about control of it.

Mr. COUMBE: The Minister said that he wanted the board to carry out the policy of the Government.

The Hon. G. T. Virgo: Of course.

Mr. COUMBE: It is now an independent board.

The Hon. G. T. Virgo: Independent of whom?

Mr. COUMBE: It is not under Government control. Local government, the people over whose roads the taxis travel, has the main say.

The Hon. G. T. Virgo: What about highways? You can do better than that.

Mr. COUMBE: Taxis that pick me up travel on a council road, then on a highway, and then on a road maintained by the Adelaide City Council. That council has four representatives on the board because most taxis operate on its roads. The independent board has operated very well but now the Minister wants to bring it under Government control and supervision to carry out the Government's policy. Soon we will have the ping pong—

The CHAIRMAN: Order! We are dealing with the amendments and the honourable member must confine his remarks to them.

Mr. COUMBE: I do not consider that the board should be brought under control, in the words of the Minister, to carry out the wishes and policy of the Government.

Mr. McANANEY: The Minister has convinced me that he should not have this power. The Government should come up with a policy on transport. It has been fooling around and has gone ahead with the least efficient part of the Metropolitan Adelaide Transportation Study plan.

The CHAIRMAN: Order! The honourable member for Heysen knows that he must discuss the matter before the Committee.

Mr. McANANEY: I can link my remarks up with the taxis that operate over the roads. Possibly, when the Government has some plan for transport co-operation and does something to cater for the needs of the Adelaide public, we may consider then that the Government is capable of having this control. I strongly support the Legislative Council's amendment.

The Committee divided on the motion:

Ayes (22)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hopgood, Jennings, Keneally, King, McKee, McRae, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Noes (15)—Messrs. Allen, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson,

Gunn, Mathwin, McAnaney (teller), Nankivell, Rodda, Tonkin, Venning, and Wardle.

Pairs—Ayes—Messrs. Burdon and Hudson. Noes—Mr. Goldsworthy and Mrs. Steele.

Majority of 7 for the Ayes.

Motion thus carried.

The following reason for disagreement to the Legislative Council's amendment was adopted:

Because clause 6 is an essential element in the policy for co-ordination of transport.

Later:

The Legislative Council intimated that it insisted on its amendment to which the House of Assembly had disagreed.

The Hon. G. T. VIRGO (Minister of Roads and Transport): I move:

That disagreement to the Legislative Council's amendment be insisted on.

We have already discussed this matter at length tonight, and I do not think there is any need to say anything further.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs. Brown, Corcoran, Keneally, Mathwin and McAnaney.

SOUTH AUSTRALIAN FILM CORPORATION BILL

Returned from the Legislative Council with the following amendment:

Page 9, lines 2 and 3 (clause 18)—Leave out "remuneration, allowances and" and insert "out-of-pocket".

Consideration in Committee.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That the Legislative Council's amendment be agreed to.

The effect of the amendment is simply to provide that, instead of the remuneration of allowances and expenses being paid to members of the advisory board, all that can be paid to them out of the funds of the corporation are out-of-pocket expenses. As it was not expected that, in fact, on examination by the Public Service Board more than that was likely to be recommended in the case of the advisory board, I see no reason to disagree to the amendment.

Motion carried.

SOUTH AUSTRALIAN THEATRE COMPANY BILL

Returned from the Legislative Council without amendment.

MURRAY NEW TOWN (LAND ACQUISITION) BILL

Adjourned debate on second reading.

(Continued from March 29. Page 4445.)

Dr. EASTICK (Leader of the Opposition): I support the Bill. One finds initially that the Bill covers a 10-year programme and that its provisions will cease to apply on March 1, 1982. Explaining the Bill, the Premier said:

> Few matters therefore can be of greater social significance than the quality of living in our cities of the future. As populations grow and urban areas spread, long-term planning is essential to ensure that everyone can live and work in healthy, convenient and pleasant surroundings.

No-one would argue with that statement. However, it is difficult to reconcile with that statement the following statement made by the Premier in his second reading explanation:

> It surely follows from what I have said . . . that we must now take steps to ensure a more even distribution of population throughout the country.

Only 10 per cent of this State, which is the driest State in the driest continent of the world, is arable land. However, I accept the following statement made by the Premier:

> There is a widespread acceptance of the view throughout the country that new growth centres should be established at selected points in an effort to lessen the growth rate of the major metropolitan areas.

Again, no-one would argue with that statement, which is borne out by what one sees when travelling in other States, especially in New South Wales and Victoria. The Premier then said:

> . . . the concept of continued growth on the Adelaide Plains must be seriously questioned in the longer term.

That statement raises no argument, because it is borne out by the urban spread from north to south, mainly because of the Adelaide Hills to the east of the metropolitan area and St. Vincent Gulf to the west, containing the area's growth in a rather long strip that is somewhat similar to the situation applying in Los Angeles, California. The Premier said that many of the earlier discussions regarding the new town were held in secret. In fact, it was necessary for officers of the various departments concerned to meet early in the morning in order to prevent unnecessary speculation regarding the areas being considered. The Premier said that, after a careful analysis of the many factors involved, the committee considering the matter concluded that a new town to be established near Murray Bridge was most likely to succeed. The

crux of the Bill relates to the securing of sufficient land for the new town to be established.

I do not wish to discuss any specific features of Murray Bridge, as no doubt the member for Murray will do that. However, I wish to refer to the creation of new cities generally, having regard to the concept of this Bill. It is agreed that the father of new cities or of the creation of cities as satellites is Sir Ebenezer Howard. This is recorded in many publications. His handbook, entitled *Garden Cities of Tomorrow,* which was published originally in 1888 and which was reprinted in 1946, was able to give a lead that has been followed by many organizations and people since then.

[*Midnight*]

Dr. EASTICK: It is also documented that, although he was the creator of this concept, originally Robert Owen started the system in the early nineteenth century, and that the founders of various utopias such as the Fourierest colonies, the Oneida colonies and others preceded the activities associated with Sir Ebenezer. This documentation goes on to state that Howard was the first to expound the full theory of a satellite city planned for working and living, limited in size by an inviolable agricultural green belt, properly related by transportation systems to other cities of its class, and all of them related to the central city. Undoubtedly this is what is contemplated in the proposal put forward by the Government.

It has been pointed out that many of the cities that have been created along the lines to which I have just referred have in fact become dormitory towns mainly because of the slow development of industry. This has applied in the case of Redburn, New Jersey, which was created by a group headed by Alexander M. Bing. It marked the beginning of a possible realization of how a town can be designed for modern methods of transportation and living. The main features of this town arrangement were those of a super block, the cul-de-sac, the narrow loop lane for residential traffic, and the provision of community amenities and built-in safety for children. The situation is more fully described in a publication called *New Towns of Britain,* prepared for the British Information Services by the Central Office of Information, London, which states:

Garden cities, the forerunners of new towns, were originally conceived as an antidote to the overcrowded living and working conditions prevailing in the industrial towns in Britain at the end of the nineteenth century. In the 100 years between 1800 and 1900, the proportion of the population living in the large towns rose from about 20 per cent to 80 per cent as a result of the labour demands of the industrial revolution.

We can see that this situation is not very different from the position in South Australia. A local publication states that Australia is recognized as the most urban of all nations.

Mr. Keneally: Is that—

Dr. EASTICK: The honourable member knows this publication, which is *Whitlam on Urban Growth.* It states that Australia is the most urban of all nations. In 1961, our urban areas contained 81.9 per cent of our population, whereas British urban areas contained 80 per cent; American urban areas 69.9 per cent; Canadian urban areas 69.6 per cent; and Japanese urban areas 63.5 per cent. Other details are available in this publication. Another interesting point made is that town planners estimate that in existing cities the cost of providing buildings, engineering works and utilities for each individual resident ranges as high as $10,000, while similar facilities in new cities and regional centres would cost for each additional resident about $7,000.

