HOUSE OF ASSEMBLY

Tuesday, October 31, 1972

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

QUESTIONS

MURRAY NEW TOWN

Dr. EASTICK: Will the Premier say what progress, if any, has been made by the Government in regard to arranging industrial development in the Murray New Town area? I appreciate that the establishment of industry does not necessarily precede the commencement of building, but discussions have been held on the subject of developing the new town, and the task force group that considered this matter decided that a worthwhile industrial base was needed for the economic backing of any such development. It is on this basis, involving both the short term and the long term, that I seek information on whether the Government has been able to entice anyone to consider future industrial development in the area of the new town.

The Hon. D. A. DUNSTAN: Quite obviously, at this stage of proceedings it is not possible for any firm commitments to be made in respect of industrial development in Murray New Town. Neither the site nor the conditions of sale of land within the area has been announced, and it is not possible for us to have concluded arrangements of that sort. Part of the study concerning Murray New Town is involved in preparing proposals for industrial sites and for incentives for industrial establishments, and that work is proceeding. Interest has been expressed by some industries—

Dr. Eastick: Any inspections?

The Hon. D. A. DUNSTAN: Of course there have been no inspections. I could not take anyone to inspect a site that I had not announced.

Mr. Millhouse: When is it going to be announced?

The Hon. D. A. DUNSTAN: That is another question. The honourable member always asks that sort of thing when—

Mr. Millhouse: I'd like an answer.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I was answering the honourable member's Leader. Interest has been expressed in establishing in the area, and that interest will be followed up as soon as specific proposals can be made. Obviously, however, it would be quite improper for us to make specific proposals before these have been properly examined by the necessary task force on the subject. I assure the Leader that work on this matter is proceeding apace, and I expect that significant announcements on the subject will be made shortly.

Later:

Mr. MILLHOUSE: Can the Premier say when the Government intends to announce the site of Murray New Town?

The SPEAKER: Order! I think that question has been asked before.

Mr. MILLHOUSE: No fear, it has not.

The SPEAKER: Order! The honourable member for Mitcham is entirely out of order. If he does not cease interjecting when I am standing, I shall name him. I will not tolerate his behaviour when I am trying to conduct the business of the House according to Standing Orders.

The Hon. D. A. DUNSTAN: When the Planning and Development Act Amendment Bill has been passed by Parliament.

DUNCAN INQUIRY

Mr. MILLHOUSE: Can the Attorney-General say whether the report on the Duncan case by the two police officers from Scotland Yard recommends any prosecutions against persons for any offences and, if it does, whether the Government intends to act on those recommendations? Last week it was announced that the Government had had this report for some weeks, that it was not intended to launch any prosecutions (that was how I understood the announcement), and that for the time being that was the end of the matter. However, over the weekend my attention has been drawn to a report in the current issue of *Nation Review* which is quite contrary to that and which commences:

> The two New Scotland Yard detectives called in by the South Australian Government to investigate the Duncan killing recommended prosecutions be launched. Their report says there is enough evidence to gain convictions on a charge of manslaughter against three men.

The report then canvasses the question whether the inquest was hurried unwisely, and deals with other matters. The main point of my question is whether the report, although not recommending prosecution against anyone for murder, did in fact recommend prosecution against anyone for any lesser offence.

The Hon. L. J. KING: Obviously, I do not intend to comment on speculation about what may be contained in a report which, unfortunately, cannot be made available to the public. It is sufficient to say that the police

officers' report outlines facts that emerged during the investigation, makes an assessment of those facts, and submits that assessment for legal assessment whether the report contains sufficient evidence to justify prosecutions. I have already stated that the legal opinion (my own opinion, supported by those of the Crown Solicitor and of an independent senior counsel) is that the evidence available is not sufficient to enable a charge or charges to be laid against any person or persons.

Mr. MILLHOUSE: Does the Government intend to take further action with regard to this case and, if it does, what action will it take?

The Hon. Hugh Hudson: Speak up.

Mr. MILLHOUSE: That is the first time the Minister has ever wanted to hear me. The announcement last week and the Attorney's reply to me earlier today indicate that the Government does not intend that further action should be taken. It is thoroughly unsatisfactory for the matter to be let lie, in view of the grave public disquiet about it and the current reflection on the whole of the South Australian Police Force. There is no doubt from the Attorney's reply to me that he is avoiding the question and that he is concealing the recommendations in the report. The whole matter should be brought into the open and, if necessary (perhaps this is the only way we can do it), a Royal Commission should be appointed. I therefore ask the Attorney what next does the Government intend to do about the matter.

The Hon. L. J. KING: First, I am not concealing any recommendations. Secondly, I am not at all clear from the honourable member's question what he thinks should be done. I do not think that there is any move open to the Government at this time that would help solve this case. The matter is in the hands of the police. I have no doubt that the police will keep the matter open and pursue any avenues of inquiry that suggest themselves. The police will continue to do, as they have done up to this time, everything in their power to solve this case and to see that whoever was responsible for the unfortunate death of this man is brought to justice. It seems to me that this is a matter for the police. There is nothing I can think of at this time that the Government can do. I do not agree that there is a reflection on the whole of the South Australian Police Force, and I am astonished to hear the honourable member give currency to any such suggestion. This investigation was undertaken by two detective inspectors of the South Australian Police Force.

Mr. Millhouse: The South Australian Police Force?

The Hon. L. J. KING: Yes. They carried out their investigations with great thoroughness: they made every effort to solve the crime, to ascertain who was responsible for it, and to bring the offenders to justice. They reached a stage in their inquiries where they could take the matter no further, as there was insufficient evidence to enable any person to be charged. A decision was then made, with the full concurrence of the two detective inspectors and the then Commissioner of Police (Mr. McKinna), to hold a public inquest to encourage other people to come forward with information that might lead to a satisfactory conclusion of the case. Subsequently, when all that had failed and there continued to be a degree of publicity critical of the South Australian Police Force and innuendo to the same effect, the Commissioner, in an effort to clear the matter up, suggested that investigators from the United Kingdom be brought into the case. The Government agreed to that suggestion and that was done. It seems to me that everything that is sensible and reasonable has been done in this case. I know of nothing which would put the South Australian Police Force, as a whole, under any sort of suspicion or which would justify any reflection on its character or reputation arising from this. I am at a loss to understand what the honourable member means or why he should give currency to such a suggestion or encourage any such suggestion.

Mr. Millhouse: Have you taken into account what Mr. Tremethick said?

The SPEAKER: Order!

The Hon. J. D. Corcoran: What did he say? He said he was unhappy.

The SPEAKER: Order! The honourable member for Mitcham has asked the question. The Attorney-General must be given the courtesy of replying without further interjection and interruption.

The Hon. L. J. KING: I do not know to what the honourable member refers. However, I did see a television programme last night and heard everything that Mr. Tremethick said on this subject: there was nothing in what he said to justify any of the honourable member's comments. Unless he added something in the press that he did not say on television last evening, I do not know what the honourable member is referring to. I can say only that I can think of no reason

why there should be a Royal Commission. Indeed, I am not clear what the honourable member thinks there should be a Royal Commission into. Is he suggesting that there is sufficient basis in allegations against the Police Force to justify a Royal Commission into the Police Force? I cannot think of anything in this case that would justify that sort of move. I do not know what else the honourable member believes should be inquired into by a Royal Commission. I take the view that the detectives from the South Australian Police Force and from New Scotland Yard have carried out a thorough investigation. There has been a public inquest, during which this whole matter has been ventilated in public. It is most unfortunate that there is insufficient evidence to prosecute any person connected with this case.

Mr. Millhouse: With anything?

The Hon. L. J. KING: With anything. I do not know what other steps can be taken.

Mr. Millhouse: Let the report be made public.

The Hon. L. J. KING: The honourable member says, "Let the report be made public." I must remind the House what this means. The honourable member for Mitcham, who is a former Attorney-General, suggests that a report containing theories that cannot be proved by admissible evidence in court be made public. The report contains assessments of the actions and motives of individuals which cannot be made the subject of charges in court. The honourable member is suggesting that the report be made public with all the consequent damage to the reputations of individuals who have no opportunity, because charges cannot be laid, of defending themselves and clearing themselves. That would be an utterly monstrous action to take, and I am astonished that the member for Mitcham, who makes a claim to legal training and who makes a claim to the attitudes expected of members of the legal profession, should have the temerity to make that sort of suggestion, particularly as he is a former Attorney-General.

Later:

Mr. MILLHOUSE: I intended to ask a further question of the Attorney-General about the Duncan case, because he offered to give me a reply but, apparently—

Mr. Jennings: He is in here a lot more often than you are.

