

**HOUSE OF ASSEMBLY**

Tuesday, August 22, 1972

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

**STATUTES AMENDMENT (VALUATION OF LAND) 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.

**PETITION: LITTLE RED SCHOOLBOOK**

Mr. GUNN presented a petition from 146 persons who stated that the State Government had power to ban the sale of the *Little Red Schoolbook* and that its decision to allow it to be sold and circulated locally was a dangerous error of judgment. The petitioners prayed that the House would take immediate action to counter the potential harm that could occur.

Petition received.

**PETITIONS: CRAIGBURN**

Mr. EVANS presented a petition signed by 6,055 persons who stated that the zoning regulations of the Meadows and Mitcham councils in respect of the area generally known as "Craigburn" were not in accordance with the authorized development plan, which the petitioners believed should be adhered to in this regard. The petitioners therefore prayed that the House would disallow the regulations, thereby preserving the area as an open space as shown in the original plan.

Petition received and read.

Mr. MILLHOUSE presented a similar petition signed by 574 persons.

Petition received.

**QUESTIONS****SHARK SALES**

Dr. EASTICK: Will the Premier assure the House that the reported approach by our Minister in charge of fisheries to the Victorian Government about that State's ban on the sale of school shark will be made in the strongest terms possible, stressing the urgency of returning to South Australian fishermen the markets for shark which the Victorian ban has denied them? It is reported in today's press that the Minister in charge of fisheries (Mr. Casey) will approach the Victorian authorities next Friday, urging upon that Government the need to reappraise the ban at present operating because of the alleged dangerous levels of

mercury in shark. Many people claim that the dangers referred to are quite insignificant. In fact, one person was reported as having stated that the level of mercury in sharks would be no higher at present than it was when Captain Cook landed in Australia. This afternoon's press reports that Mr. Dick Hamer has been elected Premier of Victoria, in place of Sir Henry Bolte, and we, in congratulating Mr. Hamer on his appointment, could expect and hope that one of his first actions would be to reverse the decision previously made on this matter. In support of this request to the Premier, I mention that a positive approach would have the unanimous support of Opposition members and would be in line with representations I have made to my colleagues in Victoria for an urgent reappraisal of their previous decision.

The Hon. D. A. DUNSTAN: I assure the Leader that the South Australian Minister's request will be couched in the strongest possible terms, in order to get a re-examination of this matter.

**PRAWN FISHING**

The Hon. D. N. BROOKMAN: Will the Minister of Works ask the Minister of Agriculture to consider issuing to several professional fishermen based at Victor Harbour and Kingscote permits to sell prawns? These fishermen face ruin if the interruption to shark sales continues, and the market for flake probably has been damaged permanently, irrespective of the results of any further tests. The fishermen are anxious to carry on their business and not to ask the Government for relief. They want prawn permits for the area north of Kangaroo Island but outside the Gulf of St. Vincent. The area enclosed would be roughly between lines drawn from Cape Jervois to Troubridge Light, near Edinburgh, and from Pondalowie Bay to Cape Borda, and it would extend to the Murray River mouth and also to areas south of Kangaroo Island. Although existing permits cover these areas, the fishermen point out that no commercial prawn fishing is carried out in them. Commercial prawn fishing is carried out in the gulf, but not in this area. The fishermen know that prawns are in the area I have mentioned, and they are willing to risk their capital by investing in gear to start commercial fishing there. They state that they would not be intruding on any commercial prawn fisherman at present and they ask for an urgent appraisal of their proposal. The interruption to sales of flake in Melbourne

has been disastrous for the industry, yet here is a group that is ready to help itself. It is pointed out that there are no prawn permits for fishermen based at Victor Harbour or Kangaroo Island.

The Hon. J. D. CORCORAN: I will pass on the honourable member's inquiry to my colleague. I appreciate the question, and I think it would be a sound idea if new prawn-fishing grounds could be developed in the area referred to by the honourable member, although I point out that some research might have to take place before people would be willing to outlay money to purchase the equipment necessary for prawn fishing. However, I shall be happy to take up the matter with my colleague and to ask him to discuss with the Director of Fisheries and Fauna Conservation the feasibility of the honourable member's proposal.

### WAIKERIE OFFICES

Mr. CURREN: Will the Minister of Works consider advancing the completion date of work on the new courthouse, police station and Government office complex proposed to be built at Waikerie? This project was recently referred to the Public Works Committee, which is currently investigating it. However, as the world gliding championships will be held at Waikerie in January, 1974, the civic authorities and citizens of Waikerie desire that the new building should be completed before that date although, I may add, they are not expecting any trouble at Waikerie during the gliding championships which would necessitate the official use of the courthouse and police station.

The Hon. J. D. CORCORAN: I am glad that the authorities are not expecting any trouble and that that is not the reason for requesting the speeding up of this project. As I understand the position, the matter is currently before the Public Works Committee. I suppose the first thing I could do would be to ask the committee to speed up its deliberations and to report back to the department (and I refer to members, too, not only to the Chairman)—

Mr. Nankivell: Perhaps we could, if you let us have the opportunity for an inspection.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: I think arrangements can be made so that the committee can undertake an inspection and consider this matter as quickly as possible. I think that the project will cost about \$380,000 and that it is scheduled to be completed in March or April, 1974. Bearing in mind that the gliding championships will be held in

January of that year, I will do my best to see that this project is expedited. By using special methods of contracting, etc., we will probably be able to save time, so that during the championships the citizens of Waikerie will have something of which they can be justly proud to show visitors not only from other parts of Australia but also from many other parts of the world.

### TOWN PLANNING

Mr. MILLHOUSE: Will the Premier stop knocking Adelaide and consider spending rather more of his time in the State than out of it?

*Members interjecting:*

Mr. MILLHOUSE: I refer to an article on the front page of this morning's paper which was also in substance reported on the Australian Broadcasting Commission national news this morning. The report reads, in part, as follows:

Adelaide was now a kind of high-rise pimple surrounded by an ever-extending contusion of villas, the South Australian Premier said in Brisbane yesterday.

He went on to say:

Its citizens—

that is, Adelaide citizens—

grew to accept the notion that there was only one desirable way of life—a house confronted by a lawn, backed by a clothesline and settled among rose and fruit trees.

I point out that it is in the suburbs of Adelaide that most citizens prefer to live and it is here that the strength of our family life, which is so important to the community, has its strongest foundations. I know that the Premier spent the weekend and yesterday in Queensland, and it seems that he spends every weekend out of the State electioneering for his Party instead of in it.

The SPEAKER: Order! The honourable Premier.

The Hon. D. A. DUNSTAN: During the last week I went to Victoria for a meeting of Ministers of Development. That meeting was sought by the Minister of Development in that State (a Liberal Minister who thought that we should meet with him). That was the first meeting of Development Ministers in the last 20 years, and that meeting was welcomed by all State Development Ministers, half of whom, as the member for Mitcham will realize, are Liberals. The majority of Ministers at the meeting were Liberals, because the Tasmanian Minister was not there. On Friday I attended a meeting in Sydney of the Tourist Ministers Council over which I was required

to preside. This meeting was demanded by all States, and the Minister of Civil Aviation attended to ensure that we got from the Commonwealth Government details of enunciated policies which especially affect industry and tourism in this State.

Mr. Clark: He says you should have refused the invitation.

*Members interjecting:*

The Hon. D. A. DUNSTAN: The honourable member says I should have been here. On Monday, I attended the meeting of the Australian Planning Congress in Brisbane, where I was asked (and I was the one State Minister in Australia to be asked) to deliver one of the major addresses at the total congress.

The Hon. J. D. Corcoran: You didn't seek it: you were invited.

The Hon. D. A. DUNSTAN: I was invited. I will confess that on Saturday—

The Hon. J. D. Corcoran: You didn't take it off?

Mr. Millhouse: Electioneering!

The Hon. D. A. DUNSTAN: I did spend time with the local member and his wife who are old friends of mine. I helped in his election to the seat of Albert in the Queensland House. Over the weekend I did much work for South Australia. In fact, I spent much of the time revising the details of the Budget speech for this State. On Monday, I addressed the Planning Congress in Brisbane. The honourable member has carefully taken from that total address some carefully selected remarks. However, in that address I pointed out that Adelaide was the one effectively planned city in this country and that it had the greatest potential for the development of a satisfactory urban environment, not only in Australia but also in most of the western world. My remarks concerning suburban villas were not, as I specifically pointed out in the address, to deride this as a way of life, but to point out some of its disadvantages. It is wrong to say to the people in this State that this is the only way in which they should live, because I believe that people should have the right to choose how they shall live in an urban community. We should not simply subject them to a demand that the only way in which they should live is in a continuing urban sprawl, which will push the villas further and further away from existing facilities. I must tell the honourable member that I was roundly applauded by the planners in Brisbane for saying what I had to say. I was not knocking Adelaide: I said that in Adelaide measures are being prepared that will make this city certainly

the most effective urban environment, and I pointed out (but unfortunately the press did not report it) that it would be extremely important for Adelaide to do two major things. This was the basic point of my address that was lost in the selective quotations by which the honourable member has been bemused.

Mr. Mathwin: They didn't see fit to report it.

The Hon. D. A. DUNSTAN: I am not a press reporter: if the honourable member would like to read my speech, I should be pleased to give him a copy. There were other things said by me.

Mr. Millhouse: Are you criticizing the press?

The Hon. D. A. DUNSTAN: No, I am not: I am criticizing the honourable member for being the kind of person he is.

Mr. Millhouse: Come off it!

The Hon. D. A. DUNSTAN: The honourable member obviously is putting this up in the kind of puerile way he goes on with any question that he asks in this House.

Mr. Mathwin: Your press secretary fell down!

The Hon. D. A. DUNSTAN: No, he released all of the speech.

*Members interjecting:*

The SPEAKER: Order! The honourable member for Mitcham asked a question, and it is most discourteous for members to keep interjecting while the Premier is giving him a reply. I will not tolerate these continued interjections. The honourable Premier.

The Hon. D. A. DUNSTAN: The point I specifically made in summing up my address to the congress was that there were two areas particularly in which South Australia needs to revise its planning processes: first, specifically in the area of local involvement and participation of citizens in the planning process; and, secondly, in the form of the administrative structure of the planning authority. One of our original proposals carried into effect by the Planning and Development Act was to put the heads of Government departments on the planning authority. This was aimed at co-ordinating the work of Government departments involved in planning, but in fact the presence of the heads of departments on the planning authority has not achieved that aim. This is something we have to face administratively. In addition, I point out that those people who choose to be authoritarian in relation to citizens, by saying that the only way citizens should live (not that they may live that way) is in a suburban cottage on a

quarter-acre allotment, are imposing limitations on the way of life of our citizens.

Mr. Millhouse: That has not been said by anyone.

The Hon. D. A. DUNSTAN: Yes it has, and if the honourable member does not know it, it is about time he became involved in local participation.

Mr. MILLHOUSE: I have two questions arising out of the reply given to me by the Premier and I shall, of course, ask them *seriatim*. First, will the Premier say when may we expect the amendments to the Planning and Development Act which he foreshadowed in his earlier reply to me?

The Hon. D. A. DUNSTAN: In due season.

### RATIONING

Mr. WELLS: Will the Premier make a statement concerning the rumour that has been widely propagated about rationing or the issue of ration tickets? This rumour has been circulated widely again in Adelaide, to the detriment of this Parliament and the Government, and I consider that, if the Premier would make a clear and concise statement in respect of this matter, this would ease the minds of those members of the public who are apparently swallowing this rumour.

The Hon. D. A. DUNSTAN: From time to time extraordinary fantasies seize some part of the public mind. The suggestion that the Government Printer has printed ration tickets of any kind is completely baseless. There is no reason for it. There is no basis for it at all and it is a pernicious and malicious rumour from people whose motives and imagination escape me entirely.

Mr. Clark: What's been rationed?

The Hon. D. A. DUNSTAN: I have no idea.

Mr. Jennings: There have been a few questions on notice—

The Hon. D. A. DUNSTAN: I am not responsible for things that come from members opposite. I can only say that the suggestion that any sort of ration ticket is being printed by the Government Printer or that the Government will attempt to be involved in a rationing system of any kind is completely without basis.

### HIGH-RISE DEVELOPMENT

Dr. TONKIN: Can the Premier say whether an investigation into the social aspects of high-rise development was conducted in South Australia by officers of the Community Welfare Department or other social workers

before plans were prepared for such development at Hackney and Kent Town and in other areas and, if it was not, will he institute an inquiry as a matter of urgency? Reports from other countries and other States in Australia indicate that close-proximity living in high-rise development leads to an increased incidence of mental illness and family breakdown resulting in juvenile delinquency, drug dependence and other social problems. Many people do not wish to exchange their suburban living for high-rise living, and many social workers believe that the possible impact of high-rise development should be examined carefully before these plans for Hackney, Kent Town and other areas are approved. I believe this is a matter of the greatest urgency before these plans are allowed to proceed.

The Hon. D. A. DUNSTAN: The honourable member is obviously falling into the error of many people who have talked on this subject without looking at the facts on which reports have been based. The Government in South Australia has never proposed (although the Liberal Government proposed) in relation to Hackney or anywhere else the type of high rise (that is, high rise for low-income families in certain social conditions) which has given rise to the reports which, from memory, have emanated from Scotland on social implications that were unpleasant and unsatisfactory.

Dr. Tonkin: And from other places.

The Hon. D. A. DUNSTAN: The Scottish problems are the most normally quoted in this respect. The Government does not believe that it should go in for high-rise development of that kind or of the kind of development that has been instituted by the Liberal Government in Victoria in places such as Debney's paddock, Hotham, or Carlton, where the high-rise development is, I believe, totally unsatisfactory and utterly undesirable socially. If the honourable member were to examine the conceptual plan in relation to Hackney (it has not yet been adopted by the Government: it is simply a proposal put forward for one form of development within the land use proposed), he would see that it relates only to some middle and lower-income use of high-rise accommodation for childless families and for single persons. Elsewhere, that kind of high-rise development has not proved to have the results the honourable member has referred to, so long as the high-rise development is in a mixed age and social group community. If he can produce them,

I invite the honourable member to point to any conclusions of that kind, because I have not been able to find them.