I believe that this move by the Government will also be beneficial in this respect, more so because it is intended at this time to peg the prices of the land which will become, in effect, public property. Because of the provisions of the Bill, the estimated lower cost of housing will be possible. I have no hesitation in accepting this as a basic principle and worthwhile feature of the Bill. The publication I have also includes some statistical information in relation to the Canberra-Queanbeyan complex. The population of Canberra-Queanbeyan already exceeds 100,000, having doubled between 1950 and 1959, and doubling again between 1959 and 1965. It will pass 250,000 by 1981. A similar type of development can be expected in South Australia; undoubtedly that is one of the features of the area now being considered. Another interesting point made in this publication is that Australians, who once travelled 20 miles for the services of banks, lawyers, medical specialists, hospitals, shops and clubs, will now as readily travel 100 miles for a greater quality and variety of services.

The realization that people will travel such a distance raises a little concern about the area now being considered. I do not deny the benefits of the Murray Bridge area, especially with regard to water, as the Premier pointed out in his second reading explanation.

However, I know that the distance from Adelaide of 45 to 50 miles will not prevent much commuting from the new area to Adelaide. I grant that at this time there is no area at a distance of about 100 miles from Adelaide that has all the advantages that the Murray Bridge area has. Certainly, if we were to establish an area 100 or more miles from Adelaide there would be a lessening of the commuting. The commuting from Murray Bridge will cause difficulties with regard to our road system. The present public transport system unfortunately leaves much to be desired.

I point out that the express train from Murray Bridge to Adelaide at present takes 2h. 3min. for the journey. A train which stops at all stations in between takes 2h. 23min. for the same journey. Obviously people living in the new area will not be satisfied with a service that takes so long. Unfortunately, they will be forced to use motor vehicles, and this will increase the difficulty with regard to the road system. Notwithstanding the tremendous improvement which is taking place, and which will take place soon with the completion of the South-Western Freeway and the ancillary road services, we will still have the difficulty of people being compelled to use the road system rather than the public transportation system if public transport is allowed to continue with the present extensive time delay. I understand that the new freeway route will reduce the distance from Murray Bridge to Adelaide to 49 miles and this, with the increased speeds permitted on such a highway (up to 60 miles an hour or higher), will make the time of travel extremely short.

One of the important features of the development of any town area (and it will apply equally to this as to any other) is the incentive that will be provided to industry to establish. The Premier has said that he expects that the area will maintain 100,000 people. This is an area twice the size of Elizabeth. Do we expect that we will have in the new area twice the amount of industry that we have at Elizabeth? Will we have another General Motors-Holden's complex or Chrysler Australia Limited complex? What sort of industry will we be able to entice to this area?

At present we have the problem at Elizabeth, with slightly less than half the proposed population of the new town and with a reasonable size industrial complex associated with it, that it is still not able to provide employment for its total workforce, and many people commute to Adelaide and other places from Elizabeth to their employment. I do not think it would be possible to agree at present on what type of industry may be associated with this new area.

Will the industries be a duplication of the types of industry that we already have in other parts of the State, or will they be some of the types of industry that the Premier was able to indicate when discussing decentralization at a seminar at Mount Gambier in July, 1967? In the paper that he presented then, the Premier pointed out that he saw secondary and tertiary industries, and industries under the heading of the resource-orientated industries. He mentioned footloose, small, and craft industries. One sees from the paper that he was able to destroy fairly successfully the effective establishment of many of these industries that we might think about in relation to a decentralized establishment.

Also, in relation to industries (and this applies not only to the present site but also to other areas of South Australia) the question is posed of how the town will survive industrially if there is no rail standardization. It is away from the area that is to be involved in rail standardization. It has no immediate access to a sea port, except by travelling a considerable distance, and in this regard the Kanmantoo mine, a fairly recent enterprise, is probably a case in point. That organization has found that it cannot accept the use of the railway transportation immediately adjacent to its works and that it is better served by road transport.

If we are to place the whole of the industrial output of this area on road transport, we will only magnify the difficulties that I have outlined earlier in relation to individual commuting to the city. One also asks about sewerage. Undoubtedly, this will become a local matter and it will arise regardless of where the town is set up, but I ask particularly about sewerage at this stage because of the question about where the effluent will go. Will it go direct into the Murray River or into the lakes, or will it be used for irrigation purposes in place of the irrigation water direct from the Murray River? If it replaces irrigation water from the Murray, will we have another Bolivar farce, a situation still not resolved at Bolivar of the effluent not being able to be made available for irrigation purposes because of the fear, in the first instance, of beef measles?

That was the initial argument against the use of Bolivar effluent water. Beef measles is a real danger in this situation, because of the extremely heavy dairy cow and, to a lesser

extent, beef cattle involvement in the Murray Bridge area. More recently the emphasis has been switched from the problem of beef measles rather more to the suspicion of a difficulty arising from human hepatitis. In the specific area we are speaking of, where the average temperature is higher than at other places in the metropolitan area and where the temperature is higher for a longer period of the year than in the Adelaide metropolitan area, the possibility of hepatitis, if it is disseminated in the sewage effluent, becomes real.

What of water? The Premier was able to point out, quite rightly, that the situation in this new town area was excellent from the point of view of the distribution of water. The cost of distribution required would be reduced because the water was at hand. He pointed out that the hills west of Murray Bridge were capable of providing a head to the reticulation system, and this reticulation would be achieved at a lesser cost than in other areas.

However, the average annual rainfall in this area is 13.38in., compared to 20.79in. in the Adelaide area. Last year the rainfall in the Murray Bridge area was only 12.3in., less than the annual average, and in Adelaide the figure was 26.5in., more than the annual average. I put to the House the point that this problem can become real in establishing the area because of the need for a considerably higher consumption by each house unit if the people are to have the benefits of a garden and be able to have the type of growth that will make the town a delightful place to live in and a place that will not be subjected to dust and the other problems arising with it. If the increased quantity of water required in this situation can be made available to the people who will live in the area at a lower cost for each 1,000gall, than applies to other areas of the State now, there is probably no argument in my suggestion. But if they are required to pay as much for each 1,000gall. for water to maintain a house garden and to provide the other necessary growth in the area to make it a viable and livable unit, I suggest that the cost advantage that will induce people to go there will be somewhat reduced.

One can obtain literature on the biological problems and the difficulties of planning in relation to the biological view. One paper mentioned was presented at a seminar at the University of Adelaide between May 22 and May 24, 1970. A paper headed "Planning Cities—a Biological View" was given by Stephen Boyden, the Professorial Fellow, Head of the Urban Biology Group, Department of Human Biology, John Curtin School of Medical Research, Australian National University. One comment to which I should like to draw members' attention is as follows:

> Before discussing the question of the planning of the cities of the future from the viewpoint of a biologist, I feel it would be appropriate to introduce some comments on the world scene in biological perspective. You may feel that this is not strictly to the subject of this meeting; but I make no excuses, because I am strongly of the opinion that if the human species and civilization are to survive, all local planning must now be considered against the global background.

A considerable wealth of other information along these lines, putting such plans in relation to the global background, is available to any member who wishes to study it.