Mr. MILLHOUSE: —he is not here now when I want him.

Mr. Jennings: Here he is.

Mr. MILLHOUSE: I shall now try to get an answer to my question on the Duncan case and—

The Hon. Hugh Hudson: Question!

The SPEAKER: Order! "Question" having been called, the honourable member must ask his question.

Mr. MILLHOUSE: I have not got as far as explaining it. I ask the Attorney-General whether he will give me a reply to the question I asked a long time ago about the Duncan case and police officers.

The Hon. L. J. KING: I shall be pleased to reply to the honourable member's question he asked a long time ago, but not nearly as long ago as another question he asked me and about which I told him I had the reply some weeks ago.

Mr. Millhouse: No you haven't.

The Hon. L. J. KING: I told you weeks ago. Perhaps the honourable member will tell me whether to burn it or keep it.

Mr. Millhouse: If you had told me you had the answer I would have asked for it.

The Hon. L. J. KING: I had the reply. However, the reply to the honourable member's question is as follows:

Investigations in the Duncan case have been completed and, as stated in this House on Tuesday, October 24, 1972, I have studied the full report of the investigations conducted by the two Scotland Yard detectives, and am satisfied that insufficient evidence exists to charge any person with an offence. This view is also held by the Crown Solicitor, and an independent counsel who was consulted (Mr. R. Matheson, Q.C.).

The Chief Secretary informs me that the two Scotland Yard detectives involved will be returning to the United Kingdom in the immediate future.

TRADE UNION EDUCATION OFFICER

Mr. WELLS: Can the Minister of Labour and Industry say whether, following a call for applications for the position, an appointment has yet been made in South Australia of a trade union education officer?

The Hon. D. H. McKEE: Yes, the position has been filled. To expand trade union education and training, the Government agreed earlier this year to finance the appointment by the Workers Education Association of a trade union education officer, and provision for the necessary funds was included in the 1972-73 Budget. The W.E.A. (of which about 75 per cent of South Australian trade unions are members) has now appointed Mr. Colin McDonald, a former radio announcer and present industrial advocate of the Australian

Broadcasting Commission Staff Association, to this position. The W.E.A. has been involved in trade union education for some years through the provision of correspondence courses. The additional funds the Government has supplied will enable the W.E.A. to organize and present courses of instruction for full-time trade union officials, shop stewards, and trade union members.

Improved education and training for trade unionists will result in big dividends in the long term. Only yesterday, the leading article in the *Australian Financial Review* criticized the lack of teaching given on industrial relations in Australia. The article stated that the only institute of labour studies in Australia was established earlier this year at the Flinders University of South Australia, and that "only now are politicians and academics beginning to accord the study of industrial relations that priority to which the critical nature of the problems entitles it". I am pleased that South Australia is leading the way in extending and developing education for trade unionists and industrial relations education.

TEACHERS' SALARIES

Mr. COUMBE: Has the Minister of Education seen the report in this morning's newspaper alleging that teachers have been underpaid and indicating the concern of individuals and teachers? If teachers have been underpaid, can the Minister say how this occurred, and, more importantly, can he say what action is being taken to solve the problem?

The Hon. HUGH HUDSON: At the outset I point out that the story in the newspaper this morning was misleading because of the emphasis in the use of the word "errors". The main cases to which the article referred arose because of arrears of salary: they were not cases involving errors. About 13,000 teachers are employed in the department, each teacher receiving a salary that depends on experience and qualifications. The rates of pay applicable in any case are peculiar to that case, and the whole problem of ensuring the payment of the proper salary is complicated. Occasionally, errors arise in a pay-roll involving 13,000 teachers, and that fact should not surprise anyone. As soon as clerical errors occur and are brought to the department's attention (or are discovered by the department), they are rectified immediately.

However, some additional problems have occurred because of the new teachers' salaries award which was introduced earlier this year and which operated from July 1, as it involved the equation of primary teachers' salaries and secondary teachers' salaries in relation to the assistants' scale. Not every teacher in the primary division gained in salary as a result of the new award (although many did), and the problem of obtaining an effective translation from the old salary scale to the new scale has been difficult and complex. It is known that about 100 teachers are awaiting payment of arrears of salary. In many of these cases, the teachers are not aware that they are entitled to receive arrears: they have made no approach to the department about, this matter. The process of ensuring that arrears are paid is complicated because a check of each individual teacher in the primary division is necessary. Action already taken by the department in applying the new award will result in teachers receiving any arrears to which they are entitled within a month. The first set of adjustments will be paid on November 16, and a month later the whole matter will be cleared up.

Concerning teachers recruited from other States or from overseas, there have been (and no doubt there will continue to be) some problems. The policies that we have followed in relation to recognizing qualifications and previous experience have been changed in more recent years. Difficulties that arose earlier this year in relation to Canadian teachers because of the peculiarity of their teacher training were rectified by administrative action. They could not be rectified under the award as it stood at that time, but the award has since been modified.

Regarding teachers recruited from oversea countries, their qualifications must be assessed and the teachers classified in terms of those qualifications. In some cases the problem of checking qualifications and making an appropriate translation to the South Australian situation involves a complicated task that is undertaken by the Teachers Classification Board. In any case, salary arrears normally arise regarding direct entrants recruited from other States and from overseas. If the recruited teacher is employed initially without documentary proof of his qualifications, the procedure adopted is for the teacher concerned to be paid the minimum salary applying to his position without proof of any additional qualifications, with the arrears of salary to be paid as soon as the necessary documentation is provided. I assure the honourable member and teachers generally throughout South Australia that the department is most assiduous in this matter and that there is no real cause for

the peculiar slant given by the *Advertiser* in its front-page story this morning.

Mr. GOLDSWORTHY: Can the Minister of Education say what are the duties of the liaison officer appointed within the Education Department? The Minister, referring to errors in teachers' pay, said that one of the reasons for appointing a liaison officer was so that he could handle this problem.

The Hon. HUGH HUDSON: I have already explained, although perhaps the honourable member was not listening, that the statement in the article about errors is misleading and that the main problem at present relates to the full application of an award in a complicated situation where some of the teachers concerned, until such time as the department informs them, are not even aware that they are entitled to additional salary. The duties of the teacher liaison officer are to handle individual problems of teachers in their relationship with their employer, namely, the Education Department. To a significant extent most of these problems are concerned with matters regarding conditions of employment, other than salary, and eligibility for promotion, and so on. The teacher liaison officer is also concerned with preparing a detailed report on the ways in which liaison among teachers in the Education Department can be improved and specifically what steps need to be taken to secure an improvement. A teacher who is trying to have a case considered by the department might approach the teacher liaison officer or the Institute of Teachers or, indeed, the institute might seek the help of a teacher liaison officer, the current officer (Mr. Wilf White) being a former President of the South Australian Institute of Teachers.

RAILWAY SLEEPERS

Mr. KENEALLY: Will the Leader of the Opposition explain how he was able to tell guests at a Whyalla business men's luncheon last Friday that the Commonwealth Government's decision not to re-lay the railway line between Port Pirie and Kalgoorlie with concrete sleepers was not a political decision? The Leader is reported as saying that the Commonwealth Government's decision has been misunderstood and that it will be phasing in concrete sleepers and phasing out timber sleepers. Is the Leader aware that, if the re-laying of the East-West line with concrete sleepers were to commence now, the work would take between 10 years and 20 years to complete? The decision taken means that the re-laying of the line with concrete sleepers has been delayed indefinitely.

Dr. EASTICK: I pointed out to the people to whom I was speaking that there were sociological problems associated with the loss of the timber sleeper industry to the people involved in it, and that the problem applied to the people in the South Australian sleeper industry the same as it did to the people in the Western Australian industry. However, from comments that have been made, I believe that the opportunity exists for the continued use of sleepers to maintain currently viable industries until the sociological problems involved can be sorted out. Many other things were said but that was the point basically discussed at Whyalla on Friday.

Mr. KENEALLY: Will the Leader use his undoubted influence with his Commonwealth colleagues to convince them that they should reverse their decision about the use of concrete sleepers on the transcontinental railway because of the great need economically and socially for industry in the Spencer Gulf area, or is he willing to accept the Commonwealth Government's decision without protest?

Dr. EASTICK: I shall be pleased to send to my colleagues in Canberra any information of merit that the honourable member is willing to give me. The consensus of opinion in the Whyalla area is that the possibilities regarding a concrete sleeper manufacturing plant already lie with the Port Augusta area, but I say that only by way of comment. I am willing to forward any information that the honourable member has.