Dr. Tonkin: So you won't have an inquiry.

The Hon. D. A. DUNSTAN: If the honourable member can produce any fact for us to inquire into, I shall be interested in considering it.

Mr. Millhouse: Have you seen Mr. Pugh's letter?

The Hon. D. A. DUNSTAN: I know Mr. Pugh very well; I have read all the material he has so far submitted. As I have heard the reports that Mr. Pugh refers to in his submission, I am not unapprised of what he has to say.

Mr. Millhouse: You don't accept it?

The Hon. D. A. DUNSTAN: Not entirely. There are many things Mr. Pugh has said that I do not accept, because I certainly think that many of them are most ill-founded. I say that advisedly, and I have said it to Mr. Pugh.

Dr. Tonkin: There will not be an inquiry, then?

The Hon. D. A. DUNSTAN: As I have said, if the honourable member can produce a single blooming fact for us to inquire into we will consider it, and then we will consider whether we should have an inquiry. In the meantime, the whole background of this matter has been stated over a long period. Certain people in the State have decided to become late entrants in the planning field and to denigrate anyone that has been involved for a long time in planning in South Australia as being ignorant, uncaring, unconcerned with the populace, and so on. That is rubbish, as the honourable member knows. In his question, as in the case of the member for Mitcham, he is playing politics as usual.

Dr. TONKIN: Will the Minister of Community Welfare say whether provision exists for consultation between the State Planning Authority and social workers of the Community Welfare Department when high-rise development is proposed, and whether any such consultation has taken place?

The Hon. L. J. KING: The State Planning Authority is, of course, at liberty to consult with officers of my department, and officers of my department have access to the State Planning Authority if they think they should put any matter to the authority.

#### **PUBLIC EXAMINATIONS**

Mr. COUMBE: Can the Minister of Education say what is the Government's policy on future Public Examinations Board examina-

tions? In view of several statements made by the Minister on this subject, as well as a report by the board and several divergent statements by prominent citizens in the State, and as many parents are concerned about the matter, I ask the Minister whether he will say what is the Government's policy on the future of these examinations.

The Hon. HUGH HUDSON: Several inquiries have taken place from specific points of view, one by the Public Examinations Board (the honourable member referred to that) and another within the Research and Planning Branch of the Education Department. In both cases, surveys of the attitudes of teachers have been made, and interesting results have been produced. I think it is clear that a replacement for a system of public examinations will not eliminate all forms of testing. As I have often made clear, what is required is an effective system for tertiary selection that does not, as board exams do, at the same time impose a relatively rigid curriculum on the schools and create a condition in which some exams are used for selection by employers, with the consequence that many students are pushed into doing board courses when they would be better suited doing other types of course. Students who do other types of course tend to be penalized somewhat when they seek employment. This would be the purpose of any effective replacement of the board system. I believe that this will require a thorough investigation and a detailed plan over a period of time. Therefore, it is intended to constitute a broader inquiry into the whole matter that will use the material gained by the board and by the Research and Planning Branch of the department as part of the basic information on which the system operates.

Mr. Coumbe: It'll take some time.

The Hon. HUGH HUDSON: Yes. I cannot foresee the phasing out of public examinations as we know them inside three or four years at the earliest; certainly about that much time will be involved.

#### **TEA TREE GULLY TRANSPORT**

Mrs. BYRNE: Will the Minister of Roads and Transport obtain for me a report on the public transport that exists between the Tea Tree Gully area and Port Adelaide, including the precise routes and bus time tables? As the Minister will know, at present a bus service is operated by Morphett's Bus Service Proprietary Limited, but some constituents of

mine have suggested to me that, during the period of the petrol shortage, the service was shown to be inadequate for shift workers.

The Hon. G. T. VIRGO: I shall be pleased to look into the matter.

### ROAD TAX

Mr. McANANEY: Has the Minister of Roads and Transport a reply to my recent question about how many traffic inspectors are engaged in collecting revenue under the Road Maintenance (Contribution) Act, and about the cost involved?

The Hon. G. T. VIRGO: There are 20 traffic inspectors employed on the dual functions of policing the Road Traffic Act and the Road Maintenance (Contribution) Act. The cost of collecting and policing the Road Maintenance (Contribution) Act for the year 1971-72 was \$289,000.

### PACKAGING

Mr. LANGLEY: Will the Minister of Works ask the Minister of Lands whether he has recently received any complaints about packages of groceries in supermarkets that are branded "giant size", "economy size", or "family size", and about packages that are only three-quarters full of the product? Moreover, can he ascertain whether the Packages Act has been proclaimed? During the 1967 session, the present Minister of Works, as Minister of Lands, steered that legislation through the House to stop this form of marketing, and it received little opposition. Recently constituents of mine have told me that they have seen packages marked with the word "giant", and that they have also bought packages that are only three-quarters full. Recently, when I have been into supermarkets, I have seen the word "giant" on packages. It has been noticeable that most business firms seem to have taken steps to abide by the law contained in this legislation that was passed by both Houses of this Parliament.

The Hon. J. D. CORCORAN: I can certainly recall the legislation to which the honourable member has referred. In part, it was to do away with claims of "big gallon", "giant size", "economy size", and so on. I think that subsequently further legislation was introduced, repealing the original Act. I understand that this provided not only for new uniform marking of packages but also for only a certain amount of free space inside the package so that people would not buy a 12in. packet with only 6in. of the commodity inside it. To the best of my knowledge, that

Act was to come into force on a certain date, which was set in order to give industry time to gear itself to meet the new requirements of the legislation. I am not certain whether that date is next year. However, I will certainly take up this matter with the Minister of Lands, who is responsible for the legislation, and obtain a detailed report for the honourable member. I agree with the honourable member that this is a most annoying practice, and the sooner the steps to which I have referred can be taken the better it will be for all concerned.

### POLICE INSTRUCTIONS

Mr. GOLDSWORTHY: Has the Premier a reply to my recent question about an instruction given, during the petrol shortage period, to the son of a constituent of mine?

The Hon. D. A. DUNSTAN: The youth concerned has been interviewed in regard to the incident complained of on the Main North Road, Pooraka, and states that a Holden sedan "the one before the latest model" was the vehicle used, whereas in *Hansard* the honourable member refers to a Valiant. The vehicle concerned was a blue coloured Holden Kingswood sedan with an aerial on the roof. A check of all H.G. Holdens owned by the Police Department, except those based at Port Augusta, Whyalla and Millicent, was made regarding use between 3 p.m. and 5 p.m. on August 1, 1972, and it was found that only one was in service and that was being driven by a police cadet in uniform. No information could be obtained to associate police officers with this complaint.

### FLINDERS MEDICAL CENTRE

Mr. PAYNE: Has the Minister of Works a reply to my recent question about the possible provision of a helicopter landing site at the Flinders Medical Centre?

The Hon. J. D. CORCORAN: Active consideration is being given by the Flinders Medical Centre planning team to the provision of a helicopter landing pad at the centre.. As yet, no final decision has been made.

### PETROL SHORTAGE

Mr. BECKER: Will the Premier say whether the Government has had discussions with the oil companies about reducing the rent payable by service station proprietors?

The SPEAKER: Order! The question has been asked previously in this House, to my recollection.

Mr. MILLHOUSE (on notice): When were the forms, used as permits following the proclamation of July 28 pursuant to the Industrial Code, printed?

The Hon. D. A. DUNSTAN: During the late afternoon of July 28, 1972.

#### **PORT LINCOLN HIGH SCHOOL**

Mr. CARNIE: Has the Minister of Education a reply to my recent question about the present stage of planning for the Port Lincoln High School?

The Hon. HUGH HUDSON: Latest advice concerning the Port Lincoln High School project is that subcontracts for both the mechanical and electrical work have been called. Invitations to tender for the main building will be advertised next month and the subsequent programme is such as to enable tenders to be accepted during this calendar year and construction to be commenced immediately in the new year. The target for completion is the beginning of the 1974 school year. That, as the honourable member would appreciate, has remained unchanged. The availability of locally manufactured bricks has been a factor in this project, as the honourable member knows. Agreement has been reached that as many as possible will be utilized, but the target for completion of the project must be regarded as of paramount importance.

#### **ELECTRIC VEHICLES**

Mr. SIMMONS: Has the Minister of Roads and Transport a reply to my question about lowering registration fees on electrically-driven vehicles?

The Hon. G. T. VIRGO: A statistical analysis taken of vehicles in November, 1971, showed that 57 electrically-driven vehicles were registered in South Australia, comprising three motor cars, one utility, one truck, seven invalid chairs, one run about, one tri-car, one tractor, 38 fork lifts, one mobile crane, and three tow motors. Although experimental work being done in this field is of topical interest at present, it is unlikely that even a substantial reduction in registration fees for electrically-driven vehicles would produce any significant increase in their numbers in the near future. Such vehicles still have inherent limitations, there is very little market promotion, and they are not readily available in large numbers.

#### **RAILWAY REFRESHMENTS**

Mr. WARDLE: Has the Minister of Roads and Transport a reply to the question I asked about railway refreshment services and their cost?

The Hon. G. T. VIRGO: The South Australian Railways proportions of costs are as follows: (1) total annual cost of club car on the Overland, \$38,596; (2) total annual cost of cafeteria cars on the Overland, \$42,973; (3) net annual loss on club car, \$21,730; and (4) net annual loss on cafeteria car, \$25,592. Regarding the monthly cost of conducting the refreshment area in each car on the Mount Gambier rail car, separate costs for each car are not kept, because the staff move from car to car. However, the total cost from inception on May 1, 1972, to June 30, 1972, was \$2,592, involving a net loss of \$776. The latter was inflated owing to inaugural and non-recurring expenses. In conjunction with the provision of "on train" refreshments on this service, there has been a compensating net saving of \$9,000 per annum from the closing of the Wolseley and Naracoorte refreshment rooms. The only other long-distance trains are the night trains to and from Mount Gambier; patronage is insufficient to justify the provision of "on train" refreshments. Following the provision of "on train" refreshments, it is proposed to review the future of the Murray Bridge refreshment rooms.

#### **BALED HAY**

Mr. ALLEN: Has the Premier a reply to my recent question about wharfage charges payable in connection with the loading of baled hay?

The Hon. D. A. DUNSTAN: In the past 12 months, the average charges by the stevedoring company concerned for loading fodder on to ships carrying livestock to Kuwait and other Persian Gulf ports was \$32.17 a ton. The bulk of this fodder was baled lucerne hay. Examination of the costs incurred by the stevedoring company indicated that the charges were warranted. The high level of the charges is due partly to the wages and conditions under which waterside workers are employed and partly to special factors involved in loading. For example, the commodity is bulky in nature and the slings lift on board only small weight quantities at a time, in consequence of which gangs spend considerable time awaiting the return of the slings; the bales require considerable individual handling during the various stages of loading; and they must be stowed so as to be easily accessible on voyage.

#### **OIL SEED**

Dr. EASTICK: Has the Premier a reply to my recent question about the processing of oil seeds in South Australia?

The Hon. D. A. DUNSTAN: Several meetings have been held between officers of the Industrial Development Division of the Department of the Premier and of Development and the directors of a company which has been formed to establish an oil seeds refinery in South Australia. The project is still in its formative stage. In view of the production opportunities it would offer to the agricultural industry, and the employment it would create, probably in a decentralized area, the Government will encourage its establishment. At the present time we are awaiting further advice from the company on certain fundamental aspects of its plans.

### GAS

Mr. COUMBE: Has the Premier a reply to my recent question about natural gas reserves?

The Hon. D. A. DUNSTAN: Since June 9, 1972, when the extension of time granted to the exploration consortium to establish sufficient natural gas reserves to supply to the Sydney market was announced, extensions to the Moomba and Daralingie fields have been indicated and a new field has been discovered by the Burke No. 1 well which has intersected gas at several horizons. The situation of reserves of gas is continuing to improve. Considerable gas reserves have now been established and, on the estimation we have, they more than meet the requirements of the initial market. Indeed, there are indications that far more gas reserves can be proved in the area when the demand arises.

Mr. BECKER (on notice):

1. What additional capital expenditure by the Natural Gas Pipelines Authority was necessary for the financial year 1971-72?

2. How much will be required for the financial year 1972-73?

3. How much was contributed by the authority over and above the loan repayments deferred?

4. What additional buildings and plant were necessary and where were they required?

5. For what additional purposes were they required?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. At June 30, 1971, the Natural Gas Pipelines Authority had borrowed \$41,600,000, of which \$22,850,000 came from various institutions under guarantee of the Treasurer, and \$18,750,000 from the Treasurer. Of the latter figure, \$13,250,000 had been secured from the Commonwealth as bridging finance repayable

over eight years, commencing in 1972-73, and the remainder was an ordinary Treasury advance repayable when it should no longer be required by the authority. The whole of these amounts had been expended upon the assets of the authority except to the extent of \$1,096,031 held at June 30, 1971, against commitments in the forthcoming year. During 1971-72, the authority found it necessary to borrow a further \$2,050,000, of which \$300,000 came from lending institutions under guarantee and \$1,750,000 from the Commonwealth as the final instalment of bridging finance. Expenditure during the year upon the assets of the authority absorbed \$2,745,194, including \$507,585 from provisions for future amortization derived from charges made for the use of the pipeline, and this left \$908,422 in hand against 1972-73 commitments.