The other point I should like to raise is the establishment of community facilities in this area. I know that these facilities must be developed, but they are not immediately the province of the Bill before us. We have had sufficient experience from South Australia's only other satellite town (and this was acknowledged by the Premier in his second reading explanation), namely, Elizabeth, where tremendous difficulties were foisted on the community by the establishment of community theatres, which are so much an integral part of the social and community life of the area, and, to a considerable extent, by the establishment of a hospital. The member for Elizabeth and other members will be fully aware of the difficulties that have arisen since the establishment of the Lyell McEwin Hospital and the cost it became to the people of the area by the levies sought to be extracted from local government.

One has only to look at the community theatre system in Elizabeth, namely, the Shedley and Octagon Theatres, to realize what a financial tie these theatres are to local government. I hope that, in the development of this area (and of other areas which the Premier has pointed out may well come in the future because the development of an area to house 100,000 people is inadequate for the expected increase in population, we must house between now and the year 2,000), some consideration will be given to making these facilities available to the area so that it is not an ever-present disability to people attempting to establish themselves there.

It is clear from the information given by the Premier in his second reading explanation that we have a first step clearly laid out, namely, the establishment of an area and obtaining that area for public purposes at a minimum cost or at a realistic present-day cost. In his second reading explanation, the Premier said:

I assure all members that the Government sees this measure as only one of the steps necessary towards achieving a more even distribution of population through the State.

I ask the Premier not to divorce even now or later the needs for redevelopment so necessary in a number of existing areas where it will never be possible to increase markedly the size of the population because the facilities are not available or because it is impossible to expect development of industry. We should remember that there are areas of the State that will require finance for redevelopment in order to maintain themselves as useful areas for human population.

In the situation of determining the next and the next and the next place for development along the lines provided for in the Bill, I hope that we shall be able to consider some of the other principles of decentralization not immediately available to us under the provisions of this fairly close development near Murray Bridge. It is heartening to read one of the Premier's final comments, as follows:

All areas with potential will be considered.

I appreciate that, in considering all these potential areas, it will become more and more difficult to maintain a degree of secrecy in the investigation, although it has probably been possible where the persons involved had to consider only the Murray Bridge area. I was interested to find in the publication *Murray Valley Reference Handbook,* issued by the Murray Valley Development League (the only date I can find on the publication is an acknowledgement at the beginning of the book that the statement was prepared at Albury on January 1, 1969), the following advertisement, referring to the last 400 miles of the Murray River, that being the distance of the river in South Australia:

The last 400 miles of the Murray River flows through South Australia, the central industrial State. Are you looking for an ideal site for your industry? Do you want to get away from the over-crowded metropolitan areas? Do you want a factory in the State with the fewest strikes and the most stable labour force? Do you want to take advantage of a highly skilled and abundant labour force? Centrally situated between the growing west and populated east, South Australia is an excellent situation for progressively minded concerns. Every assistance will be given by the South Australian Government, through the Premier's Department, Adelaide.

The prophecy of this advertisement, which appeared before the Premier came to office, is certainly well expressed and is bearing some fruit in the form of this Bill. I support the measure.

Mr. HOPGOOD (Mawson): One or two wits outside this place have seen this thing as a Dunstanian plot in order to gain a few more footballers for the Norwood club. However, I am not sure, after Saturday's result, that that is really necessary but, anyway, it is a rather flippant reaction to a measure which, of its own kind, is probably the most important thing to hit South Australia since Colonel Light—and I mean the man, not the gardens. However, speaking of Colonel Light Gardens, I pause here, before getting into the real business of the Bill, to suggest one possible name for the new town. I hope, of course, that it will have an Aboriginal name, but I am not sufficient of a linguist to be able to suggest one here and now. If, however, the decision is taken to remain severely Anglo-Saxon, I suggest Reade as the name of the town. Charles Reade, who was appointed by a Labor Government in 1916 as Town Planner of this State, had an important bearing on town planning here until he finally left South Australia in about 1920.

The Hon. G. R. Broomhill: Don't you like the name Murray Hill?

Mr. HOPGOOD: I did not react at all favourably to the suggestion in one of the weekend papers that it should be named after a member of another place. However, I think Reade will be a fitting name, if we cannot find a suitable Aboriginal title for the new town. Introducing this measure, the Premier referred to the fact that real concern and debate about the future of the Adelaide metropolitan area really dates from the publication of the Metropolitan Adelaide Transportation Study Report. It probably should have started much earlier, that is, in 1962 with the publication of the then Town Planning Committee's report, but it was only really as a result of the publication of the M.A.T.S. plan that people began to realize the full implications of largely uncontrolled development of Adelaide's fringe.

There were those who, instantly disliking the implications of the M.A.T.S. Report, turned to alternatives that might be available to us. One alternative was to go in for higher density living combined with public transport

and, although this cannot be dismissed out of hand, I think the point has been made (and made validly) that the sort of high density contemplated by those who considered that we should escape the M.A.T.S. State in this way was a density that no city in Australia (nor, indeed, so far as I am aware, in the western world) has as yet been willing to accept. It is clear that there is a swing towards higher density living, especially of what we might call the moderate density type. However, this is something that is fairly slow in getting under way, and it does not involve any immediate solution of our problems.

There were those, on the other hand, who said, "If Australian cities were shaped rather differently, our problems would be solved." In other words, if our cities were growing in a linear fashion, rather than in a radial fashion, it would be a fairly simple means to establish a central cordon of transport, perhaps an electrified railway and a freeway; no-one would be any more than four or five miles from this, and commuting from one part of this conurbation to another would be relatively easy. Of the metropolitan areas in Australia, Adelaide probably comes the closest to this ideal. Unfortunately, it is sufficiently far from it for the dream not to be realized. This has been illustrated rather well by Mr. Hugh Stretton in a memorable paragraph in his book *Ideas for Australian Cities,* which I think is worth quoting. This is what he says:

> Adelaide is really two cities. A provincial capital fattens comfortably through the second century of its slow growth. But through it like a cable, from twenty miles north to twenty miles south of it, deft men lately threaded a Detroit. Heavy industry, housing for its labour and services for both are strung along a forty-mile skein of roads and rails and pipes and wires. Public power contrived that, but can't now control one of its effects. Across the middle of the line, nourished as never before, middle-class Adelaide quickens its middle-aged spread; it begins to clog the new Detroit's transport and force distortions of its lean shape. If the old town would only conform to the new line's discipline the two might thrive together. But the old town won't; knowing its wilful appetites its planners don't even try. Instead, its engineers propose to drive clean through it the clear channels which Detroit must have. The lady resists the rape, understandably, but she was a fool to miss the chance of such an energetic marriage.

If we have lost the chance of having a linear city, and if the sort of higher density that would make complete commitment to public transport a really economic proposition is not something that we can expect soon, what is left? What is left is to export some of the future development elsewhere and, if the House will excuse my going into the jargon for a moment, to set up extra urban growth nodes beyond our present metropolitan areas. There are obvious advantages to the old city by these new developments beyond it. One is the possibility of halving its growth rate; another is the possibility of taking pressure off the public services which are at present available and which are being put under greater pressure by the ordinary population growth of the city and its expansion over new land. I issue one warning here: there are those areas on the fringe of our city at present, such as the districts represented by my colleagues the members for Tea Tree Gully and Salisbury and also the district I represent, which are relatively poorly served by public facilities, and only now is there being any concerted governmental attempt to catch up with the backlog that exists here.

It is important, with the glamour that will be associated with the development of the new town, that these present developing urban areas be not left as backwaters. There will still continue to be some development on the fringe of Adelaide although, of course, we hope that this can be, in part, arrested. But we must not allow our attention to be turned from the important process and the important task of developing and furthering public facilities in these fringe areas. What will the new towns be like? First, I believe we can see the prospect of cheap land being available to people, and I will deal with the problem of the price of land in just a moment. Secondly, we have the opportunity of proper planning.