GLENELG ROADWORKS

Mr. MATHWIN: Will the Minister of Works, in the absence of the Minister of Roads and Transport, ascertain when it is expected that the roadworks in progress at the corner of Diagonal and Brighton Roads, Glenelg, will be completed? Work has been in progress at that corner for many months and has caused much inconvenience, not only to local residents but also to the teachers and pupils of the Glenelg Primary School, which is situated at that intersection. The work has created a traffic hazard and the school is faced with the problem of providing a safe crossing for schoolchildren at the intersection.

The Hon. J. D. CORCORAN: Yes, I shall be pleased to do that for the honourable member. On Friday last, when I visited a nearby football club, I noticed the position that the honourable member has referred to regarding this road. In fact, I was told that the work

had been proceeding for many months, and the people concerned wondered when it would be completed. I will check the position and my colleague will give the honourable member the information.

BUSINESS DIRECTORY

Mr. HOPGOOD: Will the Attorney-General say whether he is aware that persons are receiving what, on anything but a close examination, seem to be accounts for the insertion of information in a classified business directory, even though these people know nothing of the publication, and will the Attorney say whether this action is an offence by the publishers? A constituent, who is a plumber, has received what looks like an account for $42 from Brandon Publications, 66 Wellington Parade, East Melbourne, although the account apparently was posted at Manly, Sydney. These people know nothing of the publication and certainly did not authorize any insertion on their behalf. The member for Mitcham, when he was Attorney-General, warned the public in a statement (*Hansard,* 1969, page 503) that this practice was fairly common and that, if people looked at these accounts closely, they would see from the fine print that they were, in fact, solicitations rather than accounts.

The Hon. L. J. KING: I, too, have given a warning in this House on the same topic since becoming Attorney-General. The facts that the honourable member has mentioned may disclose an offence under the Unordered Goods and Services Act. I invite the honourable member to give me details of the matter so that I may have it investigated.

QUARANTINE STATION

The SPEAKER: Before calling on the honourable member for Alexandra, I should like to welcome him back to this Chamber from abroad. I am sure that the knowledge he has gained will enrich all honourable members. The honourable member for Alexandra.

The Hon. D. N. BROOKMAN: Thank you, Mr. Speaker. I appreciate your remarks and 1 also thank honourable members for having granted me leave of absence. After that and the words of welcome back, I cannot possibly ask a hostile question.

Will the Minister of Works, representing the Minister of Agriculture, ascertain what progress has been made in establishing a quarantine station for the Commonwealth of Australia? I understand that the Commonwealth Government has been planning a quarantine station for the types of livestock that have been prevented from being brought to Australia since 1950. When the ban on the importation of certain cattle was applied, it seemed that no specific disaster could occur as a result, because at that time the recognized beef breeds were well represented in Australia. However, the position is different now. One of the major purposes of my trip overseas was to examine the beef industry in Europe and England, and I have confirmed what I think many people here well understand, namely, that many old breeds of Continental and British cattle are not represented in this country and are being newly appraised because of the new demands on the beef industry. I could enumerate many breeds of cattle in this category that I saw, and the same would apply to other types of livestock, particularly poultry. We are likely to fall behind the rest of the world unless a quarantine station is established soon.

The Hon. J D. CORCORAN: I shall be happy to do that for the honourable member and I will ask my colleague for a prompt reply to the question.

ISLINGTON CROSSING

Mr. RYAN: In the absence of the Minister of Roads and Transport, will the Minister of Environment and Conservation ascertain the immediate plans for the development of Regency Road at the Islington railway station crossing? During the weekend I was approached by a constituent, who is an employee of the Government Group Laundry at Islington, in the interests of relatives of a worker who had been killed at that crossing over the weekend. A few yards to the western side of the crossing there is a small rise in the road where the Islington sewage main used to run under Regency Road. Some plans indicate an over-pass over the crossing, and this would alleviate the problem caused by the rise in the road. If this work cannot be done soon, will the Highways Department consider levelling the road and thus eliminate a serious road traffic hazard?

The Hon. G. R. BROOMHILL: Yes, I shall be happy to refer that question to the Minister of Roads and Transport and ask him to consider the points raised by the honourable member.

RADIO INTERFERENCE

Mr. RODDA: Has the Minister of Works a reply to my recent question concerning radio interference?

The Hon. J. D. CORCORAN: Officers of the Postmaster-General's Department, assisted by officers of the Electricity Trust, located the source of interference at a faulty clamp on a high-voltage line in the Willalooka area. The clamp was replaced and the source of interference removed on Monday, October 23, 1972.

SMOKE BOMB

Mr. HARRISON: Has the Premier received any information, as a result of investigations, as to the type of smoke bomb discharged in the House of Assembly last Thursday? As I suffered personally for two days after inhaling the fumes, I wonder whether there is any possibility of permanent ill effects.

The Hon. D. A. DUNSTAN: I have not had a report but I will get the information for the honourable member.

PORT PIRIE SHIPPING

Mr. VENNING: Will the Premier say what he is doing to refute the story (or to improve the situation) that Port Pirie is a dying city? I ask this question as a member for a district that relies on Port Pirie for the shipment of its products. I have no other reason for asking the question. I was one of a committee of three that was responsible—

The SPEAKER: Order! The honourable member is giving information: he is not explaining the question.

Mr. VENNING: —for getting Port Pirie established as a deep sea port for the shipment of bulk grain. At that time there was 3,000,000bush. of grain in storage. I tell this story—

The SPEAKER: Order! The honourable member cannot seek leave of the House to explain his question and then give a report on something that he did some years ago.

The Hon. D. A. DUNSTAN: The Government has done everything in its power to promote development and employment at Port Pirie. As members of the honourable member's Party who are members of the Industries Development Committee will know, in order to retain the employment provided through the Rare Earth Corporation in this State the Government gave considerable guarantees. which were in due course called on, in an endeavour to retain that basis of employment at Port Pirie. Concerning public works, the State will be spending many millions of dollars to improve the port facilities and to deepen—

Mr. Venning: Why don't you give us another silo?

The SPEAKER: Order! The honourable Premier.

The Hon. D. A. DUNSTAN: We have provided considerable public works at Port Pirie. I will certainly examine the matter concerning the provision of additional silos at Port Pirie, if the honourable member advances that proposal, but I point out that this would create almost nothing in the way of employment in Port Pirie. The article to which the honourable member has referred states that it is the fault of Government, somehow or other, but in no way is the author of the article able to point to anything the Government has failed to do.

Mr. Jennings: It should blame the Commonwealth Government and Broken Hill Associated Smelters.

The Hon. D. A. DUNSTAN: Certain statements in the article are completely baseless, because it could not point to anything the State Government had failed to do in order to encourage industry and employment in the area. The present problem with which we are faced is that, for the establishment of additional industry, Port Pirie is rather far from the Adelaide industrial supply base to provide a reasonable basis for the small industries relying on the supply of materials from Adelaide. Transport costs are such that it is marginally outside an attractive proposition to establish industry at Port Pirie and we therefore have to look at something locally to develop in order to provide additional employment. In regard to the decline in the quantity of ore transported from Broken Hill, naturally enough B.H.A.S. has not been replacing some of the wastage in its staff, and it cannot be expected that there will be a marked expansion by B.H.A.S. in Port Pirie. This is the basic problem that we face in regard to continuing employment in the area. We are certainly willing to consider any proposal to proceed and, in examining proposals for establishment in South Australia, we are looking for a decentralized area, most of our recent activities having been devoted to providing additional facilities in the Spencer Gulf ports.

LIBERAL MOVEMENT

Mr. PAYNE: I wish to ask a question of the member for Rocky River. Has the honourable member recently changed his political affiliation away from the Liberal and Country League? Many of us have on our cars stickers that indicate to which Party we

belong, and over the last several days I have noted that the car owned by the member for Rocky River has been adorned with a purple and white sticker marked

The SPEAKER: Standing Order 123 provides:

At the time of giving notices of motion, questions may be put to Ministers of the Crown relating to public affairs; and to other members, relating to any Bill, motion, or other public matter connected with the business of the House, in which such members may be concerned.

This question does not fall within that category.

Members interjecting:

The SPEAKER: In view of the statement made by the member for Mitchell, I will permit the member for Rocky River to make a personal explanation.

Mr. VENNING: I wish to make perfectly clear that I have not changed my political leanings in any way whatsoever. Indeed, although the member for Mitchell stated that there was an L.M. sticker on my bumper bar, I inform him that there was an A.L.P. sticker on it the previous week. I am a very staunch supporter of the Liberal and Country League of this State.