2. It is estimated that during 1972-73 the authority will have to borrow from institutions \$2,275,000 of which \$1,875,000 will be required to repay the statutory one-eighth of the Commonwealth bridging finance and \$400,000 will be to supplement cash in hand and new amortization provisions of about \$600,000 so as to meet the 1972-73 new capital requirements.

3. The authority secured toward its capital expenditures during 1971-72 the amortization provisions of \$507,585 mentioned in item 1.

4. The 1971-72 capital expenditures were mainly upon pipeline requirements, including \$898,156 for compressor stations, \$448,977 for meter stations and \$670,085 for the communications system, and for buildings \$442,387, involving principally the administration office at Glenside.

5. Rather more rapid progress was made upon the works enumerated in item 4 than the Treasury had expected when it had contemplated that the authority might be in a position during 1971-72 to repay \$1,000,000 of State funds earlier advanced. The authority had rather more than \$1,200,000 on deposit at the Treasury in February, 1972, but this fell in mid-June to less than \$300,000.

### TRANSPORT RESEARCH

Mr. GOLDSWORTHY: Has the Minister of Roads and Transport a reply to the question I asked during the Loan Estimates debate about transport research?

The Hon. G. T. VIRGO: Whereas only \$32,570 was actually spent of the original 1971-72 estimate of \$500,000, the remainder lapsed at June 30 last and, accordingly, would not appear in any expenditure records. The works expenditures voted under the Loan



Budget have in recent years included expenditure out of capital grants given by the Commonwealth. These involve neither interest nor repayment obligations. It is Treasury practice to keep a continuing record of expenditures out of Loan moneys to the extent that they have not been recovered and are still represented by debt. However, inasmuch as certain of the expenditures are made from capital grants (last financial year grants were \$30,030,000), the Treasurer, with the authority of the Public Finance Act, identifies certain expenditures with those grants and writes them out of the record of unrecovered Loan expenditure. In doing so, upon the advice of the Under Treasurer and Auditor-General, he gives priority to expenditures which do not result in any clear asset of the Crown or do not result in any improvement in earning capacity of the relevant undertaking and so provide for interest and repayment of loans. Prominent among the items of expenditure so written out are grants to non-government hospitals and to universities. The \$32,570 expenditure on transport research was included in that category because it neither resulted directly in physical and reproductive assets nor contributed directly to earnings or interest. The details of this accounting are published annually by the Auditor-General and were shown at the bottom of page 19 of his 1970-71 report. His 1971-72 report will be available in a few weeks.

#### **NAZI PARTY**

Mr. WELLS: Has the Premier a reply to the question I recently asked about the activities in South Australia of the Nazi Party?

The Hon. D. A. DUNSTAN: The inquiries made regarding Nazi Party activities indicate that the publicity, particularly in relation to training in commando tactics, the use of firearms and other subversive tactics, is, as I suspected, grossly exaggerated. If a camp of the nature referred to in the press reports is established in South Australia the existing legislation and the control exercised over pistols, firearms and explosives is considered sufficient to enable the necessary action to be taken in the matter.

#### **QUORN SCHOOL**

Mr. ALLEN: Can the Minister of Education say when the craft facilities at the Quorn Area School will be upgraded? The school committee is worried about the slow progress being made in this regard and I point out that, whereas 80 secondary students are at present enrolled at this school, the expected secondary

enrolment in 1973 is 110. This is the only area school in South Australia that has facilities to teach only one craft. The nearest area school to Quorn is 45 miles away and, although that school has only about 40 secondary students, it has facilities for the teaching of woodwork, metalwork, needlework and home science.

The Hon. HUGH HUDSON: As the honourable member would know, the Quorn Area School was provided, at least in part, with new Samcon buildings and, of course, no Samcon craft facilities are available at present. As a consequence, no arrangement was made at the time to upgrade the craft facilities at this school. I have seen the craft facilities at the Quorn Area School, and they are inadequate for the needs of a modern area school. The department intends to upgrade these facilities but, naturally, this project is competing with many others. However, I will get a report for the honourable member and try to ascertain more precisely when it is likely that the necessary work will be done.

#### **ROADS AND BRIDGES**

Mr. McANANEY: Has the Minister of Roads and Transport a reply to the question I asked during the Loan Estimates debate about providing finance for the construction of roads and bridges?

The Hon. G. T. VIRGO: An advance of \$1,000,000 was made from Loan Account in 1969-70 for road purposes. As was explained on page 79 of the report of the Auditor-General for that year, the moneys were paid to a new deposit account titled "Deposits—Highways Loan Advance Account" to provide for the temporary financing of construction and reconstruction of roads, including acquisitions. The account was to be drawn on automatically as and to the extent that the Highways Fund might run into deficit. It would not be apparent from published documents, particularly those which give only the situation at one point of time (the close of business on June 30), that the funds in the special deposit account have been drawn on from time to time. The established financial procedures call for the road funds, financed from motor vehicle taxation, road maintenance charges and Commonwealth aid road grants, to be operated in credit at all times and, had it not been for the funds in the special deposit account, the combined roads funds would have been overdrawn to the extent of \$106,000 in July, 1970, and \$211,000 in January, 1972. At the end of June last the

combined funds, apart from the \$1,000,000, aggregated only \$9,000, and it was desirable that the \$1,000,000 should remain available to the Commissioner of Highways to cover possible overdrawings in 1972-73. In fact, the special \$1,000,000 was called on to the extent of \$695,000 in July to cover a deficit in the remainder of the road funds. The situation will be kept under review and, when it is clear that the balances of motor taxes, road maintenance charges and Commonwealth grants, are sufficient to avoid deficits in the road funds, the advance will be recovered to Loan Account. This would not appear likely during the currency of 1972-73 and, therefore, cannot be offset against the requirement of \$800,000 for Eyre Highway work.

#### **TRIELLA JACKPOT**

Mr. BECKER: Has the Attorney-General, representing the Chief Secretary, a reply to my recent question about the triella jackpot conducted in connection with greyhound racing?

The Hon. L. J. KING: The Chief Secretary informs me that the Lottery and Gaming Act provides that the Racecourses Development Board shall receive 1 per cent of moneys invested at a race meeting for the purposes of betting on any contingency known as a double, treble or jackpot. As the triella jackpot comes within this ambit, a 1 per cent deduction will be paid to the Racecourses Development Board for credit of the Dog Racing Grounds Development Fund.

#### **RAILWAY CROSSINGS**

Dr. EASTICK: Has the Minister of Roads and Transport a reply to my recent question regarding the installation of warning devices at railway crossings during 1972-73?

The Hon. G. T. VIRGO: It is planned to spend more than \$300,000 on the installation of automatic railway level-crossing protection devices during the next year. In all, warning devices will be installed in 22 locations, and this equipment is to be provided at those crossings which it is considered most warrant protection. I have a list of the new installations proposed for the 1972-73 year and will make it available to the Leader should he so desire. I point out that these details have already appeared in some suburban newspapers and in many country newspapers.

#### **TENDERING**

Mr. EVANS: Can the Minister of Roads and Transport say whether the Highways Department has recently called tenders for

earth-moving equipment to be used on the South-Eastern Freeway and other works and whether the specifications for that equipment preclude South Australian contractors from tendering? Representations have been made to me that the class of machine required has a capacity of between 35 cubic yards and 40 cubic yards, and the only machines available in South Australia have a capacity of between 18 cubic yards and 20 cubic yards. As a result of the depressed state of the industry in this State at present, local contractors are struggling to obtain sufficient work and have asked that the price for the work for which tenders are being let be reduced to take into account the difference between the earth-moving capacity of the various machines concerned. It has also been pointed out that the Western Australian industry is in a similar situation and that some Western Australian contractors (and one firm named is Bell Bros.) are moving into South Australia to provide strong competition. It has also been stated that the Deputy Premier recently asked the constructing authority of the Dartmouth dam to give preference to South Australian contractors. The industry is concerned that the specifications for the machines concerned are such that South Australian contractors are precluded from tendering for the contract in respect of these machines, even though they would be keen to compete on a "per cubic yard" basis if they were given that opportunity. If that report is true, will the Minister see whether South Australian contractors can be given an opportunity to tender for the use of the machines they own?

The Hon. G. T. VIRGO: Tenders have been recently called for the hire of the equipment. However, it is fair to say that this is virtually a continuing process and, because of this factor, I cannot state categorically the details of the tender to which the honourable member has referred. However, I shall be pleased to look at the matter. I should like to reply to some of the observations raised by the honourable member. When the Highways Department or any other organization is the constructing authority, it obviously decides what type of machinery is best suited to its programme. Accordingly, when calling tenders the department stipulates the type of equipment needed. The statement that the type of machinery that cannot and must not be accepted (as the honourable member is tending to imply) will exclude South Australian contractors is wrong. Such contractors are entitled to submit a tender if they can

comply with the specifications. It would be useless to expect a home-building contractor to tender for the erection of a 10-storey office block, because he would not have the equipment to do it, and the same thing applies in a similar way in this matter. The honourable member can shake his head. He may be more adept and knowledgeable in this area than are the engineers of the Highways Department, but I will not debate that. However, I do want to make one point strongly: I am amazed that the contractors on whose behalf the honourable member is speaking and who are so concerned about this matter have gone to him and not to the department—

Mr. Evans: They did that last time and failed, and you know it.

The Hon. G. T. VIRGO: I do not think we are concerned with what happened last time. The honourable member is stating a case on behalf of some contractors who remain unnamed and who, he claims, are being denied the opportunity of submitting a price. Yet those contractors were so concerned that they went to someone who could make a political football out of this matter rather than going to the department and trying to sort out the matter. I suggest that the honourable member is doing nothing more than playing politics like his little puppet in front.

*Members interjecting.*

#### TOWN PLANNING

The SPEAKER: Order! The honourable member for Mitcham.

*Mr. Millhouse interjecting:*

The SPEAKER: Order! The honourable member for Mitcham is too interested in arguing across the Chamber out of order and does not respond to the call. If he does not respond to the call I will not give him any further calls. I suggest that he pay a little more attention to the Chair.

Mr. Coumbe: I didn't hear the call, Sir.

The SPEAKER: I called him twice. The honourable member for Mitcham.

Mr. MILLHOUSE: I am indebted to you, Mr. Speaker. My question is supplementary to my earlier one on planning. Will the Premier say who in this State is suggesting that the citizens of South Australia must live in a cottage on a quarter-acre allotment? Those were the words used by the Premier in his earlier reply to me, and the implication which I gathered (perhaps wrongly) was that certain public servants held this view. The Premier did not name those persons, apart from indicating that they were public servants

who held this view and who were trying, according to him, to force this style of living on the citizens of this State. This is an important matter. The Premier has made a charge that certain people are doing this and I suggest that he should indicate to the House who those people are.

The Hon. D. A. DUNSTAN: I did not refer to public servants at all.

Mr. Mathwin: No?

The Hon. D. A. DUNSTAN: I do not know what that interjection means. If the honourable member has not been reading the lectures and public statements that have come from several residents associations that have been formed in Adelaide recently, I suggest that he do so.

#### NAILSWORTH PRIMARY SCHOOL

Mr. COUMBE: Will the Minister of Education consider improving the Nailsworth Primary School, in my district? I understand that the Minister may have received correspondence on this question, and it is a matter that I have raised many times in this House. This school is extremely old, as the Minister will realize, and three schools are situated on a four-acre site. Apart from the projected move by the Nailsworth Girls Technical High School to form a co-educational set-up with the Nailsworth Boys Technical High School in about 1975, the problem still remains that the primary and infants schools are operating on a limited area. Will the Minister consider either acquiring adjoining property or investigating whether the problem of the severe overcrowding of the playing area at this school can otherwise be solved?

The Hon. HUGH HUDSON: In a reply to the school committee last week, I pointed out that some of the properties brought to the department's notice during the past few years involved expensive purchases, and, in one case at least because the property was not close to the school a case for its purchase did not exist. I think the honourable member would appreciate that, once the girls technical high school is accommodated on the boys technical high school site, it will permit the complete redevelopment of the Nailsworth Primary School and, in particular, it will permit, after some upgrading, the occupation by the primary school of most of the solid-structure buildings now occupied by the girls technical high school. Following that, most of the old buildings and temporary buildings on the school site can be demolished or taken away. When that is done the site will prove adequate, even

though it is not large. The first action that has to be taken is to develop a master plan for the school, once the girls technical high school is shifted to the boys technical high school site. Until this has been done, it is not possible to consider the matter further. It is not an economical proposition to acquire property that is required for only a year or two, and it will have to be demonstrated that any property is necessary as a permanent addition to the school site, once the girls have moved out.

### **PARK LANDS**

Mr. CARNIE: Has the Premier a reply to the question I asked on July 27 about plans for roads through the park lands?

The Hon. D. A. DUNSTAN: Although the Metropolitan Adelaide Transportation Study, to which the honourable member refers, did not contain any recommendation for the extension of Hutt Street through the south park lands, it did make the following recommendations: the extension of Grenfell Street north-easterly to link with Dequetteville Terrace, but concurrently with this the closure of Rundle Road, returning about an equivalent area to park land; the extension of Flinders Street to link with the alignment of Bartells Road; the extension of Hackney Road to link with Mann Terrace, North Adelaide; the extension of Frome Street through the park lands to link with Glen Osmond Road, but concurrently with the closure of a section of the existing Glen Osmond Road returning about an equivalent area to park land; and the North Adelaide connector through park lands and partially under ground to carry heavy volumes of arterial traffic.

However, the Highways Department has no current plans to implement any of these proposals. The long-term requirement for a major road to carry heavy volumes of arterial traffic in an east-west direction, and generally to the north of the city of Adelaide, is recognized in Supplementary Development Plan No. 1, which amended the proposals for transportation routes contained in the authorized Metropolitan Development Plan.