We see, first, as we look around our metropolitan area, many areas which were subdivided prior to the passing of the Planning and Development Act in 1967 and which even now lack basic facilities such as sewerage and properly paved roads. We see also many subdivisions which have been passed following the passage of that Act and which therefore have many of these facilities but have never really been properly integrated into the overall plan. We have, of course, the regions that were foreseen by the Town Planning Committee in 1962. Unfortunately, much of the development that occurred from 1962 until the passage of the Act cut away the ground from under those developing regions.

We see the possibility in these new towns of providing services as and when they are needed. For most of these services, this means providing them before people shift into the area. In a

previous debate in this place, I referred to the problem that exists in fringe areas where a developer sits on a choice commercial site in a subdivision until its value has appreciated sufficiently for what he sees as the needs of his wallet. In the meantime, settlers in this subdivision have to travel some distance to shopping facilities. We should be able to solve this sort of problem by the type of development contemplated here.

There must also be proper provision for travel around the new town. There will be proper public transport, and the layout of the new town will be designed to facilitate the most economic use of this public transport. A little while ago I foreshadowed that I would turn to the problem of land prices, which is so important at present. I have here a report of the Task Force on the Price of Land, which was set up by the Australian Institute of Urban Studies. This report has some interesting recommendations to make that I submit are very much in line with the ideas that underline this Bill. For example, at page 10, the report refers to the advantages of advanced acquisition for the setting up of new towns. It states:

The authorities should acquire well in advance large areas of raw land suitable for future urban development. This would ensure either that the price of land is kept low or that the increase in price is collected for public purposes. It would also ensure that a steady supply of land is available for building at the right time and place. By acquiring well in advance the authorities would probably be able to get the land at prices not much greater than rural values and without having recourse to resumption. Land thus acquired would normally be held until ripe and then disposed of to private subdividers on suitable conditions; but if private subdivisions are not satisfactory in price, timing and quality, the public authorities should reserve the right to subdivide and sell the land.

It makes the following recommendation:

To relieve the pressure of population on land prices, transportation systems and central facilities in all the capital cities, strategic planning should concentrate on the development of major new centres which are substantially or wholly self-contained. Some of these would be close to the existing cities; but others might be distant from the existing cities.

Further on, the report itemizes some of the problems that Adelaide faces with regard to land prices. For example, the report states:

In 1950 the land content of a house of twelve squares was 10 to 12 per cent; it is now 20 per cent. In 1962, there were 23,000 serviced lots and 40,000 unserviced lots in the Adelaide metropolitan area. In 1970 only 3,000 serviced lots were created but 7,000 were consumed. Now there are only 8,000 vacant lots in existence. This represents one year's supply of lots; and not all of these are necessarily available for purchase. Some concern was expressed in Adelaide that, unless action is taken, a large and rapid increase in prices may occur in the near future. Another Adelaide subdivider said that the price of new serviced land has been increasing at 10-12 per cent a year over the last six years. On one estate, where serviced lots were selling for $1,200 in 1965, comparable lots are now selling for $2,500. Developers will soon be dealing with bigger and more sophisticated landowners who could force prices up to a new level of $5,000 a serviced lot.

In a summary on prices around the capital cities, the report states:

The price of land in Sydney has reached crisis proportions. Prices in Melbourne, while not as high as in Sydney, are considered to be already excessive. Prices in Hobart have had their vicissitudes but are fairly low and reasonably stable. Adelaide prices, while low at the moment, may rise in the near future.

The report then refers to other capital cities, including Canberra. At the end the report includes a summary about some of the things that should be done. Some of this was anticipated in the recommendations to which I have referred. The report refers to what should be done if there is an absolute shortage of land. It states:

If however it is apparent that the continued single-centred growth of the existing metropolis would be uneconomic and inhumane now or in the future, the highest responsible level of the public sector should produce and implement, with a speed that is suited to the circumstances, a plan partly or wholly to decentralize growth. The development of these semi-independent or wholly separate cities should however be carried out along the lines of the system suggested for the existing metropolis.

I suggest that there are five almost prerequisites for the proper functioning and establishment of new towns. Not all of them are absolutely necessary for the development of these new towns, but they would certainly facilitate this type of development. The first thing necessary is the passage of the Bill. As far as I know it will be given a speedy passage, and I cannot see any reasonable objection likely to be made to it. Secondly, there must be stringent control of land use in the Adelaide Hills. One of the reasons for choosing the Murray Bridge area for the development of this town was that we had the possibility of the Hills providing a permanent green belt between the existing metropolis and the new town. I am not altogether certain that the controls we have on land use in the Adelaide Hills are as yet sufficiently stringent. Important landmarks have been created by this Government, both in the control of land in the

hills face zone and also in catchment areas. I still believe we have some way to go in relation to land use in smaller country towns. I think this must be looked at lest we finish up with a ribbon urban development following the freeway from Adelaide right through to Murray Bridge.

Thirdly, I would obviously like to see a Commonwealth Labor Government, which would help considerably in establishing these new towns. Although I am sure the new Leader of the Opposition in this place is not looking towards the establishment of a Commonwealth Labor Government, he paid some tribute to the pioneering work that the Commonwealth Leader of the Opposition (Mr. Whitlam) has done in this field by actually quoting from Mr. Whitlam's Fabian Society pamphlet about urban development in Australia. I believe that a Commonwealth Labor Government will be able to assist considerably in developing these new towns, because the policy of the Commonwealth Labor Party states:

Make grants to the States:

(*a*) to acquire on just terms and to subdivide, service and lease or sell substantial tracts of housing land under the auspices of a joint Commonwealth-State planning commission in each State;

(*b*) to sub-divide, service and lease or sell at cost available State Crown land, particularly on the fringes of the cities, under the auspices of a joint Commonwealth-State planning commission in each State;

(*c*) to construct houses at the lowest possible interest rate for sale or rental, with priority to those most in need, in conditions which conform to specified standards of services, amenities and accessibility;

(*d*) to provide such community amenities in housing estates constructed with Commonwealth grants as the Commonwealth itself provides in housing estates in the Territories;

Here, the Australian Capital Territory was especially being borne in mind. Fourthly, I see the necessity for a thorough investigation into the experimental work that has gone into the British new towns. I think we have a tremendous opportunity here to introduce some of these new ideas in urban planning in our new town.

Finally, I would look towards the decentralization of some Government departments in the new town. I believe that it is futile to expect private industrial capital to invest in the new development unless the Government is also prepared to put a certain proportion of its work force into the new development. I support and welcome the Bill. I repeat that, within its own field, it is probably the most important thing that has happened in this State since Colonel Light's time. It is interesting to note that this initiative has come from government, not from the private sector. It shows the growing importance that the public sector will have, particularly in relation to conservation and town planning. Sir William Harcourt was truthful when he said, as long ago as 1889, "We are all Socialists now."

Mr. WARDLE (Murray): Probably I am one of the most excited members in the House in supporting this Bill, because for as long as I have represented the district and for a long time before then there has been talk there of development and people have had plans and committees have worked hard right back to 1944 to bring to the notice of Governments and the general public the strategic position of the area in question.

Mr. Mathwin: Will this be another pommy village?

Mr. WARDLE: Presumably you would not permit me to reply to the question, Mr. Acting Deputy Speaker, but I will give the honourable member a reply on the side when I have finished my speech. First, I am pleased that the Premier has made known that the name given to the area at present is purely to identify the area in general. I, like the member for Mawson, have received various suggested names for the new town. One misguided lady suggested that it might be called Dunstanville. I did my best to dissuade her in regard to that suggestion.