PARA HILLS EAST SCHOOL

Mrs. BYRNE: Has the Minister of Education a reply to the question I asked on October 11, 1972, about access to the Para Hills East Primary School?

The Hon. HUGH HUDSON: As access to the school from Milne Road was not possible, the Public Buildings Department has investigated and reported on the feasibility of obtaining a right of way over the privately owned land adjoining the north of the school from Caroona Avenue to a suitable entry point on the northern boundary of the school. It is intended that this right of way could become a future public road if and when the land is subdivided, and that it be so positioned as to produce an extension of Duke Avenue westward, thence southward to the school, entering to the western side of the school buildings and canteen. This proposed method of access will provide a delivery point for the various commercial vehicles to within close proximity of the school buildings, canteen and refrigerated milk shed, thus overcoming the need for goods including milk to be left at the present Caroona Avenue entrance to the schoolgrounds. A reply is awaited from the owner who has recently been approached with regard to the availability of the right of way in the suggested location, together with advice of the required conditions under which it may be granted.

NIGHT COURTS

Mr. McANANEY: Has the Attorney-General considered setting up a new type of civil court, at which no solicitors will be needed? I understand that the Canberra Law Society has asked for such a court, the request having met with general agreement. The court would deal with cases involving claims of up to only $300. It is suggested that these courts should be held in the evening rather than during the day, and that the special magistrate or justice of the peace should try to elicit the facts of cases from the people appearing. I believe that the main object of such courts will be to reduce expenses so that many people involved in small cases (whether as plaintiff or defendant) can appear in person after working hours, thus avoiding the exceptional costs involved when these cases are conducted through normal channels.

The Hon. L. J. KING: Although I have read the newspaper report to which the honourable member has referred, I have not particularly considered the matter. Actually, it is common in our local courts in the case of small claims for the parties to appear without legal representation. Indeed, the scale of costs that may be recovered for solicitor's fees against another party by a successful litigant is so small that many people prefer to go to court unrepresented. I am sure that, in those circumstances, magistrates take a considerable part in the case for the parties in endeavouring to elicit the facts. Therefore, in practice I think that something along the lines suggested by the honourable member already occurs in many cases. I do not know whether there will be any advantage in actually prohibiting parties from having legal representation when claims are less than a certain sum. I think that arguments can be presented on both sides of this question. Obviously, night courts have some attractions for the litigant, but they are not so attractive to the magistrate or the court staff, and they have their problems with regard to the management of the court building, the court staff, and so on. However, I am willing to look at the matter to see whether the advantages of instituting such a system would outweigh the disadvantages.

PORT LINCOLN ABATTOIRS

Mr. CARNIE: Will the Minister of Works ask the Minister of Agriculture to give an

assurance that all requirements of the Department of Primary Industry with regard to standards at the Government Produce Department works at Port Lincoln are carried out so as to ensure that the export licence for these works is renewed in 1973? Within the past week, two inspectors of the Department of Primary Industry have inspected these works. Although their report has not yet been made, I understand that the works could fall short in many respects of the standards required for an export licence. During the last financial year, more than 200,000 sheep and lambs were killed for export, compared to fewer than 50,000 sheep and lambs killed for the local and Adelaide markets. Therefore, as 80 per cent of the sheep and lambs killed at Port Lincoln are killed for export, the effect on local employment and on this outlet for producers if the export licence is lost can be imagined. In addition, the works would not be able to store frozen tuna or crayfish for export, as I believe this matter is covered by the same export licence. In the past, the Minister of Agriculture has deferred consideration of the future of the Port Lincoln works, giving the excuse that he has been awaiting the recommendations of the Dunsford committee. However, he has now had the report of that committee for some months. For some time, there has been pressure for the upgrading of these works to the American beef export standard. I understand that this could be achieved at a cost of $500,000 which, incidentally, is only a little more than the sum being made available to the performing arts in this State. I ask that the Minister of Agriculture assure the Department of Primary Industry that this Government will satisfy all the requirements laid down by the department in an endeavour to keep these works open.

The Hon. J. D. CORCORAN: I will refer the matter to my colleague for a report. I assure the honourable member that the Minister of Agriculture will certainly not be remiss in this connection. He will do what he can, as will the Government, to retain the export licence for this abattoir.

Mr. GUNN: Will the Minister say why the Government has not provided the funds necessary to make sure that the Government Produce Department operation at Port Lincoln can continue in a way that will provide more employment for people in Port Lincoln and also provide a service for rural people on Eyre Peninsula? The member for Flinders has made abundantly clear the serious situation that could occur at Port Lincoln because of this Government's indecision in not taking the necessary action. I ask the Minister why the Government has not acted in the past to provide a market for rural produce on Eyre Peninsula.

The Hon. J. D. CORCORAN: I suppose it is inevitable that, if the member for Flinders gets on the band waggon about this matter, the honourable member should follow, because he must also get something in his local press. I am pleased that the honourable member has mentioned the past. That is important, because if he examined the past and the record of Governments of the same political complexion as that of his Party, I would wonder whether he would ask the same question of members who were on the front bench in those Governments. Why did they not provide the necessary funds to upgrade the standard of these works so that they would not be in the mess they are in today? The present position of the Government Produce Department works did not arise overnight. It is a wonderful situation to be in, sitting on the Opposition benches, with no responsibility, and being able to forget the past immediately! I have already told the member for Flinders what is the position, after he asked a reasonable and sensible question, showing some concern without being nasty in trying to impute to this Government certain things that did not exist. That honourable member was concerned that something should be done regarding the works. I do not know whether the member for Eyre is concerned or not, but I do not think he is: he is trying to make some capital out of it. I told the member for Flinders what I would do and that is exactly the present situation.

DIETING TABLETS

Dr. TONKIN: Will the Attorney-General ask the Minister of Health to take immediate action to have investigated the sale without prescription in this State of tablets promoted as a new dieting course? Each of these tablets contains 17.5 mg of ephedrine hydrochloric acid, 50 mg of caffeine, and 30 mg of phenolphthalein, which is in itself habit-forming. The phenolphthalein acts as a laxative, but the other constituents are purely stimulants. Considerable concern exists at the present situation in South Australia which allows the sale of this and similar preparations without prescription. I am informed that the Australian Newspaper Council has not endorsed the product as suitable for advertising, although an Adelaide radio station

has accepted material relating to it. As I understand that the company which is preparing and marketing this product is a subsidiary of a reputable and ethical pharmaceutical company, I am surprised and disappointed at the apparent lack of public responsibility evidenced by the proposed marketing campaign.

The Hon. L. J. KING: I will refer the matter to my colleague.

RURAL UNEMPLOYMENT

Mr. GUNN: Can the Minister of Works, representing the Acting Minister of Lands, say whether the Government has received any information about the future of unemployment relief grants made to councils to carry out specific projects? During the weekend, a council in my district, which has several projects in mind, approached me about this matter. It wishes to know what is the future of these grants so that it can make long-term plans and draw up the specifications and other details that are necessary before an application can be made to the department.

The Hon. J. D. CORCORAN: I think that the department expects that the money made available by the Commonwealth Government for rural unemployment relief will continue to be provided until probably the end of next year. However, to my knowledge that has not yet been confirmed. I will inquire of my colleague and let the honourable member know about this.

METROPOLITAN UNEMPLOYMENT

Mr. LANGLEY: Can the Premier say how many people are employed under the metropolitan unemployment relief scheme? If one council cannot employ people, will other councils receive additional grants? The Unley council has engaged over 50 people in this way, other councils also having been able to help people who are unfortunate enough to be unemployed. However, I understand that some councils have been unable to find people to take up this work.

The Hon. D. A. DUNSTAN: The number of people employed at October 27 was 575, the number employed up to the present being 700. The works programme approved amounts to $476,000, the classification of works being as follows: roadworks (footpaths, kerbing, etc.), $290,000; permanent improvements (ovals, reserves, playgrounds, etc.), $163,000; and general maintenance (tree maintenance, painting, repairs, etc.), $23,000. In Government departments the works programme approved amounts to $408,000, and employment will commence early in November. The member for Fisher asked me a question last week about a report relating to the Campbelltown council and the number of people being available for employment, and I think I should reply to that question now. The facts of that matter are that, in his initial contact with the Commonwealth Department of Labour and National Service, the Town Clerk requested nine men, and placed several restrictions on the type of labour required. These were that the men sought must all be experienced in concrete work and, in the Town Clerk's words, be "good types". The Department of Labour and National Service is a referee of labour, and at all times attempts to meet the requirements of the inquiring employer. In this instance 15 men of the required type were directed to the council office over a period of two weeks, 12 within three working days of the request being made. Of these 15, five failed to report and nine of the remaining 10 were offered jobs: four failed to start.