### **DOGS**

Mr. EVANS: Can the Minister of Environment and Conservation say whether dogs have been shot, or shot at, in Belair National Park by park attendants and, if they have, whether the practice is to be continued? Recently, a resident of Hawthorndene told me that, while she was in the park with her child and their

dog (which was not on a leash), an attendant there shot at a larger dog. There was no risk to the woman, who said that the attendant acted and shot in a responsible way. Many residents would not be aware that, on roadsides near the park, there are signs stating that dogs must always be on a lead when they are in the park. I can understand the difficulties that a park attendant may have in trying to catch a savage dog or one that is not tame enough to be caught. However, people living in the area are concerned but, if the community is aware that dogs are not allowed to run free now that animals have been freed in the National Park, perhaps this problem could be solved. Signs could be placed on the golf course side of the park informing people living on that side that dogs must be on a lead. This action may reduce the concern of these residents, if the practice of shooting at dogs is to be continued.

The Hon. G. R. BROOMHILL: I have not received a report of a dog being destroyed in this park, but I will have the matter investigated. True, it is an offence to take a dog into any park without having it on a lead. Recently, I read about a problem created in the honourable member's district because dogs attacked sheep. Perhaps a similar problem may be developing in Belair National Park, and I will obtain a report.

### **SEX EDUCATION**

Mrs. STEELE: Has the Minister of Education a reply to my recent question about continuing parents' classes on sex education?

The Hon. HUGH HUDSON: The class to which the honourable member has referred was a half-term course in "Sex Education of Children". It was designed, in co-operation with the Marriage Guidance Council, to assist parents to impart knowledge about sex to their children. Although this class attracted a high attendance, the class was not repeated as there was no apparent further demand. However, there is no reason why similar classes could not be offered should there be a demand for them.

Mrs. STEELE: Will the Minister consider establishing once again these classes for sex education? I point out to the Minister that, when these classes were previously established, there was no public demand for them: it was simply that, after due consideration, it was felt that this was one way in which the problem of sex education could be solved. That the classes were successful is shown by the fact that most people attended throughout

the duration of the classes. I know that progress reports to the Minister showed that they were a popular innovation. Will the Minister consider again setting up such classes?

The Hon. HUGH HUDSON: Yes, I might even give the matter active consideration.

### WHEAT

Mr. VENNING: Will the Premier express, through his colleagues Dr. Patterson, Mr. Whitlam, Mr. Mick Young, and Professor Fitzgerald, the condemnation of this House and of the primary producers of this State (at least) on the part they have played, with the press, in ruining the possibility of the Australian Wheat Board's re-negotiating further wheat sales to China?

#### *Members interjecting:*

The SPEAKER: Order! Just a moment. I have difficulty in keeping up with the question. On the half I caught, I was rather doubtful whether the question complied with Standing Orders, so I want honourable members to give me the opportunity to decide whether or not it complies with Standing Orders.

Mr. VENNING: I do not wish honourable members of this House to associate this request with that made by the member for Adelaide a couple of weeks ago. Mr. Speaker, you will remember just how ridiculous that request turned out to be.

The SPEAKER: Order! The honourable member is commenting, and he must not provoke a debate. The honourable Premier.

The Hon. D. A. DUNSTAN: Certainly not. The part played by the gentlemen, to whom the honourable member has referred, in negotiations with China led to a breakthrough for the Western world in dealings with that country. We have made perfectly clear in this House from the discussions I had with the Commercial Counsellor of the Chinese Embassy in London that the Chinese Republic made perfectly clear that it intended that its trading relations would reflect the diplomatic attitude of the countries with which it was dealing.

#### *Members interjecting:*

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: It made no bones whatever that, since Canada recognized it and Australia did not, as long as it could get service from Canada it would trade that way.

Mr. Venning: Your Party ruined the situation.

The Hon. D. A. DUNSTAN: The honourable member is trying to produce a fantasy that has no basis. The Chinese have made clear for a considerable period that they would buy goods and commodities from this country only if they could not get them elsewhere, as this country, under the honourable member's Commonwealth colleagues, is one of the few remaining countries in the world that refuse to acknowledge the existence of the Chinese Peoples Republic.

#### *Members interjecting:*

The SPEAKER: Order! If there is any more from the back bench, some honourable members may get a chance to go to China.

### 35-HOUR WEEK

Mr. BECKER: Has the Premier a reply to my recent question concerning the cost of the 35-hour week to the State Government?

The Hon. D. A. DUNSTAN: There has been no inquiry into this matter.

### RARE BIRDS

Mr. GOLDSWORTHY: Will the Minister of Environment and Conservation review the regulations made under the National Parks and Wild Life Act? A constituent of mine who has an aviary says that the previous regulations apparently provided that, if a person kept nine or more Australian birds, he had to register, but as a result of the passing of the National Parks and Wild Life Act a coupon, published in the *Sunday Mail*, required people to inform the Minister's department if they kept Australian birds. This person completed his coupon and sent it in. He was then sent three forms to complete. Apparently, there is a charge of \$10 a year for keeping a rare bird, and included in this category is the Major Mitchell cockatoo. My constituent says that he has seen flocks of many hundreds of these birds during a recent trip to Western Australia.

Another bird on the list of rare birds is the Princess parrot. My constituent believes that all these birds are now aviary birds and that they are bred in captivity. Nevertheless, anyone keeping these birds must pay a fee. If a person keeps an Australian bird on the protected list, there is a charge of \$5. A person keeping rare birds is required to send in a monthly return and a person keeping birds on the protected list is required to send in a quarterly return. There is a charge of \$3 for a licence to sell a bird that has been bred in captivity in either class and the person who buys the bird is required to pay the \$10 or \$5 fee to keep the bird. My constituent says

that many people who are not prepared to pay these charges will let the birds go, and it is expected that the birds will not survive once they are set free. He believes that in breeding these birds in captivity these people are in fact helping to save them from extinction in some cases. It appears that much red tape is involved and these people are being charged fairly high fees. It is going to cost this person \$15 this year to keep his birds.

The Hon. G. R. BROOMHILL: No, I will not. I am not sure whether the honourable member was present during the debate we had recently on the National Parks and Wild Life Bill when it was clearly pointed out that we were doing the same as had been done in other States. It was recognized that we were suffering from tremendous problems in relation to our native birds and that we did not wish to reach the situation that had been reached in countries such as the United States of America, where the authorities were forced to prohibit anyone from keeping rare or protected birds. Because of the problems that have arisen and because people have trapped and kept Australian rare birds, the provisions in the Act and regulations were considered necessary in Australia to ensure that our birds would be adequately protected. It was reported last week that a person had been picked up for trying to smuggle about 40 Australian birds out of Australia in a suitcase.

Mr. Goldsworthy: That has nothing to do with the question.

The Hon. G. R. BROOMHILL: I think it relates to the question because a substantial racket is taking place in dealings with Australian birds and it is necessary for us to have total protection. This is the only way we can have total protection and avoid such cases as we have had in the past, where people found to have rare birds on their property raise the defence that they have bred them in captivity and that they have not been out and caught them and placed them in their aviaries. This practice is widespread, but it certainly does not apply in all cases. Many people breed these birds legitimately but, unless we require people to register and lodge returns stating the number of birds they have and the number they are breeding, we shall not be able to control the future of our Australian native birds as we ought to be able to control it.

The policing of the provisions of this Act is costly and it is necessary for us to apply fees so that the necessary income to properly police the regulations under the Act is available

to the Government. It is true that many people have kept a Major Mitchell cockatoo as a pet for many years, and it is true that a \$10 licence fee would cause hardship, for no valid purpose. Accordingly, using the discretion given me under the Act, I have instructed the department to tell people who keep a Major Mitchell cockatoo as a pet that, if they are pensioners, no fee is required and that, if they are not pensioners, a licence fee of \$1 a year is required to help solve the problem. Other than that, we have introduced the new national parks and wild life legislation and the regulations with the full knowledge of what we are doing to provide for the effects we intended to provide for, and I have no intention of altering the situation soon.

#### **MORPHETTVILLE PARK SCHOOL**

Mr. MATHWIN: Will the Minister of Education find out when the timber classrooms at the Morphetville Park Primary School are to be repainted? Although there are not many of these classrooms, the walls are peeling and badly need repainting.

The Hon. HUGH HUDSON: I shall be pleased to get the information.

#### **MURRAY DISTRICT HOUSING**

Mr. WARDLE: As Minister in charge of housing, can the Premier say, in relation to the towns of Mannum, Murray Bridge, Tailem Bend, and Nairne, how many current applications the Housing Trust holds; how many houses will be commenced in 1972-73; and what is the approximate waiting time before occupancy?

The Hon. D. A. DUNSTAN: I will get the information for the honourable member.

#### **MOUNT BARKER TRAFFIC**

Mr. McANANEY: Will the Minister of Roads and Transport investigate the situation that will occur in Mount Barker as a result of the closure of the road to Adelaide because of work on the South-Eastern Freeway? I understand that, for 18 months, traffic will be redirected around Mount Barker and through Littlehampton. This will create a most awkward corner to negotiate, and normal traffic through the main street of Mount Barker will be reduced. I am concerned about this not only because it will affect me as I travel to Adelaide: I am also concerned about my constituents, who have their businesses in Mount Barker on this road and who will be affected for 18 months as work is carried out in connection with the freeway. As these business people will suffer undue hardship in this way,

I ask the Minister to see whether the time of 18 months can possibly be reduced or whether some more convenient way can be found to overcome this difficulty, thus helping these people, who will suffer a definite disadvantage.

The Hon. G. T. VIRGO: As I am concerned that the honourable member and his constituents are likely to be at a disadvantage, I will certainly do what I can to ease their burden, if that is possible.

#### CRAIGBURN

Mr. EVANS: Will the Minister of Environment and Conservation make a full report about the future of Craighburn and the effect that local government zoning regulations will have on the area? This weekend's *Sunday Mail* reports that the Minister said that the board of directors of Minda Home would be willing to make available for recreational purposes 40 per cent of the Minda Home area. I believe that this area could be defined. In other words, if the exact location of the 40 per cent area to be made available were given, perhaps the fears held by people in the area, about the development that may possibly take place in the long term, could be allayed. Because of the disquiet amongst people in the Adelaide Hills and other areas, I ask the Minister to clear up some of the doubts that people have about the future of this area.

The Hon. G. R. BROOMHILL: I think that the position was properly reported in the weekend newspaper. The honourable member suggests that I should give details about exactly where the 40 per cent area will be. Obviously, the 40 per cent of land to which I have referred will cover the gorge area, which is the most significant and valuable area of land to the community. To help the honourable member, I will provide as much detail as I can.

#### MAPPING BRANCH

Dr. EASTICK: Will the Minister of Works ask the Minister of Lands to find out the expected total capital outlay on special machinery for the mapping branch of the Lands Department? During the recent debate on the Public Purposes Loan Bill, I raised with the Minister the question of the \$200,000 allotted for this purpose in 1972-73, and pointed out that a total payment of \$286,729 had been made in 1971-72. Subsequently, I have been informed that \$137,000 of that sum was spent on equipment at Netley. The sum of \$200,000 is allocated for 1972-73. Moreover, information I have received indicates that the

programme for equipping the mapping branch is expected to be completed during 1974-75. Therefore, we can expect further sums to be provided from Loan moneys in 1973-74 and 1974-75. The two sums to which I have referred total \$337,000 over two years and, bearing in mind the extra sums to be provided, the total will be possibly more than \$1,000,000. Although I appreciate the need for this equipment, I should like to have further details about this expenditure.

The Hon. J. D. CORCORAN: I will ask my colleague whether he can obtain the information.

#### LAND BROKERS

Mr. MILLHOUSE: Will the Attorney-General make public now the clauses concerning land brokers to be included in the land agents legislation? Apparently, the Government intends to introduce legislation that will affect the way land brokers carry out their duties. Although the matter has been the subject of much public comment and controversy, as far as I know the precise terms of the legislation on this topic that the Government intends to introduce have not been disclosed. However, from the report of a meeting that occurred in the town hall yesterday, I imagine the land agents must have had them. It would be extremely helpful to members of Parliament in forming a view on a topic that is being kicked around in the community to know precisely what the Government intended. As yet there has been no indication that the Bill is to be introduced, so apparently it is not ready. However, apparently these particular clauses are ready, and that is why I put the question to the Attorney.

The Hon. L. J. KING: The honourable member is correct in assuming that the Bill is not ready, but he is incorrect in assuming that these particular clauses, as he describes them, are ready.

Mr. Millhouse: So you've got nothing?

The Hon. L. J. KING: Yes, that is so.

The SPEAKER: Order! The honourable member for Mitcham is entirely out of order.

The Hon. L. J. KING: Yes, Mr. Speaker, but he is correct. The position is that, in the past two years whilst I have been Attorney-General, I have been in consultation with the Real Estate Institute and other interested persons regarding the formulation of a new Land and Business Agents Act, and in the course of those discussions several proposals in relation to various aspects of the real estate business have been discussed. A short time

ago I wrote to the Real Estate Institute, setting out several tentative conclusions at which I had arrived on matters that I considered ought to be included in the Bill and inviting the institute to comment on those proposals. Amongst the proposals stated in the letter was one that provided that a broker would be prohibited from preparing the documents in relation to a transaction in which his employer was the selling agent. It is that provision which has aroused the opposition of the Real Estate Institute and which is the subject, no doubt, of the resolution adopted at the meeting yesterday. The situation is simply at the stage that Cabinet has approved certain broad principles on which the legislation will be framed. One of those principles is the provision to which I have just referred, relating to the preparation of documents by brokers who are employed by the selling agent. The Bill has not been prepared yet but, when it has been prepared, approved by Cabinet, and introduced in the House, the honourable member will know what are the precise terms of the clause.

#### **HARD WATER**

Mr. COUMBE: Has the Premier a reply to my recent question about the effects, beneficial or otherwise, of hard water, which matter was reported on in the *British Medical Journal*?