Another person suggested that it might be called Playford because the former Premier represented that area for five years. In the early 1930's it was, I think, a three-member district and Sir Thomas Playford was a member of that team. Another local resident thinks it ought to be called Wellington. The area of Wellington has, to a large extent, faded over the years. It was a very busy river crossing downstream in the early gold-rush days.

The site chosen is the most natural site in South Australia for an experimental town of this kind. For a long time it has been accepted that, if there was to be further development in the form of a town such as Elizabeth, it would have to take place out on the Murray plains. For the sake of the record, I want to mention several people and two organizations that have worked for many years planning and trying to bring before Governments of all

Parties the importance of this area as a site for development of a town.

I consider that the Government's decision to choose this area is extremely wise, and I compliment the Government on making the decision. It will take what would otherwise become the greater growth of the metropolitan area out into a nearby country neighbourhood. On reflection, it seems completely wrong to continue the somewhat strip development on the eastern side of a seaboard frontage. I suppose that in few cities in the world the unlimited development away from the seafront is not possible, and Adelaide is one of those few. In this State we have the unusual situation that the capital city can spread in only two directions along the seaboard, namely, to the north and to the south. Therefore, we get the unusual situation of a spread out long city.

I think it is also unusual that a freeway comes to within three miles of the centre of a city. We have this situation in Adelaide, where the Hills Freeway comes very close to the heart of the city. This will help greatly people who are commuting from the new town to the centre of this fair city of Adelaide. Returning to the organizations and people I want to mention, I begin by referring to the Industrial Development Committee that has operated in Murray Bridge for many years. This committee was established primarily to attract industry to the existing town of Murray Bridge, but it was aware that there were many advantages in the existing town of Murray Bridge that should be availed of when industries could be attracted. A tribute must be paid to a small group of men who have worked keenly and consistently for a long time in pointing out to Government departments and organizations the value of this site as an area for industrial development. Then, a tribute should be paid to the Junior Chamber of Commerce, which compiled a town planning report in August, 1964, setting out comprehensively a complete survey of the whole area where the new town will be located, dealing with rainfall, hours of sunshine, soils, amenities, transport, and all other things that developers look for in establishing a city.

The junior chamber group, in a world-wide competition, won a $1,000 award and was presented with a handsome cup, which stands today in a glass case in the mayoral parlour at Murray Bridge with a plaque commending the work of this group. The group is proud of winning this award. It is interesting to note that, in this background, repeated references have been made to the facilities available in this area for the development of industries and a large industrial town.

Next, I refer to the work of Ted Hennessy, a research consultant with the Murray Valley Development League. In 1963 he brought down a report, and this also indicated the suitability of the area for the purpose covered by this Bill. I am not forgetting the Murray Valley Development League itself, which, since 1964, has advocated a population of 1,000,000 people in the Murray Valley and which has always done its utmost to promote the lower regions of the Murray River as an extremely suitable place for development. Another interesting development going on in the area now is that the Commonwealth Government is looking for a site for a new airport close to what one estimates will be the site of the new town. A letter published in the *Murray Valley Standard* of March 23 and written by the Minister for Civil Aviation (Senator Cotton) states:

It is the long-established policy of the Department of Civil Aviation to identify additional primary and secondary airport sites to serve each of our capital cities in the longer term. This is necessary to make sure aviation facilities of the future are properly incorporated in the broad master planning for our expanding metropolitan areas. For that reason, the department works in close consultation with State planning authorities in selecting these future sites. At Adelaide, there is a particular problem in that a great number of aviation activities, both military and civil, must be fitted in the relatively narrow strip of land between the hills and the sea.

I have already mentioned this factor. The letter continues:

In fact the department has only been able to tentatively select two possible general aviation sites, one of which is in the very broad vicinity of Monarto South. The relevant surveys are in a very preliminary stage and I am not yet in a position to advise whether specific action will be taken to acquire the site somewhere near Monarto South at some time in the future.

The interesting heading to the article shows that a site in the general area of Monarto South is one of two in the State being investigated for future major airport requirements. It is possible that into this same area probably within several miles will come a new airport to serve the metropolitan area and the new town.

Regarding transport to this area, obviously by 1977 the new freeway will have reached what is known as White Hill, which is about two miles on the western side of Murray Bridge, and it will serve the whole area.

Also, it will be possible to commute readily within an hour from Murray Bridge to the metropolitan area to work, let alone from the site of the new town. Perhaps our thoughts in the future will be redirected from large numbers of our population having to come to the metropolitan area to work to commuting only two or three miles to the new town in order to find suitable and adequate work. Obviously, the new freeway will readily serve not only the present area but the new town as well.

I now turn to rail transport, which is where a challenge will come not only to the State Government but also to the Commonwealth Government. I believe that the Commonwealth Government (and I hope that it is a Liberal Government) will have the vision to see that at the next election it will be important to the Government as part of its platform that it must interest itself consistently and thoroughly in the expansion of country areas throughout Australia. I know that the member for Peake will probably contribute to the debate. I know that he attended a national development conference in Canberra last August, largely organized by the Murray Valley Development League in conjunction with the Royal Australian Planning Institute and the National Council for Balanced Development. Excellent papers were presented at the conference, which appointed a steering committee whose objectives were to ease pressures on capital cities and to speed development in country areas.

Although I shall not refer to other worthwhile statements made at the conference, it is obvious that Commonwealth Governments in the future will have to concern themselves more seriously with greater development in country areas and will have to pour more money into development of such areas, in conjunction with State Governments and local government. I believe that decentralization is expensive, and I cannot see that we can avoid the expenditure of considerable money in this regard. I hope that we will have some monorail type of system or that at least sufficient tunnelling will be done through the Hills in order to bring the metropolitan area within half an hour's travel of the city. The Leader said that at present it took 2 h or 2 h 20 min by train for a trip that will take just over half an hour by freeway when completed.

It surely must follow that rail transport must be able to compete with road transport. Obviously, the present railway track, which is too slow and obsolete, will have to be renewed in order to be competitive. From the point of view of transport, a better site could not be selected than the one that has been selected. With transport go many other definite advantages as well. I believe it would not be to the credit of a plan for a new city if it was to be on land unsuitable for domestic gardening. I have two sites in mind, but I am not prepared to state them now. Both are good because they have good deep loam soil, because buildings are unlikely to crack and they will enable domestic gardening to be carried on.

The Murray Bridge area is a pleasant part of the State in which to live because the climate is mild, the rainfall is low (between 12in. and 13in. a year) and the hours of sunshine are as high as anywhere in the State, at least south of Port Augusta. Of course, this is why the area has a prosperous industry at present in the growing of tomatoes and cucumbers in glasshouses. About 2,200 glasshouses in the district supply Adelaide and Melbourne with fine products, and this is made possible by the hours of sunshine experienced in the area. I believe that the area is one of the best in the State for the production of a variety of fruit and vegetables and dairy products.

Mr. Venning: It has a good member.

Mr. WARDLE: That, of course, goes without saying. The goods produced are necessary for the increased population that the new town will bring. I do not think that any other area in the State can produce such a variety of commodities. In addition, I believe that it should not be difficult to attract a labour force sufficient to make the new town a large one, because this site is between two capital cities and is served by road transport through the new freeway system. As a result of the facility of road transport, freight costs may well be less than they are at present, and costs will be reduced especially if it is possible in the intervening years to institute a much upgraded railway system. I believe that industries in this area will be able to compete with industries elsewhere, because the area will be served by road and rail connections to large capital cities, where many of the goods produced by secondary industry in this State are sold.