Following the newspaper report referred to, an officer of the Department of Labour and National Service contacted the clerk and discussed his labour requirements with him. It transpired that men with general labouring experience would suit equally as well. Within one day 26 men were referred; more than ample to meet requirements. Some of those selected will start work as late as the sixth of this month. The Minister of Lands has also drawn to my attention another aspect of this matter, that is, the reference to "good types" by some employers. The experience of officers of the Lands Department, and more particularly of the Department of Labour and National Service, in relation to employment under the scheme is that there is a reluctance to employ people who. in the opinion of the employer, will reflect poorly on the employer. In this category are substantial numbers of young people whose dress, and more specifically hair style, do not qualify them (in the eyes of the employer) as "good types".

In at least one instance in the metropolitan area many of these young people have been employed by councils with, initially, considerable misgivings, but their performance has been exemplary; so much so that in three weeks of hard manual labour of a type to which none has been accustomed (that is. concrete work) not one has been dismissed. On present indications not one is likely to be.

The fact is that ample labour is available for requirements, and it is not a fact that councils cannot obtain labour to meet their requirements. The facts disclosed in relation to the Campbelltown case show how misleading was the newspaper report about the state of the demand for employment in South Australia.

WATER SUPPLY

Mr. EVANS: Will the Minister of Works ask the Engineering and Water Supply Department to show more details on quarterly accounts by indicating the contents of the commodity sold as water and the cost of each ingredient? As many complaints have been made about the quality of water, I think it would be desirable to show on the accounts the quantity of chlorine and its cost, the quantities of fluoride, copper sulphate, rust, mud, and any other ingredient that may be included in the water. Will the Minister do this?

The Hon. J. D. CORCORAN: The honourable member is obviously thinking in the short term, because he knows that actions have been taken already to implement filtration of the water supply in the Adelaide metropolitan area and, consequently, the need for this sort of thing (if it were considered at all sensible) has been obviated. Therefore, I do not think 1 should treat the honourable member's question seriously.

Mr. MATHWIN: Will the Minister of Works obtain a report regarding the quality of water in the Somerton Park, Glenelg and North Brighton area and say whether the water is fit for human consumption? I have heard many reports recently, one of them being that the water is not fit to wash in but fit to drink. My daughter who obtained a drink of water from a tap complained that the water was filthy and smelly. I said that that was not so and I went to the tap, drew some water, and brought it to Parliament House in case I got thirsty. However, I have not had the guts to drink it. This is the water I got from the tap at Somerton last week.

The Hon. J. D. CORCORAN: Sir, I would always be suspicious of the honourable member's guts! I assure the honourable member that any water that flows through any of the mains controlled by the Engineering and Water Supply Department is perfectly safe for human consumption.

Mr. Mathwin: This water—

The SPEAKER: Order! The honourable member is not permitted to bring exhibits to this Chamber. If he does it again I will have to take serious action. The honourable Minister of Works.

The Hon. J. D. CORCORAN: I do not mind the honourable member's breaking Standing Orders. It is easy to be cynical and critical in a situation such as this. I think it might not do the honourable member any harm if I made available to him an officer of the department and, if he had an hour to spare, for the officer to explain to him the difficulties that exist and the efforts made by the department to see that these things do not occur. However, in the present situation the condition of the water referred to by the honourable member is sometimes unavoidable, and it will remain unavoidable until the filtration of the water supply of the metropolitan area is complete. Wherever possible we warn people that these conditions will occur, and we try to tell them for how long they will occur. As a main may burst, it is not always possible to warn people in advance, but where possible they are warned. Whilst I regret the circumstances that led to this question being asked, I can only say that the department is doing and will continue to do everything possible to avoid them in future.

Mr. Mathwin: Is it safe?

The Hon. J. D. CORCORAN: Yes.

Mr. LANGLEY: My question is not on dirty water but on how much. Can the Minister of Works say whether the present water storage is satisfactory for this time of the year and whether any increase in pumping will be needed?

The Hon. J. D. CORCORAN: Generally speaking, the position is satisfactory for this time of the year. The total capacity of the reservoirs is about 41,000,000,000gall., and the total amount held at the present moment is about 31,000,000,000gall. Pumping is taking place at present but only during off-peak periods, and I think this is all that will be necessary for the remainder of this year. Total capacity and present capacity of the individual storages are as follows:

	Total capacity (million gall.)	Present capacity (million gall.)
Mount Bold . . .	10,440	9,227.7
Happy Valley . .	2,804	2,298.2
Clarendon Weir .	72	70.4
Myponga.....	5,905	5,578.6
Millbrook	3,647	1,689.0
Kangaroo Creek .	5,370	3,886.0
Hope Valley . .	765	549.0
Thorndon Park . .	142	118.5
Barossa.....	993	883.5
South Para	11,300	7,591.5
	41,438	31,892.4

SPEAKER'S DINNER

Mr. WRIGHT: Can you, Mr. Speaker, say what the date of the Speaker's dinner will be, so that Assembly members may have the chance to end this official session of Parliament on a convivial note? I noticed last week that a dinner was held in the dining room, and, on inquiring about it, I was told that it was provided by the President for members of the Legislative Council. Being a new member, I concluded that a Speaker's dinner would be held some time later.

Members interjecting:

Mr. WRIGHT: As I have commitments (and I am sure other members have them, too), I would appreciate it if you could tell members what is the date of the Speaker's dinner.

The SPEAKER: I inform the honourable member that, in this place, he should not take things for granted and draw a hasty conclusion. Before I make a decision on any matter I give it the utmost consideration and, up to now, I have not been able to arrive at a conclusion on this matter.

WILLUNGA RAILWAY LAND

Mr. HOPGOOD: Has the Minister of Environment and Conservation, in the absence of the Minister of Roads and Transport, a reply to the question I asked of the Minister of Works on September 26 regarding the Willunga railway land?

The Hon. G. R. BROOMHILL: Representations have been received from the District Council of Willunga, which wishes to take over the Willunga station yard and building as part of a proposal to develop a golf course in the area. Also, the council has suggested that the section of the right-of-way between Willunga and McLaren Vale could be used as a horse-riding track and that the McLaren Vale station grounds could be used as a caravan park. The Railways Commissioner is currently awaiting further representations from the council.

ELECTRICITY TRUST

Mr. COUMBE: Can the Minister of Works provide information regarding the operations of the Electricity Trust? I refer to the Auditor-General's Report for the year ended June 30, 1972, concerning the operations of the trust, as follows:

The above statement—

—that is to the end of June, 1972—

—reveals a deficit of $334,000 for 1971-72 and this is the first year since 1948-49 in which the trust's operations have not resulted in a surplus. The overall demand for electricity did not increase to the same extent as in the previous year, and in the case of industrial supplies the demand was lower than in 1970-71. This situation was partly attributed to unusual seasonal conditions. Although a tariff increase was in force from May. 1971, the increase in income was insufficient to meet the statutory contribution to Consolidated Revenue for a full year and the higher costs (particularly labour) which applied in 1971-72.

Therefore, as four months of this financial year has already passed and as many undertakings take out a result for the first quarter of the financial year to the end of September, will the Minister ask the trust what trend has been indicated in sales, income, and operating expenses for that quarter of this year, to find out whether there has been a reversal or an improvement in the operations of the trust so far; in other words, whether the trend of declining sales indicated last year has been reversed?

The Hon. J. D. CORCORAN: A direct comparison would have to be made with the same quarter of last year, because the sale of electricity varies with the seasons. I will certainly ask the trust for that information and bring it down for the honourable member.

HYNAM BUILDING

Mr. RODDA: Will the Minister of Education consider making available a portable timber building on the old Hynam school site to the Hynam Tennis Club? That club is a rural body that uses its courts on Saturdays and during the week, and the timber portable building is adjacent to the tennis club's site. As that school has been closed and the building would make an ideal clubhouse, the club committee has discussed with me the prospects of having the building made available to it for this purpose. I know that the Minister puts many of these buildings to other use, but this one is adjacent to the tennis courts and I should be pleased if he would consider whether it can be made available, on any condition that he thinks fit, to this worthwhile cause in the Hynam district.

The Hon. HUGH HUDSON: I shall be pleased to examine the matter for the honourable member.