The Hon. D. A. DUNSTAN: Reports from Britain since 1968 have recorded the observation that death rates in middle age and early old age are higher in areas of soft water than in those with hard water supplies. No factor other than the hardness of the water could be found to explain these differences. The main differences were seen in deaths from heart disease and bronchitis. Comparative deathrates per 100,000 men aged 45 to 64 years were as follows:

'Where water contained less than 10 parts calcium a million (very soft)—1,688.

Calcium from 20 to 39 parts a million (the Adelaide range)—1,490.

Calcium more than 100 parts a million—1,260.

#### **SCHOOLCHILDREN'S PROTECTION**

Mr. BECKER: Has the Minister of Education a reply to my question about action to prevent men from approaching schoolchildren?

The Hon. HUGH HUDSON: All police on patrol duty are, as part of normal routine and by specific direction, instructed to be alert to detect offensive approaches to children. Police records of reported cases show that such approaches can occur at any time of day or

at the weekend and are not concentrated either at the end of the school afternoon or near schools. There has been no significant increase in the number of cases reported during the last three months. The Police Commissioner has asked for the co-operation of teachers in trying to obtain the registration numbers of vehicles involved in these incidents by advising children to write them down. A circular has been issued to heads of schools drawing their attention to the Commissioner's request for the assistance of teachers in this matter and in warning children of the dangers arising from approaches by strangers. I would add that, however alert police and teachers are, the most effective form of protection a child can have is to receive proper warnings, regularly repeated by parents, of the dangers arising from approaches by strangers.

#### **LICENSING ACT**

The Hon. D. N. BROOKMAN: Can the Premier say whether the Government will consider amending section 37 of the Licensing Act regarding licence fees? At present the fees are levied at the rate of 6 per cent on the gross amount of purchases, and this includes, amongst other things, the wine tax levied by the Commonwealth Government. Many people, including members of the State Government, have criticized this tax, and it seems rather hypocritical for the Government and this Parliament to agree to tax a tax that we have criticized. Therefore, I ask the Premier whether the Government will consider amending section 37 of the Act to clear up that point.

The Hon. D. A. DUNSTAN: I will examine the matter.

#### **WEEDS**

Mr. McANANEY: Will the Minister of Works ask the Minister of Agriculture to use his power under section 20 of the Weeds Act to have an inspector inspect the present state of African daisy in the Burnside and Mitcham council areas? Further, if the councils have neglected to carry out their obligations under the Act, will the Minister of Agriculture use his powers under the legislation to ensure that the councils carry out their obligations?

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

#### **TELECOMMUNICATIONS SYSTEM**

Dr. EASTICK: Has the Premier a reply to my question about investigation by the Hughes aircraft company of a satellite system for use in Australia?



The Hon. D. A. DUNSTAN: Discussions have been held by officers of the Department of the Premier and of Development with consultants acting on behalf of Hughes aircraft company, on the subject of a domestic satellite communication system in Australia. There has been no approach by the Commonwealth Government to the State Government on this subject.

#### PARA HILLS PADDOCKS

Mr. MILLHOUSE: In a way, this question is supplementary to my earlier questions of the Premier about his comments on town planning. Will the Premier say whether the Government intends to take action to preserve the Para Hills paddocks? This morning's paper contains a report of comments made by Mr. Peter Duncan, who is expected to succeed the present member for Elizabeth in this House. Part of the report states:

The Para Hills paddocks were vital to Elizabeth, the State Labor Party candidate for Elizabeth (Mr. Peter Duncan) said yesterday. Mr. Duncan went on to explain this and, particularly, he said—

The SPEAKER: Order! The honourable member may explain his question, but he must not comment.

Mr. MILLHOUSE: He said that in Elizabeth—

The SPEAKER: Order!

Mr. MILLHOUSE: —we desperately—

The SPEAKER: Order! The honourable Premier.

Mr. MILLHOUSE: We desperately needed them.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The honourable member apparently has to be called to order about six times before he will obey the Chair. The Government has been investigating for some time the matter to which the honourable member has referred. I imagine that the honourable member will recall, since he voted for it, that the 1962 Metropolitan Development Plan provided for certain open-space areas. The honourable member's Government made no provision for the purchase of those areas, but this Government has done so. The Para Hills paddocks were not included in the areas proposed, and no proposal from the honourable member's Party has ever come forward to the effect that they should be included. However, submissions have been made to the present Government concerning the inadequate provision for open space in a subdivision in the area which took place under

the Government supported by the honourable member. I believe that those submissions have some force, because there is inadequate provision of open space in relation to them, and that matter is now being considered by the Government.

#### ALBERT BRIDGE

Mr. COUMBE: Has the Minister of Roads and Transport a reply to the question I asked during the Loan Estimates debate about future plans for the Albert bridge, over the Torrens River?

The Hon. G. T. VIRGO: The Adelaide City Council was requested on July 19, 1971, to proceed with the preliminary investigations into the replacement of Albert bridge on Frome Road. Discussions have been held between Highways Department and council officers and a proposal has been prepared since that time. Programming for this work has not been finalized but is tentatively scheduled to commence in 1973-74.

#### WASTE DISPOSAL

Mr. BECKER: Can the Minister of Local Government say what steps the Government is taking to provide suitable methods whereby local councils and industrial organizations may dispose of rubbish and waste materials in the metropolitan area? I refer to the editorial and a report appearing in the May-June issue of the journal *Local Government in South Australia* which describes the success, in Stamford, Connecticut (U.S.A.), of the operations of a new incinerator incorporating a recycling unit.

The Hon. G. T. VIRGO: The Minister of Environment and Conservation has under his jurisdiction the State Planning Authority, which has a subcommittee examining this very problem. I shall be pleased to refer this question to my colleague, who I know will bring down an adequate report for the honourable member.

#### ROAD MARKINGS

Dr. EASTICK: Has the Minister of Roads and Transport a reply to a question I recently asked about road-marking materials?

The Hon. G. T. VIRGO: Laboratory tests and field trials in the use of thermoplastic line-marking materials were initiated in 1965 and are continuing. Following success with the initial experiments, more extensive field trials are now being conducted on both turning lines and lane lines in the metropolitan area.

**VICTORIA SQUARE DEVELOPMENT**

Mr. MILLHOUSE: To my pleasure and surprise, the Premier has informed me that he has a reply to the question that I think I asked, in his absence, of his Deputy on August 16 about development in Victoria Square. Will he now give me that reply?

The Hon. D. A. DUNSTAN: In 1971, the South Australian Government invited submissions from parties interested in the construction and operation of an international standard hotel in Victoria Square, Adelaide. Submissions were requested by December 31, 1971. The Government appointed a committee to examine and report on the submissions received, the committee consisting of Mr. J. S. White, Secretary of the Department of the Premier and of Development, as Chairman and the following members: Mr. R. W. Arland, Town Clerk; Mr. E. J. Carey, Assistant Under Treasurer; and Mr. S. Ralph, Assistant Director, Planning and Design, Public Buildings Department. The committee examined the submissions and took evidence from the parties concerned, and made a recommendation to the Government that one applicant be advised that its submissions would be approved subject to the supply of detailed financial statements concerning the construction and operation of the hotel which were satisfactory to the committee and the Government. The committee is now awaiting the receipt of these detailed submissions.

I may say that certain interim inquiries reached the Government only last week in relation to certain of the matters concerned, in view of the fact that Charles Moore and Company (South Australia) Proprietary Limited had indicated that it was interested in joint development of the site. Whilst the hotel planned to be erected on the corner of Pulteney Street and North Terrace will provide certain facilities of international standard (indeed, subject to the approval of the Licensing Court, it has been granted an international tourist hotel certificate), it could not be considered as a substitute for the project sought for Victoria Square.

**PIGS**

Dr. EASTICK (on notice):

1. How many pig carcasses have been condemned at the Gepps Cross abattoir in each of the three preceding financial years, as a result of processing mutilation?

2. If there has been a significant increase in the number of condemned carcasses over this period, is there any particular reason for the increase?

The Hon. J. D. CORCORAN: The replies are as follows:

1. 1970, one; 1971, 33; and 1972, 15.
2. *Vide* No. 1.

**A.N.Z. BANK BUILDING**

Mr. BECKER (on notice): How much were the consultants' fees in relation to the estimated \$330,000 required to restore the Edmund Wright building, formerly the A.N.Z. Bank?

The Hon. D. A. DUNSTAN: The sum is \$37,333.

**COUNTRY POLICE**

Mr. GUNN (on notice):

1. Is it the policy of the Government to close small country police stations?
2. Why has the Government closed the Port Kenny and Darke Peak police stations?
3. Is it intended to sell the land and buildings at these stations?

The Hon. L. J. KING: The replies are as follows:

1. The policy of the Police Department in relation to one-man country police stations is that staffing is based on work loads which are assessed regularly as part of a continuing work study programme. In the case of many one-man stations in the country, the amount of work required of a resident constable is not sufficient to justify maintaining the facility. However, the need to maintain, even though work load is low, is balanced by consideration of the degree of isolation involved and the availability of alternative policing provision.

2. The reasons for the closure of Darke Peak police station were conveyed to the honourable member through the Chief Secretary in a letter dated January 4, 1971. This closure resulted from a comprehensive survey by the management services of the Police Department which established that there was insufficient work to justify the retention of a resident police officer. Furthermore, the police premises required renovating and the expenditure of public moneys for this purpose was not warranted when the locality could be policed as efficiently and more economically from Cleve and Kimba. In the case of Port Kenny it was similarly found that the police work load there was well below the level warranting the services of a locally-based police officer. Arrangements have been made as from August 17, 1972, to service the area from Streaky Bay by regular and special patrols.

A patrol car has been allocated for this purpose to Streaky Bay and the feasibility of providing a base to mobile radio link is being examined. The police survey of the West Coast area is nearly completed and present indications are that Port Kenny and Darke Peak will comprise the only closures.

3. The former Darke Peak police station was offered for sale through the Lands Department in December, 1971. The future use of the Port Kenny police premises is being considered.

#### **WATER RATING**

Mr. GUNN (on notice): When will the Sangster committee's report on water rating be made available to this House?

The Hon. J. D. CORCORAN: It is not the intention of the Government to table this report.

#### **RURAL ASSISTANCE**

Mr. GUNN (on notice):

1. What amount has been allocated for farm build-up in this State under the rural reconstruction scheme?

2. How many applications have there been for assistance to date?

3. How many of these applications have been approved?

The Hon. J. D. CORCORAN: The replies are as follows:

1. South Australia has been allocated \$12,800,000 from Commonwealth funds for expenditure on rural reconstruction to June 30, 1973. This figure includes \$800,000 available from pre-war reconstruction schemes. As there is a time lag between the commitment of funds and actual payments to approved applicants, a further \$1,800,000 has been allocated to this State for the 1973-74 financial year to cover commitments entered into in the latter part of the 1972-73 financial year. The general objective of the rural reconstruction scheme is that 50 per cent of the funds will be spent on farm build-up.

2. The number is 84.

3. The number is 13.

#### **POLICE PENSIONS ACT AMENDMENT BILL**

Read a third time and passed.

#### **POLICE OFFENCES ACT AMENDMENT BILL**

Read a third time and passed.

#### **PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL**

Read a third time and passed.

#### **JUDGES' PENSIONS ACT AMENDMENT BILL**

Read a third time and passed.

#### **SUPERANNUATION ACT AMENDMENT BILL**

Read a third time and passed.

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

Adjourned debate on second reading.

(Continued from August 17. Page 883.)

Mr. COUMBE (Torrens): I support the Bill because it serves a useful purpose, although in Committee I will suggest amendments to improve it and make it more workable. This is an unusual Bill because it sets up a committee consisting of officers appointed by the Governor and also members appointed by a local council to carry out certain planning and developmental work within a local government area. The Bill is unique because it affects the capital city and the main municipality of this State. Adelaide is the oldest municipality in Australia and, over the years, the city fathers have done a remarkably good job.

Mr. Jennings: What about Lady Jacobs? Is she a city father?

Mr. COUMBE: I believe that that alderman is doing her job well on the council. Adelaide is the finest example of town planning in Australia and the greatest credit should go to Colonel Light for his vision in planning the city. He did his work in the face of severe criticism, especially by the first Governor of this State (Captain Hindmarsh) and other detractors, and this criticism may have been one of the reasons for his early demise. The next example of such good planning of a city of comparable size would be Burley Griffin's plan of Canberra, the national capital. So, we are concerned here with an area which has been well planned in the past and which has been administered by the oldest municipal council in Australia.

The city of Adelaide is generally thought of as extending only over the square mile of Adelaide, but it includes two important wards in my district (Robe and MacDonnell), and this area has a large residential section compared to that in the square mile of Adelaide, which is regarded as the city proper. In addition, we have a priceless heritage endowed to us by Colonel Light in the form of the park

lands, which completely surround the city of Adelaide, including North Adelaide, and separate these areas from the surrounding suburbs. Whatever we do, we must ensure the maintenance of this green belt.

It must be recognized that, however good the original plan was, the study of town planning has today become increasingly more sophisticated and city buildings are becoming larger. When I was studying engineering, we were told that the height of a building in King William Street could not be more than the width of that street in height because, if it was, the shadow of the building would fall on the other side of King William Street. However, taller and larger buildings are now being erected, and this activity is accompanied by an increasing cluttering up of the streets by motor cars and other vehicles, by the need to park vehicles, by sticker lickers and by the requirements of off-street parking, with the result that more parking stations have to be built. Another important aspect to be considered is that the residential population of the city has been declining steadily for some years, although this decline has been arrested to some extent in North Adelaide by the building of high-rise residentials.