I believe that it will be possible to establish light industries in the new town which will be able to compete with light industries in the metropolitan area. Already 700 or 800 people in Murray Bridge are engaged in work in six large industries in the town. The most remarkable growth of any industry in the town is that of the meatworks, which is suitably situated

because of its access to stock brought from the South-East across the only road bridge over the lower part of the Murray River. The staff of this meatworks has grown from about 10 or 11 people seven years ago to about 420 people at present, and the number is increasing almost weekly. In addition, the fact that Neilson Cromie has expanded its premises now so as to employ 120 people in the manufacture of electrical switch gear proves that this type of light industry can compete favourably in a country area with other light industries in either Adelaide or Melbourne. This is possible because of the stable work force that the town can provide.

The Premier referred to building materials, which are available in the required quantities for the building of this new town. Also established in the area are brick manufacturers and people who supply the necessary aggregates for building materials. For some time I have advocated that Government departments be decentralized in country areas, and Murray Bridge has been fortunate in this regard. An office of the Highways Department has recently been established there, and I believe that an office of the Motor Vehicles Department will be established shortly. Also established in Murray Bridge are offices of the Lands Department, the Irrigation Branch and the Police Department, and the Attorney-General has to some degree been instrumental in providing the most recent acquisition to the town, namely, an office of the Social Welfare Department which, in a matter of only three weeks, is proving to be a great asset to the town.

Perhaps one day it may be considered unwise to spend large sums of money on Parliament House for repairs, refurnishing, etc., and Parliament might be shifted from North Terrace to the new town, near the river. Indeed, I think Parliament could be suitably and comfortably housed in an area east of this site. It is obvious that in future local government will be required to spend more and more money in this area, and I hope that it will be possible for the Government of the day to subsidize the purchase of large tracts of land on the river frontage. Obviously the river frontage will become the playground for the new town and will be the centre of various activities in the area, including water sports. I do not believe that at present there are sufficient reserves along the Murray River to accommodate not only the people coming from the metropolitan area but also those who will come from the new town. The building of the freeway will bring more people from the metropolitan area into the lower reaches of the Murray River area and, as I have said, I hope that the Government will help local government purchase sufficient areas along the waterfront for recreation purposes in the future.

I hope that the Government will make haste in choosing the designated site. Already I have had telephone calls from people wondering whether they should erect buildings or make slight improvements, or whether they should sell out now or perhaps take their properties off the market, and 101 other things. I hope that those who finally select the site will select it fairly quickly. Perhaps the Premier will be able, at the conclusion of this debate, to tell the House how many months it may take to announce the designated site. I have not referred to the design of the town and to many other matters to which the member for Mawson referred, but I will deal with those matters in later debates when I will ask questions about them. I have pleasure in supporting the Bill.

Mr. SIMMONS (Peake): I, too, have pleasure in supporting the Bill. I think it is the most important and far-reaching legislation to be put before this Parliament. I am aware that we have considered measures relating to the Government Insurance Office, workmen's compensation (we lead the country in this field), and local government. We have also had the companies legislation, a new Building Act and a whole swag of consumer protection legislation. I am proud to be associated with these measures but I say again that this is the most important and far-reaching Bill to be brought before the present Parliament. I want to say how pleased I am at the site selected by the Government for this project. For about 15 years I advocated Murray Bridge because I thought it had more advantages than any other site in South Australia. In the last year or two, the claims of another area have been commended to me. I believe that that area also will in due course be the site of another city. However, as the decision must be made, I am happy that the new city is to be in the Murray Bridge area.

The purpose of the Bill is to set up a new town, but this is not an end in itself. It is really a means to an end or, rather, to two ends. One of these ends is dealt with by the Premier in his second reading explanation. The purpose of the Bill is to relieve the existing city of Adelaide. The Premier referred to the increase in size of population

from the present 810,000 in the metropolitan area of Adelaide to 1,384,000 in 1991 and about 1,500,000 in the year 2,000. These are horrendous figures, but unfortunately they are quite capable of being realized. At the time of the 1947 census the Adelaide metropolitan area population was 382,454; seven years later it was 483,508; and seven years later it was 587,957. By 1966, after another five years and allowing for the inclusion of Elizabeth, Salisbury, and Tea Tree Gully in the meantime, the metropolitan area had a population of 727,916. Between 1947 and 1966 on these figures there was an increase in the population in the metropolitan area of about 90 per cent. If we extrapolate a 90 per cent increase on the present population of 810,000 we find that by 1991, the date referred to by the Premier, the population in the metropolitan area will be 1,539,000. Therefore, it may be seen that it is possible on past performance that the predictions will be achieved and, in fact, surpassed.

The Premier indicated the physical evils of large cities, such as congestion, noise and smog, with tiring, long journeys to and from work. There is no need to emphasize the existence of these evils, which are apparent to any city dweller in Adelaide. We should compare, for example, the smog visible yesterday morning with the relatively clear air we enjoyed only 10 years ago. In another 10 years we will be as badly off as are Los Angeles and Tokyo, where serious health hazards are caused by smog. The suburban sprawl is adding greatly to the cost, time and nervous exhaustion involved in essential travel, and detracting at the same time from leisure and the enjoyment of life. Sydney is an especially bad example of this. Recently I visited the new metropolitan housing division of the New South Wales Housing Commission at Mt. Druitt, about 32 miles west of Sydney. I spoke to one worker who said he left his home at 6.45 a.m., drove his car to the station, paid $5 a week to travel in and out of Sydney, and got home at 6.35 p.m. He was away nearly 12 hours to work an eight-hour day. That is a considerable cost in time and money. That is the way we are heading in the Adelaide metropolitan area.

There are real economic costs apart from the physical disabilities. In the field of transportation, there is a tremendous added cost in the movement of persons and goods. Heavier roads are necessary, as are freeways. A loss of working time is involved in delivering and collecting goods, and so on. Mr. Ling of Hills Industries Limited, at a transportation seminar arranged by the Industrial Development Advisory Committee last year, made the point that general estimates show that the freight cost in the price of goods ranged from 2 per cent to 15 per cent of the total cost, but that in South Australia it was estimated that this was from 37 per cent to 47 per cent higher than, for example, the cost in Sydney. Of course, some of this may be due to the relative isolation of this market but, whatever the cost, it is urgently necessary, in the interests of economy, that traffic costs within the metropolitan area should be reduced to an absolute minimum.

There are other real economic costs, too, for example, in connection with pollution. There is a certain capacity of the environment to absorb polluting material. I am not suggesting that we should have any polluting material if we can avoid it, but it is possible for the environment to accept a certain amount of pollution and cope with it. However, once it gets to a high level, there is a real danger that the pollution level will be too high for the natural environment to cope with it. Certainly, before that time is reached, it is absolutely essential that anti-pollution regulations of increasing severity will have to be introduced, and we are in that process now. These represent real costs to industry and to people. There is a cost as a result of corrosion, and so on. These things are inseparable from population growth. They can be mitigated by Government action, and this Government is in the process of doing that, but it is inevitable that increasing population will mean more and more of this pollution.