SCHOOL CARETAKERS

Mr. EVANS: Has the Minister of Education a reply to my question about the possibility of providing caretakers, or some other form of supervision, at schools?

The Hon. HUGH HUDSON: It is not possible to get the whole of the information required by the honourable member, as damage by theft or vandalism may be repaired either by the Headmaster's using his powers under the urgent minor repairs provisions or by the Public Buildings Department's arranging to make good the damage. However, if these facts are borne in mind, the costs in 1971-72 were as follows: building damage caused by fire, $248,472; equipment replaced following fires and consisting of school property, teachers' property, and students' property, $34,020; equipment replaced following theft, $18,528; and cash stolen, $2,447. The total is $284,940. The employment of night caretakers has not been considered seriously because of the cost compared to the cost of losses caused by fire or theft. Caretakers may be either resident or non-resident. In the case of resident caretakers $1,500,000 would be required to provide residences at secondary schools alone. The recurrent cost for salaries would be about the same whether new caretakers were resident or non-resident. This would represent an approximate cost of more than $2,000,000 a year if all schools throughout the State were covered.

MEAT QUOTAS

Mr. CARNIE: Will the Minister of Works ask the Minister of Agriculture to explain why an interstate meat firm which operates in Port Lincoln and which was guaranteed a killing quota of 1,200 sheep a week has been told that its quota has been cut to nil for at least three weeks? Also, will he ask his colleague whether he is aware that this firm may cease operating altogether if this is carried out and whether he realizes that this action is leading to a monopolistic situation with regard to meat buyers in Port Lincoln?

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

MODBURY HOSPITAL

Mrs. BYRNE: Will the Attorney-General ask the Chief Secretary whether a lease has been entered into for the establishment of a canteen at the Modbury Hospital? Tenders for the leasing of a canteen were to be called earlier this year by the board of management of the Royal Adelaide Hospital. Will the Minister ask his colleague whether applicants have been interviewed and, if they have, who has been successful?

The Hon. L. J. KING; I will refer the matter to my colleague.

Mrs. BYRNE: Will the Attorney-General ask the Minister of Health whether it is still intended to establish a ladies' auxiliary at the Modbury Hospital, and, if it is, what arrangements, if any, have been made? Previously, I was told that the Board of Management of the Royal Adelaide Hospital had recommended that, in addition to the proposed canteen, a ladies' auxiliary should be established at the Modbury Hospital. One of the activities of this group could be organizing and managing a hospital trolley service, which would be the means whereby interested groups from the community could take an active part in the affairs of the hospital and, at the same time, provide a valuable service for the patients.

The Hon. L. J. KING: I will refer the matter to my colleague.

BULLS

Mr. McANANEY: Has the Minister of Works a reply from the Minister of Agriculture to my recent question about the sale of mixed breed bulls?

The Hon. J. D. CORCORAN: My colleague states that in December, 1971, 225 bulls and 35 heifers of surplus Charolais cross stock from Struan Research Centre were sold by auction at Naracoorte. The demand for Charolais cross bulls is very strong from local graziers, who are prepared to pay a premium for this class of sire. The cross-bred bulls are being used as "terminal" sires, all progeny being sold for slaughter. Research in the United States of America and at Struan has indicated that cross-breeding improves the efficiency and profit of beef production by 20 per cent for two breeds and 30 per cent for three breeds.

In a cross-breeding programme it is preferable to use pure-bred bulls but, when this is not possible, there is no sound genetic reason why selected half-bred or three-quarter-bred bulls should not be used. In this instance, in using Charolais half-bred bulls, the industry is looking for increased growth rate and lean, meaty but well-finished progeny. Because of increasing research demands for steer carcass data, the Director of Agriculture considers that only six Charolais cross Shorthorn bulls will be available this year from Struan. In future years other crosses (for example, Simmental and Chianina) may become available if commercial beef producers wish to assess their suitability.

ADELAIDE MEDICAL SCHOOL

Mr. GOLDSWORTHY: Will the Minister of Education say whether he is satisfied with the conditions at the Adelaide University Medical School and, if he is not. what plans there are to upgrade its facilities?

The Hon. HUGH HUDSON: I should have thought that the honourable member, as a member of the Adelaide University Council, would know something of the procedure involved in capital developments at any of our universities. The university itself makes its submission direct to the Australian Universities Commission, which then makes a recommendation on capital developments to take place within the universities throughout Australia. The reports of the commission are then either accepted or not accepted by the various Governments. The capital programme for the University of Adelaide for the 1973-75 triennium has been approved. To my knowledge, while the South Australian programme contains expenditure for the establishment of Flinders Medical School, it does not provide for any upgrading of the University of Adelaide Medical School. I suggest that the first step to be taken is to include this project, if the university wants it to be included, in any further submission made to the commission.

WOOLLEN GOODS

Mr. VENNING: In the temporary absence of the Premier, who is in charge of the Prices Branch, I ask the Deputy Premier whether he will ask the Premier to have officers of the branch investigate the price being charged for woollen goods now on sale in South Australia. Last Friday. I attended a zone conference of the United Farmers and Graziers at which several delegates present expressed concern that the price of woollen goods being sold at present had risen considerably because of the increase in wool prices. It was pointed out that, while such an increase might be expected to occur in future, it would be some time before wool now being manufactured into garments would be on sale in shops, and concern was expressed that even at this early stage the price of woollen goods on display had been increased. Will the Deputy Premier ask the Premier to have officers of the Prices Branch investigate this matter?

The Hon. J. D. CORCORAN: I will certainly do that.

BOLIVAR EFFLUENT

Dr. EASTICK: Can the Minister of Works say whether any authorization has been granted for the distribution of water from the Bolivar effluent channel and, if it has, what are the terms of the authorization and the effect it may have on the availability of supplies to future applicants? In recent weeks, more especially in recent days, the Electricity Trust of South Australia has been providing service lines near the channel, and this suggests that pumping equipment is about to be connected. Concurrently with these activities, there has been a considerable increase in surveying activities and the taking of levels over the whole of the area northwards to the Gawler River. It is on this basis that I ask whether there has, in fact, been any authorization and whether, regarding the total output of the Bolivar works, any such authorization will affect future applications for a supply.

The Hon. J. D. CORCORAN: The only authorization of which I am aware was given some time ago at, I think, Angle Vale, where water is pumped from the channel for the growing of vines and, I think, olive trees. No other quantities of water have been allotted to any group or individual, but that does not mean to say that there have not been applications: applications have been received from three major groups which wish to take vast quantities of effluent and which, in fact, could easily utilize the whole of it. However, the Government has not agreed to make any allocation to these bodies, because an investigation is currently being conducted by the Agriculture Department on behalf of the Engineering and Water Supply Department.

Unfortunately, it will probably be another 18 months before we have the final report of that investigation and before we will be able to determine whether or not it is feasible and reasonable to use the effluent on the Adelaide Plains. The honourable member is, of course, fully aware of the need that exists there. Until we receive the report and can evaluate it, we cannot really allow any authorization for the use of the effluent. When a decision is made, we will know how much is required, what are the likely requirements for the future, and what quantities can be supplied in other areas. However, I am sure that the activities to which the Leader has referred are not in connection with irrigating from the channel which takes the effluent from Bolivar to the sea.

SCHOOL HOLIDAYS

Mr. BECKER: Can the Minister of Education say whether the Government has considered the suggestion that the September school holidays be altered so as to include five additional days, which would be deducted from the Christmas summer vacation? I understand the reason for this suggestion is that, if the September school holidays were so extended, parents would be able to spend their annual leave with their children. I believe that in New South Wales the September school holidays consist of 15 days.

The Hon. HUGH HUDSON: To my knowledge, that suggestion has not been considered. Although I am willing to have inquiries made concerning this matter, I imagine that, especially in the case of senior students, there might be many arguments against having a three-week break at that time of the year. However, I will look into the matter.

ROAD TAX

Mr. WARDLE: I direct my question to the Premier, although the matter to which I refer may also concern the Minister of Roads and Transport and the Minister representing the Minister of Agriculture. Will the Premier consider removing the road tax from the cost of transporting products to drought-stricken areas? The Premier will be aware that the road tax component of transportation costs paid by farmers in drought-stricken areas amounts to an additional $15 to $20. At least this applies to the costs incurred as a result of travelling from my district to the South-East and returning with a load of baled hay for the benefit of farmers in the drought-stricken areas.