More people must be enticed by planning to reside in the city of Adelaide, but the rights of the residents to reside in these areas without undue disturbance must be protected. The residents and ratepayers of North Adelaide are interested in the developments that are planned for that area, and they hope that they will be kept fully informed about the proposals. Such a proposal is planned for Lower North Adelaide and another for O'Connell Street in Upper North Adelaide: these are geographical terms and are not to be regarded as derogatory terms. The North Adelaide Society, which was set up to consider various aspects of life in North Adelaide (particularly on behalf of many residents who wish to promote their quiet way of living), is extremely interested in these matters, as are ratepayers and traders in O'Connell Street, Melbourne Street, and in other streets of this area.

North Adelaide contains buildings of historical and architectural value. A plaque is to be unveiled within the next two weeks at the North Adelaide police station which, being more than 100 years old, has been restored by the Public Buildings Department. I am delighted at the restoration. Bishops Court is another building of historical interest, and there are many other similar buildings

in North Adelaide. When considering this Bill, we must not overlook the rights of the council. As I understand from the second reading explanation, the Adelaide City Council will be represented properly on the committee to be set up. It is provided that there shall be a committee of seven members formed from appointees of the Governor and the Adelaide City Council. Also, it is intended (although it is not provided for in the Bill, but I will correct that in Committee) that the Lord Mayor for the time being of the city of Adelaide will be Chairman of the committee. This is a laudable arrangement: we must respect and uphold the rights of the council in these matters, because it is the third tier of government and the type of government that is closest to the people.

The Bill provides that ordinary applications to erect a small building will be handled by the council in the normal way, but that the developmental projects, as set out in the Bill, will be referred to the committee, which has to consider various aspects. The committee must grant to the council approval to proceed, but the council has the right of appeal to the Planning Appeal Board, in the same way as has a person who may be aggrieved by a decision of the committee. The committee may delegate to the council any of its powers but, although I support this move, it may result in cumbersome paper work. Normally, an applicant places his plans and specifications before the council, but I presume that, under the provisions of this Bill, they will be placed before the council and then handed to the committee. However, plans for major buildings and development in the city must be considered by the committee. Any plan that has already been approved will remain, but future plans and specifications will have to be considered by the committee.

The City Council has announced that it intends to appoint consultants to decide on an overall plan for the city of Adelaide. It may be a couple of years before that report is available, and this Bill sets up, the committee to act until that report has been submitted and the regulations are effective. It is provided that this legislation can, by proclamation, be revoked: in other words, the legislation will eventually disappear. In the meantime and until the legislation is proclaimed, there will be a type of freeze in the development of Adelaide until the committee considers certain aspects of the legislation, or

until (in some cases) the consultants' plan comes before the committee, the plan is approved by it and the council, the regulations are made, and the legislation is then revoked. This could result in a freeze of development which could cause hardship. I realize that the committee has the power to make such a decision from time to time and to give approval, but it could be that in some cases of large areas of development, such as the village green plan for North Adelaide, it may be some years before a final decision is made.

Under the Planning and Development Act, when certain decisions have been made by councils and a plan has been prepared, the plans are required to be displayed at the council office or in a prominent part of the municipality so that people in the area may view the plans and, if necessary, lodge an appeal against them. In the Bill, however, I cannot see a provision for this type of display to be made. I am asking what steps will be taken for the display of plans to residents of an area to be affected, other than to the applicants concerned. There is certainly provision for the applicant (the person who wants to develop or to build) to be advised and he may appeal, and the council itself will be advised, but I cannot find reference to the people of a ward being advised. I should like the Minister to comment on this in his second reading reply. Steps may be taken for a large development, say, in Lower North Adelaide, which comprises a fairly large ward, and, although the council and the developer may be advised, the people of that ward may not be aware of what is going on.

The Hon. G. R. Broomhill: It will be published in the *Gazette*.

Mr. COUMBE: Yes, I know, but very few people read the *Gazette*. The plea I am making, which is a reasonable one and which could be met administratively, is that some steps be taken for an advertisement to be placed other than in the *Gazette*, stating where the plans will be on display for the residents of an area to view. I think this is a reasonable request because many people in that ward would be affected just as much as the people on the other side of O'Connell Street, where there is likely to be a large development. The same sort of thing could occur in South Adelaide or West Adelaide. This procedure is inherent in the Planning and Development Act.

In Committee I will move to clarify the position of the proposed committee. New section 42b (2) provides that the committee

shall consist of seven members appointed by the Governor, of whom three shall be persons nominated by the council. Subsection (3) provides that the Governor shall appoint one of the members of the committee to be Chairman of the committee. In his second reading explanation, the Minister quite rightly said that the Lord Mayor for the time being of the City Council shall be nominated by the Governor as Chairman of the committee. If that is the intention of the Government, I think it should be included in the Bill. It is not clear from the wording of the Bill how many members will be appointed by the Governor from outside and how many from within the council.

This Bill is unique. We are dealing with a city that was planned in a unique fashion by Colonel Light, to whom we are greatly indebted, and it is probably one of the few occasions on which the Government and the City Council have got together in this way. We are also dealing with a responsible council of what is the oldest municipality in Australia.

The Hon. D. N. BROOKMAN (Alexandra) : I think that this Bill is bad in principle and I cannot understand how the City Council, which no doubt has the greatest influence of all the councils in the State, should be subjugated to a committee which has little or no relationship to its ratepayers and which can take over the affairs of the City Council in almost every significant way. In his second reading explanation, the Minister said:

The powers of the committee in respect of the more routine matters will be delegated to the City Council to be dealt with in the ordinary manner simultaneously with consideration under the Building Act.

That seems to be an extraordinary situation. Is this to establish in the final event a Greater Adelaide municipality with Government appointments either in a majority or roughly equal to the other members? If that is intended, the Government should say so. The city of Adelaide, which covers a comparatively small area, has been singled out for conquest. That is how it appears to me from the wording of the Bill. The Minister talked about the wonderful vision of Colonel Light and the unscrupulous development that has taken place more recently. He went on to say:

The City Council has recognized the dangers inherent in the present trends in the development of the city and it intends to engage consultants to advise it on future development.

The research to be undertaken by the consultants, will, however, take some years to complete. In the interim, we must have adequate planning control otherwise the council's efforts may be largely frustrated and the value of much of the research destroyed. Does that mean that this legislation is only temporary and that it will lapse when the City Council has received the consultants' report? If that was intended, I would not mind so much. However, it seems obvious to me that the phrase "in the interim" is completely meaningless except as a somewhat shallow argument to justify what is in practice a takeover of the powers of the Adelaide City Council. If we start to do this to one council, I can see no barrier to the same thing happening in respect of all other councils in the State. What the Government is saying really is that it has no faith in the wisdom of ratepayers in selecting their councils. The Bill does not provide anything that could not have been better achieved by giving the City Council the assistance and co-operation it would like in relation to regulations.

I see that, under the Bill, the powers of the committee will be, first, to make planning directives. Secondly, it will consider proposed building work, within the area with which it is concerned, from the aesthetic and sociological viewpoint. If that is not the true job of local government, I do not know what is. It is not the job of a council merely to provide kerbing, and so on, after some committee has set out planning directives. This Bill seems to me to provide for a takeover of the City Council, which will be relegated to a minor organization taking orders from the committee.

The Hon. G. R. Broomhill: The council doesn't see it that way.

The Hon. D. N. BROOKMAN: I am not discussing that. The council should see that it is losing much of its influence. True, it will have some representation on the committee. Even the Lord Mayor is allowed to be on the committee but, as the member for Torrens has pointed out, there is no guarantee that he will be Chairman of the committee. The Bill seems to create a dangerous situation. A matter such as this should not immediately be included in a Bill brought before Parliament. If a new organization is to be superimposed over a properly constituted council, this should be done only after the most careful inquiry. Members should have been taken into the Government's confidence long before a Bill such as this was introduced.

The City Council is an old organization that has a good record of running its affairs. In fact, it has had to protect the area under its control more against Governments than against anyone else, and I refer to successive Governments. The biggest enemies of the council over the years have been in many cases Commonwealth and State Governments that have chiselled away at the council's property by putting up buildings. The park lands, too, are affected, being reduced in area by the superior State and Commonwealth Governments. Now it appears to me that the City Council is being given an even bigger whack over the head with a heavy stick, because this Bill sets up a committee that will overlook council affairs and issue planning directives which, in other words, will be orders to the council. The committee will even take over the affairs of the council with regard to the aesthetics of buildings and so on. In matters such as this the council should be furnished with proper powers, if it does not have them now, and a superior organization should not be set up to push it around. As I do not like the Bill, I will vote against it.

Mr. MILLHOUSE (Mitcham): I support the view expressed by the member for Torrens on behalf of the Opposition. I speak only because this is the first opportunity I have had to speak following the issues canvassed on this matter by the Premier during Question Time in answer to some questions I asked him. I took up the Premier on his assertion that Adelaide was like a pimple on a pumpkin (or some such phrase that he was reported by this morning's paper to have used). In his answer, he did not appear to deny that he had said this, although he asserted that he had been quoted out of context and that the completely opposite sense had been given to his remarks. I doubt that, because we can normally rely on the press to give a fairly accurate impression, if not a verbatim report, of what we say. However, that is for the Premier to argue with the *Advertiser* and the Australian Broadcasting Commission, both of which reported him in the same way.

In his reply to me, he said that measures were being prepared to make this city certainly the most effective urban environment (that is how I took it down). I took it that he was referring to Adelaide and to some further amendments to the Planning and Development Act. For that reason, I asked him, as a supplementary question, when

it was likely that we would get these measures of which he was boasting in his reply. Of course, he gave me no reply: he said, "In due course," or some phrase such as that. This leads me to suspect that in fact the Government has done nothing whatever about this and that the Premier was merely boasting, hoping that he would not be taken up on what he said. As I understand that I am the last Opposition speaker on the Bill, I shall be pleased if, when he replies soon after I sit down, the Minister will deal with this important matter, because we want to know what the Government intends to do to make this the most effective urban environment.

The Premier did not say when we were likely to have this. He said it would mean doing two major things. First, it would mean local government involvement and the participation of citizens in the planning process. I entirely support that. The Premier then criticized the present structure of the planning authority. He said that it had not worked as he had intended it to work, he presumably having introduced the original legislation in 1966. I certainly support what he said about the participation of citizens in the planning process. This was one of the matters discussed at the first convention of the Liberal Movement. It is dealt with in the pamphlet on the environment that has just been released by the L.M. The pamphlet sets out the policy of the L.M., and also the paper that was considered at the convention. The pamphlet is available for the use of all members of the Liberal and Country League, both those in the Parliamentary Party and those in the remainder of the Party, and I hope my good friend from Alexandra will use it. The following is the plank which we inserted on this very matter under the heading "Environment: Legal Protection":

All members of the community should be legally entitled, on matters affecting the environment, to:

1. The right of access to relevant information—

I have been complaining about the lack of that from the Premier today—

2. The right to give evidence.
3. The right to appeal.

I hope that the Government, in the measures which the Premier has been so coy about and which he has mentioned in his reply to me, will embody these principles. Those who prepared the paper that was the basis of the discussion at the convention, under the heading "Legal Right of Appeal", stated:

All members of the community should have the legal right of appeal on issues affecting the environment.

The document goes on to canvass the Planning and Development Act and states:

Anyone may object under the Planning and Development Act to proposals or zoning regulations and other developments. However, the planning authority and local government authorities have no obligation to answer such objections. Nobody has a right to legal action except those concerned with particular development projects. In the same way, the public has inadequate means of appeal against the Mining Act, 1971.

The Minister of Environment and Conservation may remember how he had to split himself to oppose effective amendments being included in the Mining Bill when he was in charge of that Bill. The paper continues:

The public must have a legal means to defend their interests in the environment.

Perhaps I have read enough to show the general opinion expressed at the convention, which is the policy of the Liberal Movement and which I hope the whole Liberal and Country League will adopt as its policy. I made my comments before the Premier came into the House because this was the first opportunity I had since he had refused this afternoon to give the information that I sought in a supplementary question about urban environment.

The SPEAKER: I point out to the honourable member for Mitcham that we are not dealing with that. The Bill relates to control within the city of Adelaide.

Mr. MILLHOUSE: That is the urban environment, with great respect. I do not know what it means if it does not mean the city environment. That is the very word, as the Premier will acknowledge only too readily, from his study of Latin, so I am speaking precisely on the point of this Bill. I have chosen this Bill as the one on which to speak about this matter, because it is, with great respect, entirely within the Standing Orders to do so.

The SPEAKER: The Bill definitely refers to Adelaide.

Mr. MILLHOUSE: Yes, urban, the city of Adelaide, and I assume that that is what the Premier was referring to in replying, because he referred to "the most effective urban environment". I ask the Premier, if he has come in to reply to the debate, rather than the Minister in charge of the Bill—

Mr. Coumbe: The Premier is in charge of the Bill.

Mr. MILLHOUSE: Well, I apologize, and I am on better ground in asking for a reply to the matters that I have raised. When will we get those changes in the Act to which the Premier referred, apparently, in the paper he gave in Brisbane and in his first reply to me today, which he refused to enlarge on when I asked him a supplementary question?

The Hon. D. A. DUNSTAN (Premier and Treasurer): I thank the member for Torrens for his contribution to the debate. This matter has been under discussion for some time with members of the Adelaide City Council as a result of the operations of a joint working party between the Government and the council. The problem immediately facing the council has been that the provisions of the 1962 Metropolitan Development Plan specified that land use within the city of Adelaide was almost wholly commercial and light industrial. The view of the council and the Government was that there should be substantial residential provision within the city square mile and, of course, within North Adelaide. This will involve the restoration at least of the previously existing density of population in the city, which the honourable member knows has fallen markedly in recent years.

That will involve some rehabilitation. Some of this work is going on already within the city of Adelaide, and that is to be applauded. Some fine old terrace houses in the city are being restored, and I consider that it is to the advantage of the city that that should be done. A group of residents of my district has undertaken such a restoration project in, I think, Gilbert Street. In addition, there will be redevelopment of areas which are now vacant or in which the houses have gone beyond their economic life and are no longer able to be rehabilitated.