The economic costs to which I have just referred are inseparable from large and congested cities. In many cases they are hidden, having to be borne by the community at large. In other cases, they are carried by the Government as a subsidy for private enterprise. Nevertheless, they are real and they offset the economies of scale so appreciated by firms handling a large local market. Even more harmful to society than the physical and economic disadvantages to which I have referred are the social evils associated with very large cities. The Professor of Town and Country Planning at the University of Sydney (Professor Denis Winston), in a paper presented at the thirty-second summer school of the Australian Institute of Political Science in 1966, gave an indication of the situation in the city of New York when he said:

Let us look at the city of New York—where the Americans tell us there is a murder every 14 hours, where there are five violent assaults each hour, where there are 50,000 drug addicts in Manhattan alone, where 70,000 children who have left school before finishing age are wandering about uneducated and unemployable, and where there are 500,000 adults unemployed. This is where they are said to advise the new schoolteachers: "Don't bother about teaching them, just try and see that they don't kill each other!" And here are some wise words from an American observer:

> Behind the current crisis, the crisis of New York City, and remember we New Yorkers have endured a desperate water shortage, a frustrating newspaper strike, a frightening power blackout only in recent months, behind all this lurks the bigger question of what kind of future this city of New York faces. Crime in the streets, pollution in the atmosphere, paralyzing traffic jams and all the other urban ills that inflict the world cities seem to be festering rapidly in this one. No wonder the woes of New York are front-page news in London, Paris, Sydney, and Moscow. The citizens of those distant parts, and this is the important part, the citizens of those distant parts realize full well that New York and its problems are but grim harbingers of the afflictions sure to come to similar agglomerations of humanity in due time. The so-called American way of life as exemplified in the metropolis is nothing more than the world's way of life when it reaches the same peak of prosperity and over-population.

We may query the use of the word "prosperity", but I think it is clear that the example of New York and other major cities of the world is one that we want to avoid. There seems no doubt that a megalopolis produces social problems, an increase in organized crime, a breakdown in order, and psychological disorders in citizens suffering isolation, loneliness, and so on. Adelaide is in a much better position in this respect than Sydney and Melbourne, which in turn have not yet reached the depths of New York, Chicago, and other cities overseas, but the trend is unmistakeable and we must recognize it. Therefore, the siphoning off of some of Adelaide's population growth may be accepted as desirable for the development of the city, but there is a reverse side to the coin by way of another end to be served by the proposed new town. This is the stimulation that the new town will give to areas near and beyond the Murray River and the relief it will give to the declining rural areas. For this reason, the decision should be welcomed by all sections of the community.

The Premier has explained the Government's desire to see new development in other country towns, and the Government has done much in this direction. Since July, 1970, the Industries Development Committee has recommended guarantees to enterprises extending from Kangaroo Island to the Flinders Range, from Port Lincoln to the Upper Murray, from Clare to the South-East, on Yorke Peninsula, and at Port Pirie. The committee has ensured the survival of a town within the establishment area of the new city by making a large grant from the Country Secondary Industries Fund, and it has authorized the Housing Trust to erect a substantial factory in the South-East. All this has been essential for the well-being of our rural areas, and this work must continue and be intensified.

Nevertheless, I think this is a holding operation, and in this respect we can learn from New South Wales. The Hon. J. B. Fuller, M.L.C. (New South Wales Minister for Decentralization and Development), addressing a national development conference in Canberra in 1971, stated:

> Since May, 1965, some 557 firms have taken advantage of Government assistance to establish or expand operations in country locations, involving the Government in disbursements and commitments totalling $32,300,000. This assistance has included the construction of 1,024 homes for key personnel employed in country industries. The extent of Government assistance to any particular firm has ranged from $300 to over $3,000,000. This Government assistance to industry has extended to 150 centres throughout the State. And included in the industries assisted are 125 metropolitan-based firms that have relocated the whole or a substantial part of their manufacturing operations in country centres, plus a further nine interstate or oversea firms. Now, as a result of these activities, it has been conservatively estimated that direct employment opportunities have been provided in country-based industries for 12,500 people. If we follow the accepted principle that for every new job created in industry a similar opportunity is created in service industry and then apply the normal family multiplier factor we can say with a considerable degree of certainty that approximately 65,000 people have been retained in country centres in New South Wales who would otherwise have drifted to the metropolitan complex in search of economic security.

I suggest that, although the ordinary activities in country towns will have to be supported and intensified, it is at best a holding operation. The populations of the country towns in South Australia have been increasing at a much lower rate than the population of the metropolitan area. The population of the country towns increased from 65,911 in 1947 to 182,834 in 1971, whereas the population of the rural area has decreased from 196.007 in 1947 to 178,733. The total non-metropolitan population was stationary between 1966 and 1971, whereas

the population of the Adelaide metropolitan area increased by 82,000 over that time.

I congratulate the member for Gouger on his perspicacity in trying to promote his Party's image in the metropolitan area. Even in country towns the increase is illusory. The population of the industrial towns of Whyalla and Port Augusta contributed an increase of 11,956 in the last five years, compared to an increase for all country towns, including Whyalla and Port Augusta, of 9,038. There has been a drop in country town population outside Whyalla and Port Augusta over the last five years. The result is that the decline in rural population has adversely affected the towns serving those people, and this seems likely to continue.

This project of a new city will be most costly. It will require enormous expenditure by both the State Government and the Commonwealth Government, and there are limited means available to the State Government to carry out the work. However, much State Government expenditure would have been necessary in the metropolitan area in the absence of this new city. For example, there would need to be schools for the increased number of children, hospitals, police stations, Government administrative offices, and tertiary institutions such as teachers colleges and universities. To the extent that these facilities will be replacing those that would be necessary elsewhere there will be no extra cost to the State, but other costs will impose a severe burden on the State. Apart from cheap land, it will be necessary to offer some real incentives to set up in Murray New Town.

There have been two surveys carried out in other States in recent years. One was carried out amongst country firms already operating in country towns and they were asked to indicate what increase in cost was attributable to their being in those country towns. The average for the survey was 90c on each $100 of sales; these are people actually operating in the area. Another survey asked city-based manufacturers what increase in costs they thought they would suffer if they moved to the country, and the average reply was something over $2 on each $100 of sales. Obviously, whether or not these figures are correct, there are disadvantages in moving outside the metropolitan area, but some manufacturers are still sufficiently unenlightened not to believe that there are economic advantages in moving outside the Sydney metropolitan area. For example, one firm that appeared before the Industries Development Committee, when asked why it did not consider Port Pirie a suitable place for a branch it was establishing in South Australia or why it was not interested in decentralizing said, through its Managing Director, "We thought we were decentralizing in a big way by coming to Adelaide." That story is unfortunately true, but more and more people, particularly in Sydney, are recognizing the disadvantages of being based in that city.

It will be necessary to persuade manufacturers to establish in Murray New Town and it will be necessary to give them some incentive, apart from cheap land, by which they can be assisted. The Bill provides that land shall be made available at reasonable cost to the Government. It will be necessary to consider other methods that will have to be worked out in the future. They could include straight-out subsidies and reductions in land and pay-roll tax for firms to the extent that they will be operating in the new city. They could include rail subsidies such as the New South Wales Government is offering to country-based industries. However, all these incentives (and any others that may be thought of) will obviously cost money, and the only source from which money on this scale could come is the Commonwealth Government, which will have to come to the party in a big way. It is encouraging that the Commonwealth Government which will come into office in the next few months is committed to urban reconstruction, as the member for Mawson has said. The Leader of the next Commonwealth Government (Mr. Whitlam), in October, 1965, in a paper entitled '*Cities in a Federation*', said

> Directly or indirectly . . . the Commonwealth is in a position to regulate 90 per cent of housing finance. This gives the Commonwealth a very great opportunity to enforce proper town planning principles ... In the next 35 years our stock of housing units will have to double. Here is a chance to start with a clean slate, to develop new areas and new cities on proper lines.