The Hon. D. A. DUNSTAN: Concerning the road maintenance tax, I point out that it is doubtful whether we could make a specific exemption of this kind. Although I will have the matter examined, the honourable member will be aware that we subsidize the movement of fodder on the railways, but that is a specific subsidy that is applied for in certain circumstances on a statutory declaration. However, I will examine the honourable member's suggestion.

Mr. FERGUSON (on notice): In administering the Road Maintenance (Contribution) Act, 1963-1968, what was—

(a) the number of staff, including road patrols and office staff, employed as at October 1, 1972;

(b) the total cost for each of the last three financial years, including wages, superannuation office rents, etc?

The Hon. G. R. Broomhill, for the Hon. G. T. VIRGO: The replies are as follows:

(a) As at October 1, 1972, the number of staff employed in the Road Charges Section of the Highways Department was 78. Included in this number are 39 traffic inspectors and assistant traffic inspectors whose duties involve policing the Road Traffic Act in addition to the Road Maintenance (Contribution) Act.

(b) The total cost of administering the latter Act over the last three financial years has been:

	$
1969-70	193,908
1970-71	245,308
1971-72	289,016

MR. KENEALLY'S QUESTION

Mr. KENEALLY: I intended to ask a question of the member for Flinders, but I see that he has just left the Chamber.

Mr. Millhouse: Why don't you try me; you've been trying to ask a question of me for weeks.

The SPEAKER: Order! The honourable member for Mitcham will also leave the Chamber if he does not conduct himself properly.

BASHAM BEACH

Mr. MILLHOUSE: If I cannot oblige the member for Stuart, perhaps I will try my luck with one of the Ministers and hope for better luck than I have had with the Attorney-General. Will the Minister of Environment and Conservation say what action, if any, the Government intends to take regarding the area of coast which is north-east of Port Elliot and which is known as Basham Beach? I hasten to state immediately that I ask this question with the assent of the member for the district (the member for Alexandra).

The Hon. Hugh Hudson: He's only just arrived back and you hop into his area straight away.

Mr. MILLHOUSE: That is right, with his assent.

The Hon. Hugh Hudson: That's what you tell us.

Mr. MILLHOUSE: I do not know whether the Minister of Education is doubting my word; I hope he is not and I assume that he is not. This matter was given public attention last week because of the letter in the newspaper from G. B. Markey and subsequently on Friday, I think, when an article appeared in the

Advertiser under the heading "Fight to Save Beach Area". From inquiries I have made since the letter and the article appeared, I understand that representations had been made to the Minister by the Nature Conservation Society of South Australia well before the publicity was given to the proposed sale for subdivision of the land. As this subdivision is to take place on November 15 unless some sooner action is taken, the matter is of considerable urgency.

The Hon. G. R. BROOMHILL: I have checked this matter with the Director of Planning, who has informed me that no application to subdivide has been received by him. If one is received, then he will consider the application under the powers which he has under Part 6 of the Planning and Development Act, which includes power to refuse if the subdivision is considered premature. The State Planning Authority is preparing a development plan for the outer metropolitan planning area of which this area forms part. The Director of Planning is likely to be publicly exhibiting this plan within a month or two. The Bill being introduced today will enable interim control to be extended to this area.

HILLS SEWERAGE

Mr. EVANS: Can the Minister of Works say whether the site, or sites, for the sewerage treatment works for the Crafers, Stirling, Aldgate, Bridgewater, and Heathfield areas has or have been selected and, if a decision has been made, will he bring down a report? In a reply to a previous question I asked about this matter, the Minister said that preliminary surveys, plans, and estimates had been made for a comprehensive sewerage scheme for the area (page 518 of *Hansard).* I have heard rumours (and they are only rumours) that a definite site has been chosen. Naturally, property owners who may wish to build a house on their properties are concerned to know where these treatment works will be, so that they will not build their house too close to them.

The Hon. J. D. CORCORAN: I will get a report.

T.A.B. DIVIDENDS

Mr. BECKER: Will the Attorney-General ask the Chief Secretary whether he can explain the difference between Totalizator Agency Board daily double dividends in this State and those in other States? A constituent of mine has written to me stating that he has noticed and commented on doubles dividends declared by the South Australian T.A.B. compared to T.A.B. doubles dividends in other States. In many cases, the South Australian dividends are well below those declared in other States, even taking into account the second dividend in South Australia for horses placed first and second. My constituent then lists what has happened on certain race days. For instance, on Saturday, September 16, the T.A.B. daily double dividend in New South Wales on the Melbourne meeting was $163.60; in Queensland, it was $276; in Western Australia, it was $228.70; in Victoria, it was $236.05; in the Australian Capital Territory, it was $124.95 (first and first), and $6.90 (first and second); and in South Australia, it was $83.65 (first and first)—

The SPEAKER: Order! The honourable member is giving information, and not explaining his question.

Mr. BECKER: —and $6.40 (first and second).

The SPEAKER: Order! The honourable Attorney-General.

The Hon. L. J. KING: I will refer the matter to my colleague.

THEATRE HIRE COSTS

Mr. GOLDSWORTHY: Can the Premier say what charges will be made for hiring the new festival theatre? I have been told that the charge for hiring the theatre will be $1,000 a night, compared to the fee of $140 a night for the Adelaide Town Hall. I was given this information in relation to the hiring of a hall for a school music festival. One of my colleagues has referred to the two sums charged for the respective halls. I wish to know whether those figures are correct and, if they are not, can the Premier say what the charges will be?

The Hon. D. A. DUNSTAN: From memory, the charge generally for hiring the theatre is the $1,000 a night to which the honourable member has referred. The basis of this is that it is an all-up charge for full theatre facilities. The charge in some theatres is a fee for the halls; then there is a whole series of extras for everything else that may conceivably be used. It is not possible to compare the charge for the festival theatre with that for the Adelaide Town Hall, as the facilities and staff are dissimilar. However, the overall charge a seat for the festival theatre will be less than the charge a seat at Her Majesty's Theatre. We have to operate the new theatre as closely as possible to a commercial basis so that we are not putting in an enormous amount of subsidy

to this centre. However, special concession rates are negotiable for certain functions.

Mr. Millhouse: What sort of functions?

The Hon. D. A. DUNSTAN: For instance, in relation to the Australian Broadcasting Commission for the symphony orchestra subscription series the charge is decidedly less than $1,000 a night. I cannot give the honourable member the exact charge at this moment, as there has been some negotiation over a period. For other forms of function, where, for instance, subsidized companies are operating in the festival theatre, it is intended that a concession rate be fixed. Moreover, a special subsidy fund is being provided to ensure that in appropriate cases a lesser charge will be specified. Therefore, although for commercial purposes the rate is fixed at $1,000 a night (which compares favourably with commercial theatre charges throughout Australia at places such as the Sydney Opera House and the Melbourne Cultural Centre), in appropriate cases special fees can be arranged. I should think that for the school music festival something can conceivably be arranged, but this is a question for negotiation with the festival theatre management.

PORT WAKEFIELD ROAD

Mr. VENNING: Has the Minister of Environment and Conservation a reply to my recent question about the dual highway being constructed in the Gepps Cross area?

The Hon. G. R. BROOMHILL: The construction of the Port Wakefield Road, in the Cavan area, to dual-highway standard, is proceeding. It is expected that the duplicated roadway between Gepps Cross and Cross Keys will be completed in about 15 months. The construction of the section of Port Wakefield Road between Cross Keys Road and Martin Road will be affected by the proposed Gillman and Islington highways. This will be a project of considerable complexity, and it is not expected that work will commence before the latter part of 1974.

TIMBER CLASSROOMS

Mr. McANANEY: Can the Minister of Education say whether records are kept of the age of timber buildings used at schools? I noticed in a recent reference to the Public Works Committee that a timber school building was to be replaced, although it was in good condition and had been erected at the school for only a short time. As I have seen many schools at which old buildings are in urgent need of replacement, I wonder whether records are available as to the age of timber buildings and why it is decided to replace them.

The Hon. HUGH HUDSON: Records would be kept, but it may take considerable time and effort to obtain a complete schedule of the age of every timber building used by the Education Department. I point out to the honourable member that a school may be replaced for several reasons. One possible reason is the condition of the existing buildings leading to an urgent need to replace them with modern facilities. Often there will be a need for additional accommodation at a school at which the enrolment is expanding, and we may have plans to replace the timber buildings on that site. Architects of the Public Buildings Department in these circumstances will normally point out that, if the additional accommodation involves a substantial expenditure, it will normally be worth while doing the whole job in one go. In other circumstances, any replacement on a restricted site may require replacing all the timber buildings so that more effective use of the site can be made and more land made available for playing area. Obviously, there are several reasons why timber buildings of varying ages are replaced at one time or another. We are adopting an active policy in relation to timber buildings by making them available to other organizations wherever possible, or alternatively, selling them when they are not required by an organization to which we are willing to make them available free. Also, we provide timber buildings, no longer required by the department, free of charge to the Kindergarten Union, independent schools, church organizations, and youth organizations, and beyond that they go up for tender. Most of the timber buildings being replaced at present continue to be used by some other organization.