The terms under which this work can occur will be the subject of joint encouragement by the Government and the City Council. It is not something that can be placed on the council's shoulders alone: the Government will have to be involved. Secondly, it is clear that the development of the city of Adelaide needs better control procedures than are available to the council at present, because it will be extremely difficult for the Adelaide City Council, under present conditions, to control development of height and space within the city unless additional control provisions, such as those in this measure, are given.

The Hon. D. N. Brookman: Why couldn't control be given to the City Council rather than to this committee?

The Hon. D. A. DUNSTAN: Conceivably, it could be given to the council alone. The reason for wanting to incorporate joint action with the Government is that some provisions on the total planning will be needed from the Government in relation to reduction of financial requirements by government on properties. In addition, it will be vitally necessary, in relation to the central area of Adelaide, that the Government be apprised constantly of the proposals of the consultant planners to the Adelaide City Council, who over the next two years are preparing a supplementary development plan. Government departments will be affected vitally by the proposals and it will be absolutely necessary to incorporate the work of the State Planning Authority and of the various State Government departments concerned with the work of the council.

Therefore, it was considered proper that a joint body be established between the two, because this is the central development node in our metropolitan area and the Government is just as much involved in the decisions to be taken as is the Adelaide City Council. When I discussed this matter with the council originally, the council suggested that section 41 control might be given to it as an interim measure, to try to help until the supplementary development plan came in. However, the problem was that section 41 could operate only in terms of the existing Metropolitan Development Plan. Therefore, action that the council took under section 41 to keep options open and prevent an undesirable type of development could be overthrown on appeal to the planning appeals tribunal, simply because the tribunal would be required to look at the 1962 plan and the land use proposals under it. Unless we brought in a much tighter interim development control of the kind proposed here, we would not meet the needs of the city concerning either the restoration of the residential provisions or the control, within the city, of height and space relationships that would be vital to satisfactory planning within the city itself.

Proposals have come forward to the City Council now which would not fit into any satisfactory plan for the development of Adelaide and which could ruin various aspects of our city and prevent the City Council from keeping open the options for the development of this city. I believe that we have the opportunity to make this central city area the most beautifully planned and effective city area not only in our country but also in most of the



western world. The provisions of Professor Winston's concept of Victoria Square could make this one of the great squares of the world. It is the same size as that of the *Place de la Concorde*. The proposals of Professor Winston could make that a place to which people would want to flock to see.

Mr. Millhouse: You've forgotten that we appointed him.

The Hon. D. A. DUNSTAN: The honourable member is forgetful. He is wrong about that. When I think that he or any member of his Party is right I never scruple to say so. I have always considered that Professor Winston was a wise choice and a proper one. That was the genesis of the proposals now before the House, and the matter was discussed with the representatives of the City Council, when the proposals were originally put to them that this was by far the most sensible means of proceeding, rather than trying simply to provide a section 41 protection, which we have given to the council, but which can only afford a short-term benefit, because of the provisions of the original 1962 plan. The proposals that we put to the City Council were welcomed by its representatives and by the Lord Mayor.

Let me turn now to the matters raised by the member for Alexandra. It is not possible for us to have lengthy discussions with members of the Opposition on all Bills to come before the House before the measures enter the Chamber, but I assure the honourable member that there have been long discussions with the Adelaide City Council's representatives on this matter, and those discussions have been reported to the council and discussed by it. If the honourable member can suggest an alternative means of dealing with a certain problem facing the council, I shall be glad to hear of it, but certainly both the council and we have concluded that this is the only sensible way to proceed. Concerning the majority on the council, the Government intended that the Lord Mayor should chair this body, and I shall be willing to accept in Committee the proposals referred to by the member for Torrens. Dealing with the remarks of the member for Mitcham in relation to planning or any other legislation, I point out that the honourable member always wants us to have done what we proposed yesterday.

Mr. Millhouse: I didn't suggest that.

The Hon. D. A. DUNSTAN: The honourable member did. This House has had placed! before it by this Government a record volume of legislation, and we still have a large programme. At the time of the last election, the

things which I said would be done by this Government during the period of this Parliament were derided by members opposite, who said that we made so many promises that we could not achieve our aim. Not only was the vast majority of what I said achieved but also we were much more precise. We have already outlined a heavy legislative programme, and it is not possible immediately to introduce every measure about which we make a public statement concerning future desirability, so at this stage I cannot promise exactly when a measure concerning the restructuring of the State Planning Authority will come before this House. It will come before this House as soon as we are able to place it before members.

Mr. Millhouse: I think it will be after the next election, when we do it.

The Hon. D. A. DUNSTAN: I have no doubt that it will be after the next election. In fact, the member for Mitcham is in the habit of whistling in the dark and making predictions about the next election which he does not believe but, of course, at times things slip out, just as they did today, when he said that the member for Elizabeth would be replaced by Mr. Duncan. I know that members opposite have to keep up a front but, on any examination of present electoral prospects, they cannot really be serious—

Mr. Millhouse: As we are on town planning at the moment, could you give us any more information about the Para Hills paddocks?

The Hon. D. A. DUNSTAN: Quite obviously I cannot say more about them than I have said, and it would be improper for me, on a Bill dealing with the Adelaide City Council, to comment on that matter.

The SPEAKER: Order! The interjection was entirely out of order, and I hope that the Premier does not try to emulate the member for Mitcham and transgress Standing Orders.

The Hon. D. A. DUNSTAN: I would never emulate or try to emulate the member for Mitcham. If he were to turn his attention to this Bill, I would suggest that he pay attention to what was said by his colleague the member for Torrens because, in restoring greater residential density in the city of Adelaide than now occurs, it will be necessary for us to involve ourselves in the rehabilitation especially of the southern area of the city, and that will require some redevelopment (redevelopment, not villas). It will have to be in the form of terrace or courtyard dwellings, patio houses, or three-storey and four-storey walk-ups, or things of this kind in some areas. In other

areas, we can rehabilitate existing houses that are of value. But what I have been saying earlier is that, in doing that, we will be providing a choice for people in South Australia which is of value to them, giving them an opportunity to live other than on a large suburban allotment in a cottage.

The development of a central city area has long been advocated by planners. I well recall the late Robin Boyd's coming to South Australia and saying, "Look, at the rate things are going under the present lack of planning and redevelopment in the city of Adelaide, you won't have a city and suburbs, because you won't have any 'urbs' to be 'sub'." This measure will provide a planning process which I believe can give real teeth to the responsible authorities to ensure that we get a central city node of the kind that I believe the vast majority of the citizens of this State want to see.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

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

Mr. COUMBE: I move:

In new section 42b to strike out subsections (2) and (3) and insert the following new subsection:

(2) The Committee shall consist of the following members:

(a) the Lord Mayor for the time being of the council who shall be the Chairman of the Committee *ex officio*;

and

(b) six other members appointed by the Governor of whom three shall be persons nominated by the Council.

The wording of my amendment puts beyond doubt what is intended, according to the second reading explanation of the Bill.

Amendment carried.

Mr. COUMBE: I move:

In new section 42b(5) after "Committee" first occurring to insert "(other than the Chairman)".

I believe that this amendment, too, is desirable.

Amendment carried.

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

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

(ab) the provisions of any relevant planning regulation;

This amendment is considered necessary.

Amendment carried.

The Hon. D. A. DUNSTAN moved:

In new section 42g(4)(b) after "established" to insert "or engaged".

Amendment carried.

The Hon. D. A. DUNSTAN moved:

In new section 42h (4) to insert the following new paragraph:

(ba) the provisions of any relevant planning regulation;

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendments.

## PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (BOARD)

Adjourned debate on second reading.

(Continued from August 17. Page 884.)

Mr. EVANS (Fisher): I support the Bill. I have one or two comments regarding the appointment of full-time commissioners to the Planning Appeal Board. The Premier has made available a schedule showing the delay in respect of cases currently being heard by the board, and this proves that full-time commissioners should be appointed to hear these cases and so reduce the delay suffered by the parties. The number of commissioners has not been stated in the Bill and I take that to mean that the number of commissioners will increase as the work increases, because there are now many people who take a keen interest in planning and zoning regulations. For instance, it is reported in this evening's *News* that the Marion council intends to appeal to the Supreme Court against the recent decision of the Planning Appeal Board regarding land owned by Lady Becker and situated in the hills face zone. The opportunity should be available for the people concerned to appeal to the Supreme Court against a decision of the Planning Appeal Board if they believe that the original 1962 plan is not being strictly adhered to.

I should like an assurance from the Government that full-time commissioners will not be drawn from the ranks of land agents, land brokers or developers. For the Planning Appeal Board to be effective and acceptable to the community it is necessary to keep the membership of the board out of the hands of those who have a direct interest in the activity of planning and development in this State. I could name people who could be in line for such a position, but I will not do that. Instead, I ask that the Government give an assurance that no person who is a landbroker, land agent or developer, be appointed to the board.

We have many conservationists and preservationists in the community who strongly object to land agents and developers being considered for such appointments. However, the object in making such full-time appointments

is to speed up the decisions on any actions that may be pending. Indeed, the people adversely affected by the delay are property owners, and these property owners are currently suffering because the commissioners are at present appointed to the board in a part-time capacity. If the process can be speeded up, property owners will not have to wait so long on a decision to allow them to develop or sell property, and we are helping to provide for the proper administration of justice in our community in this way. In Committee I will ask the Government for the assurance to which I have referred, or the Minister may wish to give it in his reply on second reading.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Constitution of board from appointed day."

Mr. EVANS: Can the Minister of Environment and Conservation assure the Committee that part-time or full-time commissioners will not be appointed who are land agents, land brokers or business men interested in land development generally?

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I am not sure exactly what the honourable member is referring to. Naturally, if a person is appointed a full-time commissioner, his interest will no doubt be in his work as a commissioner, not in the fields to which the honourable member has referred. If the honourable member means that we should appoint people who are not experienced in those fields, I point out that it would be strange to exclude someone simply because he had had experience in those fields. To do what the honourable member has suggested would conflict with new section 21aa(7), which provides:

A person may be appointed a full-time commissioner under this Act notwithstanding that immediately before that appointment he was a part-time commissioner.

I believe that one of the part-time commissioners has some interest in the real estate business, but I have never heard any criticism of his work. Of course, it would be improper to have people with that background constituting the entire board.

Mr. EVANS: When I spoke earlier I was aware that at present there is a part-time commissioner who has some interest in a real estate business; that has caused criticism within some conservation groups. It is possible for a full-time commissioner to carry out his duties as commissioner while at the same time having

an interest in a development company or a real estate business, but it is unwise for us to accept that situation. The point is that a doubt may be raised in the minds of some people.

The Hon. G. R. BROOMHILL: I assure the honourable member that the Government does not intend to appoint to the board any person who has interests in the real estate business if he intends to continue with those interests. Of course, it would be different if the person divorced himself from the business on taking an appointment as commissioner. The Government would not accept a situation where a person acted as a commissioner while at the same time taking part in a real estate business.

Mr. EVANS: I still believe that, if a person has a background in the field, it is wise to keep him right out of this matter, thereby saving embarrassment to Parliament and the board.

Clause passed.

Remaining clauses (5 to 8) and title passed.

Bill reported without amendment.

#### **BOOK PURCHASERS PROTECTION ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from August 15. Page 742.)

Mr. HALL (Gouger): This Bill is a consumer-protection measure. This kind of legislation was first introduced in 1963, and it is now to be amended for the second time to clear up some anomalies that have become apparent and to prevent some salesmen from avoiding provisions designed to protect consumers. Unfortunately, some salesmen have found loopholes in the legislation.

The SPEAKER: I wish to clarify the position in relation to the time limit. If the honourable member is the main speaker representing the Opposition, there is no time limit on his speech. Can the honourable member say whether he has authority to be the main Opposition speaker?

Mr. HALL: Thank you, Mr. Speaker, for the offer of unlimited time, but I think I can contain myself within the usual time limit. If we were dealing with something with a wider scope, I could take up your rather obvious dare and give this House the benefit of some of my more learned thoughts, but it has already been drawn to my attention that I am digressing from the Bill. The member for Rocky River is irate!

I remember clearly, when the Bill was first introduced in 1963, how hard I had to work to have it passed through this House and the

Upper House. A group of back-benchers in this Chamber supported the measure, but it received lukewarm support from the front benches of the Government, of which we were all members. The Labor Party, which was then in Opposition, was also lukewarm, because it had not thought of such legislation, and it is interesting to realize how the Labor Party has followed speedily that lead by introducing additional consumer-protection legislation in this State. This lead was followed by other States. The original Bill passed through this House without a division, but I can remember that when I went outside the House to enjoy a cup of coffee Sir Thomas Playford said to me, "You think you are being clever, but I warn you that when it goes to the Council the only thing left will be the title."

I recall attending a private conference with members of the Upper House and finding that so many amendments were to be moved that the only thing that was not to be changed was the title. It took considerable lobbying among my friends in the other place to have the original provisions retained. I believe that it said something for their strength of mind that they could overcome the prejudices of other members by proving that it was good legislation. As I have had closer association with this legislation than has anyone else in this House, I am pleased to find the Government strengthening it. Since its introduction, the legislation has been most useful in preventing hardship in the community, and many people I represent have subsequently received protection under this Act. I commend it to the member for Rocky River, and have much pleasure in supporting the second reading.

Bill read a second time and taken through Committee without amendment.

### **CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (GENERAL)**

Adjourned debate on second reading.

(Continued from August 15. Page 740.)