It will be seen that Mr. Whitlam has appreciated the need for the activity provided for in the Bill, at least so long as the Commonwealth Committee on Decentralization has been stymied by the Commonwealth Government. The cost of establishing a new city is so great that it is most important to ensure that it becomes self-generating as soon as possible. This has led to the development of the growth-centre concept, which is almost generally accepted now except by the Prime Minister and some members of the Commonwealth Country Party. At a national development

conference in Canberra last August, there was general agreement on the growth-centre concept, although there was obviously disagreement among the supporters of Wangaratta, Wodonga and Dubbo on where the first growth centre should be established and on the minimum size. The conference believed that a city would have to grow to a certain minimum size before it could become self-generating; estimates varied between 100,000 and 250,000. No doubt a population multiplier will contribute towards the autonomous growth of cities. It will have to be established empirically how long the Government will have to sustain the new city's development, but I hope that the lower figure of 100,000 will be sufficient. It is most desirable that as soon as possible the Government will be able to turn to other areas of the State and apply there the lessons learnt in this first essay.

It is gratifying that the Premier has indicated the Government's intention in this respect. It will be necessary to put almost all of our eggs into one basket in the first place to get the new city off the ground, otherwise it will not reach the size at which it can develop without further Government assistance. Obviously, other centres in the State would like to have the honour of Murray New Town. However, I think that on reflection they will realize that their biggest guarantee of success is for the Government to sustain as high a rate of growth as possible in the new city so that it will be able more quickly to turn to other areas in the State; therefore, they will wish Murray New Town every success.

The Leader paid attention to transport. The lack of a port is the only serious weakness in the plan for Murray New Town. As far as I know, no town in Australia of the proposed size of Murray New Town is not served by a sea-port. For that reason, I would welcome an indication that the Government is actively considering the improvement of the existing rail system to Murray Bridge. A duplicate rail track is of at least as much importance as the completion of the freeway, necessary though that will be. I was not impressed by the statement of the member for Murray that there should be some commuting from Adelaide to Murray New Town and vice versa. One of the main reasons for establishing the new town is to rationalize road transportation. Frankly, even with a tunnel through the Adelaide Hills, freeway or no freeway, the thought of people dashing 50 miles from Adelaide to Murray Bridge or vice versa to get to work appals me.

Mr. Mathwin: It happens in every other country in the world.

Mr. SIMMONS: Surely we have enough wisdom to learn from the mistakes of other countries, and in this case we should try to make the new city as self-supporting as possible. Although there will undoubtedly be close links between Murray New Town and the metropolitan area, these links should not take the form of people living in one city and travelling to work.

Mr. Mathwin: You'll build a wall like the Berlin Wall.

Mr. SIMMONS: I hope that the environment in the new city will be sufficiently attractive for people to live there and not make it necessary for them to commute to work. We have heard much about the physical advantages of the site (and I agree with these) and of the industries, transport, and buildings that will form the new city. It is to be hoped that every endeavour will be made to give the new town a distinctive character as soon as possible and to ensure that it is not merely a place in which to sleep or work. If this is possible, the new town will contribute to the welfare not only of its own citizens but also of the citizens of Adelaide and of rural areas, for which the new town will be more convenient than is the existing metropolitan area. I hope that the planning committee will include social scientists, because I think the social problems connected with the new city are important. In addition, I believe there is a place on the committee for geographers whose multi-disciplinary approach is essential to an enterprise of this kind.

Mr. NANKIVELL (Mallee): I support the Bill.

Mr. McANANEY (Heysen): I think the Government has, by declaring a 30-mile radius around Murray Bridge, declared too large an area, for I consider that a 20-mile radius would be sufficient. However, I realize that the area will not have many limitations placed on it. I think Murray Bridge is possibly the best site in South Australia for a new town of this type. I recently visited Albury, which is roughly in a similar situation to that of the new town, although Albury is farther away from the nearest capital city. However, water is available there and new factories have been established. I expect that the venture contemplated here will be successful.

I believe that the authorities in both New South Wales and Victoria have in the past made a mistake by trying to develop too many small towns in an effort to decentralize; indeed,

they have now concentrated on establishing a limited number of bigger towns, and this is meeting with some success. Even places such as Geelong, which has distinct advantages, have not gone ahead as much as was expected. Considerable incentives will have to be offered to attract industry to Murray Bridge. I do not always go along with what members of the Government say, or with what the member for Murray has said, about the poor old Commonwealth Government always having to supply the money. One of our biggest problems has resulted from expecting one section of the community to pay for what another section is getting, and this is causing much dissatisfaction. Australia is becoming one of the most highly taxed countries in the world; the taxation collected is being used to subsidize various services, and incentives are being destroyed.

Already the sewerage scheme being undertaken in Murray Bridge has been heavily subsidized, and I believe that that is a fundamental mistake. The more services the people receive, the more they should be willing to pay for them. I believe that the proposed site is a good area in which to establish a new town. Having seen what was happening in Albury, I had a statement inserted in the *Mount Barker Courier* to the effect that Murray Bridge or Mount Barker should be developed. Indeed, I think Mount Barker will become the dormitory town.

I do not share the concern expressed by the member for Mawson regarding small towns in the Adelaide Hills. I think we tend to worry too much at this stage about pollution. We hear people saying that, as they come through the Adelaide Hills, they see the pollution in the metropolitan area, but when recently north in Cairns I could see pollution extending for about 100 miles. If we eliminated rubbish burning in backyards, we would eliminate the greatest cause of pollution in the country. I fully support the Government's action. This sort of thing has already commenced in other States and we are now following suit. Elizabeth was established some years ago, although possibly it was too close to Adelaide. I cannot see that this is the most important piece of legislation ever introduced into this Parliament, but I support the Bill.

Mr. EVANS (Fisher): I believe that this is the type of legislative action that we should take, and I have had this view for a long while. I think we should congratulate those who have promoted the Bill. Regardless of the Party in Government at this time, there will be a realization of the necessity to start this type of town planning. Decentralization is an issue that all Governments in Australia will have to consider. The Labor Government has the credit because it happens to be in power. I do not think we can offer people enough incentives to stop them from travelling about 50 miles to seek work. People who have acquired properties in the new area will be offered promotion, and they will travel greater distances to take promotions. It will automatically follow that traffic on the freeway route will increase. However, possibly we are 20 years away from any major development that will cause a notable increase in traffic on the freeway. We must start now to consider the volume of traffic that the present four-lane freeway can handle. At present the freeway to the south carries a much greater volume than it can handle. I believe we must start now to upgrade the South-Eastern Freeway, even though it has not yet been completed, to cope with the increased traffic it will have to carry.

The site chosen is ideal for this development because, as a result of the regulations governing development in the Hills catchment area, there will not be ribbon development from Adelaide to the new area. This must be one of the reasons why the present site was chosen. This State will have to share with the Commonwealth Government the burden of costs for this development. It is no good any member's saying that the Government cannot afford the expense. Whatever way we look at it, the people of Australia will have to pay for this. If handouts are given to encourage people to go to the new town, members of the public will have to meet that burden. However, once the town is on its feet, it must be self-supporting. If it cannot support itself, it will be a failure. It will be no good saying to the Commonwealth Government in the future that it should meet this burden. The people of Australia and the people of the Adelaide metropolitan area who will have to carry this burden should not have to carry it for any longer than is absolutely necessary.

Bill read a second time and taken through its remaining stages.

LICENSING ACT AMENDMENT BILL (GENERAL)

Returned from the Legislative Council with amendments.

ADJOURNMENT

At 2.16 a.m. the House adjourned until Wednesday, April 5, at 2 p.m.