Mr. MILLHOUSE (Mitcham): I support the Bill, the most significant provision of which allows an appeal to be taken by the Attorney-General to the Full Court on a point of law decided in a criminal trial. If I remember correctly, I had considered this matter when we were in office, but I cannot remember whether it went to Cabinet. We did not proceed with it, because we thought that it might not have been passed by the House at that time. I am pleased that this Government has introduced the measure. When I considered it as Attorney-General, I did

not think that the then Opposition would have supported the legislation, but that has happened with other matters, particularly with the intermediate courts legislation.

Although I did not proceed with the legislation now being discussed, it is desirable that such a provision should be susceptible of testing in the Full Court. One example of how it could work is Bourne's case, a matter that has been in our minds during a debate in the previous few weeks. The law in that abortion case was contained in a charge to the jury delivered by the judge in England in 1938. It had been accepted broadly as a correct exposition of the law, but in the nature of things at that time it could not be decided further because the surgeon (Mr. Bourne) was found not guilty, and that was the stone end of it. Now, as I understand this provision, whatever the result of the trial may be it will be possible for the Attorney-General to take the matter on appeal without interfering with the result in the criminal court.

The only possible disadvantage (and one of the things that prevented us from introducing the legislation) is that it could be said that if an accused is found not guilty and the Crown adopts this procedure the Court of Criminal Appeal could say, "No, the judge was wrong. The point of law should not have been decided in that way, but should have been decided in the opposite way." That would have been a reflection on the accused who had been found not guilty, and people might consider that he should have been found guilty after all. Whilst there would have been no penalty imposed in that case, there would have been some reflections cast. That could happen now, but I do not think that the risk is so grave and weighty as to outweigh the value of having a more authoritative exposition of the law by the Court of Criminal Appeal, rather than that given by a single judge, either in his charge to the jury or on a point arising from the trial. I support this provision and the other matters contained in the Bill. I hope the Bill will be passed without amendment. I shall be interested to hear the Attorney-General's comments on the one objection I have raised, namely, the objection which swayed us, when the House was evenly divided, not to do what is now being done.

The Hon. L. J. KING (Attorney-General): I am pleased that this Bill has met no opposition in the House because I, like the member for Mitcham, think that it is an important

advance in our legal system. One thing that strikes a student of criminal law when he first comes to it is the extent to which it is a wilderness of single instances, in the sense that it is a wilderness of directions to the jury given by a single judge presiding at a trial. These directions are never ruled on by a superior court, for the reason that the accused person has been acquitted, and there are no means by which a doubtful ruling can be tested. This is a bad thing from the point of view of the development of the law as a coherent and rational body of rules.

The point raised by the member for Mitcham has been carefully considered. I think that the form in which the Bill was originally framed, and probably the form in which it existed when the member for Mitcham was Attorney-General, was objectionable, in that it gave a direct right to the Crown to appeal on a question of law, even though there was a provision that it would not affect the acquittal of the accused by the jury. In this Bill, we have endeavoured to overcome that objection as far as possible. I direct attention to new section 351a(2), which provides that the proceedings instituted under this section shall be separate from the trial proceedings and shall not bear the name of the accused against whom those proceedings were brought. Subsection (1) makes it clear that the proceedings to determine the question of law are new proceedings instituted by the Attorney-General, so it is not a question of an appeal in the trial proceeding against the accused; they are really quite separate proceedings instituted by the Attorney-General for the purpose of having the question of law determined.

The name of the accused in whose trial the point arises will not be mentioned in the proceedings, which will be quite separate from the trial proceedings. In those circumstances, only those who had some direct contact with the trial would know that the point had arisen in a certain trial. For the press and general public, it would merely be a question of law being determined by the Full Court. In those circumstances, certainly there would be no publicity of a kind that would connect the determination of the question of law with the trial of a certain person. Therefore, the danger that some members of the public might entertain some doubt about the propriety of the acquittal because the question of law is decided in a certain way is removed as far as possible.

I agree with the member for Mitcham that whatever risk there might be in that regard

(and I think it is only slight and remote) is far outweighed by the value of enabling the criminal law to develop as a coherent and rational body of rules to enable the rulings of trial judges to be tested by the Crown, thereby giving an opportunity to the Full Court to rule on the question of law.

Bill read a second time and taken through Committee without amendment.

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

Adjourned debate on second reading.

(Continued from August 15. Page 741.)

Mr. GOLDSWORTHY (Kavel): Although I support the Bill, I draw attention to the announcements which have been made in connection with this measure in the media and which have, I believe, created a certain degree of alarm in the minds of some members of the public. The Bill deals with provisions relating to people who have been imprisoned for sexual offences or who have been detained at the Governor's pleasure after being found not guilty because of insanity. The provisions for releasing these people have created a certain amount of disquiet in the minds of some members of the public, and this is the first reaction that has occurred.

We read from time to time that people who have been released on parole or who have simply been released without any check being made on them have engaged again in the kinds of criminal activity that led to their original imprisonment. No doubt the public of South Australia well remembers a case, which received publicity in 1970, in which a man called Gordon Darcy clubbed to death an elderly woman at Prospect. He had been convicted of manslaughter in Kalgoorlie in 1962, served 22 months of a 10-year term of imprisonment, was released, and then came to South Australia and repeated the same crime.

The Hon. L. J. King: He could have served 10 years and then committed the offence in 1970. What does that prove?

Mr. GOLDSWORTHY: I am pointing out that, when released, people sometimes repeat the crime that led to their original imprisonment. Regarding the criminally insane who are detained indefinitely, it is difficult to know whether to release them or detain them indefinitely. I believe the public would be alarmed if it believed that more people were to be released on an experimental basis. Some supervision must be kept over these people if they are to be released under licence. One

must readily concede that such supervision cannot possibly be full time; they will report at intervals to probation officers and the like. It would be impossible to keep a close check on these people for a protracted time.

Although I believe that the legislation is valuable, if it is expected that more people will be released on an experimental basis I would not be happy with these provisions, and I do not think members of the public would be happy, either. I hope that the Attorney-General will assure me that these provisions are not in the nature of an experiment, with larger numbers of convicted persons being released. Having contacted officers and the Chairman of the Parole Board, I am satisfied that the legislation will be beneficial in some directions. It will enable the board to keep a check on people whom it intends to release. Similar legislation operates in Great Britain, where the Parole Board has authority to release people on licence. On reading the British Act, I can see that its provisions are similar to those in this Bill. From what the member for Glenelg has told me, I understand that in Britain there have been cases where people who have been imprisoned on the grounds of insanity and who have been released have later committed further crimes.

Recently, the case of a released prisoner received publicity. When this man was released, he proceeded systematically to poison his workmates. When a person is released, a certain risk must be taken, but the public would like these risks kept to an absolute minimum. As people are rather alarmed about this, I hope the Attorney-General does not intend that larger numbers of prisoners will be released under licence. In his second reading explanation, the Minister states that at present people can only be released unconditionally or retained in custody, there being no provision operating for these people to be apprehended again, if it is suspected that they have not been rehabilitated to the necessary degree, to ensure public safety. In his explanation, the Minister states:

The board is naturally hesitant to recommend release unless it has some assurance that the danger no longer exists.

I hope that that will still be the case and that the board will be hesitant to recommend release unless it is assured that there is some degree of certainty in the assurance that danger no longer exists. I think that in these cases the public safety must be of paramount importance, although I realize that the rehabilitation of the person concerned naturally deserves con-

sideration. Having sounded this note of warning, I can say that I believe the Bill is worth supporting because it will enable the board to keep a check on the people that it releases. If there is a breach of any condition it may prescribe, the board is empowered to apprehend the person again. From my knowledge of the constitution of the board and of the Chairman, I believe its decisions will be entirely responsible.

As one cannot see into the future, one does not know who will be future members of the board. As the board is currently constituted, however, I am reassured from my conversations with the Chairman and officers that they will still exercise the degree of caution that is absolutely necessary when considering release of people who have been convicted of certain offences. I believe the provisions of the Bill are sensible, since they allow some check to be kept on people released and conditions to be laid down under which the people are to be released. It is absolutely impossible to keep a check on a person for 24 hours a day. A person would have to run off the rails for only five minutes or 10 minutes and he could commit another crime. I say emphatically that we must have an assurance from the Attorney-General that this will not be in the nature of an experiment under which more people will be released into the community, simply because the Attorney-General feels that a greater check can be kept on them. If the board operates as it does at present, viewing these cases with extreme caution, and if it attaches some condition to the release of these people, I think the Bill can only do good. I seek from the Attorney an assurance that he does not visualize that more people will be released into the community when a risk to the public safety exists.

Mr. MATHWIN (Glenelg): I support the Bill. However, I am concerned to know that caution will be exercised. I believe that the public must be protected. I remind honourable members of cases that have occurred recently when prisoners have been released. I refer to the case in the United Kingdom of Mr. John Thomas Straffen who, when he was 21 years old, was examined and found to have a mental age of only about nine years. On July 15, 1951, in Bath, Straffen murdered a five-year-old girl named Brenda Goddard, who was picking wildflowers for her parents. Although he was interviewed, no charge was brought against him. On August 8, he got into a conversation with a nine-year-old girl named Cicely Dorothy Batstone. He took her by bus to a hills area

at the outskirts of Bath, where he strangled her. On this occasion he was recognized by a former workmate. When charged, he fully admitted these crimes. He admitted that when he was younger he had often strangled chickens. In his earlier life, he had been under observation. For the murder of the second child, he was committed to Broadmoor Prison until His Majesty's pleasure be known. On April 29, 1952, because of the conditions under which he was kept, he escaped.

The SPEAKER: Order! The honourable member must link up his remarks to the Bill.

Mr. MATHWIN: I am dealing with the need for people to be kept under supervision when they are released. I will cite another three cases of men who have been released and who have murdered again. Straffen escaped simply by climbing a small wall in Broadmoor, although the prison had a good record for the few escapes that had been made from it. Within two hours of his escape, he murdered another six-year-old girl named Linda Bowyer. The prison officers, the doctors, and the psychiatrists agreed that he should never have been allowed to be in a position from which he was so readily able to escape. The Attorney-General of the time (Sir David Maxwell Fife), who was a personal friend of mine, received a notice of reprieve. This was upheld, and the man was moved from prison to prison, probably to protect him.

When I was in the United Kingdom last June, publicity was being given to the case to which the member for Kavel has referred. I believe that a great mistake was made in that case, so much so that as an aftermath a special committee was set up. I refer now to an article in the *Times* of June 30, 1972, as follows:

The Graham Young case is one giving rise to great anxiety, as the Home Secretary put it in his statement yesterday. As a boy of 14, Young was convicted of administering poison to his father, sister and a schoolfriend, for which he was sent to Broadmoor with the judge's recommendation that he should not be discharged without the Home Secretary's consent for 15 years. Yet—

and this is the point I am making—

nine years later, in February, 1971, he was conditionally released. Yesterday—

that is, in June this year—

he was found guilty of murdering two workmates, of attempted murder in two other cases, and on two more charges of maliciously administering poison.

After being released, Young administered poison to these poor, unfortunate people. The report continues:

The public will very rightly demand stricter safeguards for the future, both in the release of potentially dangerous men and in the system of supervision after release.

The last paragraph is most important:

This shows that the arrangements have not been foolproof.

This man killed on a number of occasions and, in his last murders when he killed his workmates, he was so cold-blooded that he kept a diary on their deaths as he watched them dying. In June or July, 1962, Young was ordered to be detained in Broadmoor and not to be released for 15 years, yet he was released in much less time than that. If one examines the *Times*, one will see that—

The SPEAKER: Order! To which clause is the honourable member referring?

Mr. MATHWIN: This matter covers the whole Bill. I am dealing with the release under supervision of persons from gaol, and I am trying to point out that there must be correct supervision in all cases. I ask for your indulgence, Sir, because these cases ought to be considered following what has happened in the past. I have statements which affect this Bill and which, therefore, should be considered. In another article in the *Times* of June 30, 1972, the following appeared:

At that hearing the doctor stated that if the opportunity occurred he thought it extremely likely that Mr. Young would repeat his behaviour. Mr. Harvey said Mr. Young was released on licence on February 2, 1971, on condition that he lived at a hostel in Slough, Buckinghamshire—

and this would certainly be under strict supervision, because prisoners are kept under strict supervision in such hostels—

under the supervision of a probation officer, and attend an outside psychiatric clinic. Sir Arthur Irvine, Q.C., for the defence, addressing Mr. Justice Eveleigh today said, "In considering sentence, I submit that your Lordship should bear in mind one matter which I mention with the greatest reluctance. It is that it was only possible for Graham Young to commit these offences because he had been released on licence."

That is strictly what we have here in this Bill: these people are to be released on licence. The article continues:

This result may appear in the light of these events to be a serious error of judgment on the part of the authorities who have a duty to protect Young from himself as well as a duty to protect the public.

After being released on licence, this man, having gone to a factory and applied for a job, was made charge hand. Although the factory owner was not even informed of Young's past, his suspicions were aroused when

some of Young's workmates told him that Young spoke with great knowledge about poisons. Then, of course, his worst fears became reality, following which he made inquiries about Young and his record. Young was again referred to in an article in the *Times* headed "Killing by two others out of 331 patients freed", part of which is as follows:

In Broadmoor by 1971, when Mr. Young was 23, Dr. E. Udwin, the responsible consultant, who had long experience in dealing with disturbed offenders, said Mr. Young was no longer a danger to others.

This man of authority, who knew all the answers, said that Young was no longer a problem to anyone else, and was not a person

of or about whom others should be frightened or worried. The article continues:

He had discussed the case with Dr. Patrick McGrath, the medical superintendent, who had been responsible for it. Dr. McGrath approved the findings, although he was not necessarily required to do so. Dr. Udwin raised it also with six other psychiatrists at Broadmoor informally during a general discussion. No one raised any objection.

I seek leave to continue my remarks.

Leave granted; debate adjourned.

#### ADJOURNMENT

At 5.58 p.m. the House adjourned until Wednesday, August 23, at 2 p.m.