PAROLE BOARD

Mr. BECKER: Will the Premier, in the temporary absence of the Attorney-General, ask the Chief Secretary whether he has received any nominations to fill the vacancy on the Parole Board caused by the untimely death of Miss Henriott, and when the vacancy will be filled?

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

TARCOOLA ROAD

Mr. GUNN: Because of the importance to South Australia of the proposed Tarcoola to Alice Springs railway line, will the Premier

consider having funds provided by the Highways Department to build a road from Tarcoola to Ceduna, a distance of about 110 miles? I have raised this matter twice since I have become a member: the first time I received a rude reply from the Minister of Roads and Transport, and the second time he promised to investigate the matter, but I have not received a reply.

Mr. Wright: Why are you talking about him when he is not here?

Mr. GUNN: It is not my fault that the Minister is not here. As this matter concerns my constituents at Tarcoola, I shall be pleased if the Premier will consider it.

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

LEAGUE OF RIGHTS

Mr. KENEALLY: I ask the member for Flinders a question. Does he see the League of Rights as a neo-Nazi, racist, and anti-semitic influence—

The SPEAKER: Order!

Mr. Mathwin: Why not ask one of your Ministers?

The SPEAKER: Order! The question has nothing to do with the business of the House.

CITIZEN MILITARY FORCES

Mr. MILLHOUSE (on notice):

I. What are the conditions of leave for members of the Public Service who are members of the Citizen Military Forces?

2. Are conditions of leave for South Australian Railways employees who are members of the C.M.F. the same as those for members of the Public Service? If not, how do they differ and why?

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

1. Public Service officers are granted up to 14 calendar days military leave each year on full pay (in addition to military pay) for one camp of continuous training, and up to a further 14 calendar days a year for additional training for which the difference between the officer's ordinary pay and his military pay is made up by the Government.

2. Other Government employees (including railway employees) are granted leave for two camps each year, and they may take either annual leave or long service leave (if eligible) for the period of training. If the period is not covered by annual leave or long service leave, the difference between military pay and civilian (if any) is made up by the Government. Requests for uniform conditions to apply have been considered many times by previous Governments, which decided not to alter the existing conditions.

SOUTH ROAD ACCIDENTS

Mr. HOPGOOD (on notice):

1. How many traffic accidents have occurred in the last 12 months on the following sections of the Main South Road:

(a) Darlington to Black's Road;

(b) Black's Road to the Reynella by-pass;

(c) Reynella by-pass?

2. How many fatalities and non-fatal injuries have resulted from the accidents in each of these sections, respectively?

The Hon. G. R. Broomhill, for the Hon. G. T. VIRGO: Accident statistics are recorded on a calendar-year basis and the following tables show the 1971 figures and also the figures for January-October, 1972:

		Total Accidents	Persons Killed	Persons Injured
(a)	Darlington to Black's Road			
	1971	81	1	37
	1972	46	2	16
(b)	Black's Road to the Reynella by-pass			
	1971	54	1	24
	1972	31	1	17
(c)	Reynella by-pass			
	1971	35	0	25
	1972	19	0	3

RELIEF PAYMENTS

Mr. HOPGOOD (on notice): In what circumstances does the Community Welfare Department distribute relief?

The Hon. L. J. KING: State financial assistance is issued pursuant to the provisions of the Community Welfare Act, 1972. Families or individuals to whom State financial assistance may be granted include deserted wives, wives whose husbands are in gaol, unmarried mothers, families where the breadwinner is unemployed or sick, and unemployed single persons. Assistance may also be paid to persons caring for a child where the parents are deceased, in gaol, cannot be located or are unable to contribute to the child's maintenance. Rates of State assistance are generally the same as Commonwealth social service pension and benefit rates. Often State assistance is required for a short period only until the family or individual receives a Commonwealth benefit or pension. However, there are many other cases where the assistance must be continued for a considerable time. It is the policy of the Government to improve the rates and

conditions for the payment of State financial assistance to the maximum extent possible, having regard to the amount of funds which can be allocated for the purpose. During 1972, rates of assistance have been increased on three different occasions following increases in Commonwealth pension and benefit rates. Prior to September 1, 1972, applicants for State financial assistance were not allowed to have any income or liquid assets without it affecting their eligibility for assistance or the amount of that assistance. This situation has now been altered and unmarried mothers and deserted wives can have up to $500 in liquid assets without it affecting their eligibility. They are also permitted the following income without it affecting their eligibility or the amount of assistance:

	Per Week $
Mother with one dependent child	10.00
Mother wth two dependent children.....	10.00
Mother with three dependent children.....	12.00

There is an additional $4 a week for each subsequent child. Wives of prisoners are allowed to have the same amount of income as deserted wives and unmarried mothers. However, the provision regarding liquid assets does not apply in their case. Prior to September 1, 1972, deserted wives, unmarried mothers and wives of prisoners were placed on a lower rate of assistance equivalent to the Commonwealth unemployment benefit rate for an initial period of six weeks. This practice has now been discontinued and women in these categories are paid at rates equivalent to Commonwealth pension rates from the date of their initial application subject, of course, to their being eligible for assistance.

KIMBA MAIN

Mr. GUNN (on notice):

1. How many miles of the Polda-Kimba main have been completed?

2. When is it now expected that Kimba will be connected to the main?

3. How many men are now employed on construction of this main?

The Hon. Hugh Hudson, for the Hon. J. D. CORCORAN: The replies are as follows:

1. 56 miles.

2. September, 1973.

3. 50.

BUSES

Mr. MATHWIN (on notice):

1. What is the total number of Municipal Tramways Trust buses likely to be displaced by the current contract for new buses?

2. How many of the displaced buses have so far been sold to South Australian bus operators?

3. What is the current number of unsold buses stored at the Electricity Trust Angle Park depot?

4. How many more buses will be displaced when the current new bus contract is completed?

5. What is the Government's intention with regard to the disposal of these buses, which being 8ft. 6in. wide cannot be sold outside South Australia?

The Hon. G. R. Broomhill, for the Hon. G. T. VIRGO: The replies are as follows:

1. 264.

2. 47 plus four which have been sold to other local purchasers.

3. 146.

4. 43.

5. To continue with attempts to sell them. I point out that 13 have been sold to purchasers from States other than South Australia.

PUBLIC TRANSPORT

Mr. MILLHOUSE (on notice):

1. Is the study of the possibility of implementing a demand-actuated public transport experiment in the metropolitan area still continuing?

2. If so, when is it expected to be completed?

3. If it has been completed, what is the result?

The Hon. G. R. Broomhill, for the Hon. G. T. VIRGO: The replies are as follows:

1. Yes.

2. Present indications are that a result will be announced early next year.

3. *Vide* No. 2.

CONTAINER BERTH

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Container Ship Berth, Outer Harbor.

Ordered that report be printed.

JUSTICES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

LOWER RIVER BROUGHTON IRRIGATION TRUST ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

ENVIRONMENTAL PROTECTION COUNCIL BILL

Returned from the Legislative Council without amendment.

METROPOLITAN ADELAIDE ROAD WIDENING PLAN BILL

Returned from the Legislative Council without amendment.

TORRENS COLLEGE OF ADVANCED EDUCATION BILL

The Hon. HUGH HUDSON (Minister of Education) obtained leave and introduced a Bill for an Act for the establishment of the Torrens College of Advanced Education; to provide for its administration and define its powers, functions, duties and obligations; to incorporate within the college the education institutions presently known as the "South Australian School of Art" and the "Western Teachers College"; and for other purposes. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

I propose to introduce two Bills which will complete the process of separating the teachers colleges and the South Australian School of Art from the Education Department and establishing them as colleges of advanced education subject to the functions of the Board of Advanced Education. While the two Bills are similar and contain much common material, the problems involved in amalgamating two of the colleges in Torrens College of Advanced Education made it desirable to have a separate Bill for this purpose, especially in relation to the formation of the council.

However, much of the information and explanation which I shall offer to members will apply equally to both Bills. The major purpose of this Bill is to create the Torrens College of Advanced Education by a combination of the South Australian School of Art and Western Teachers College and the removal of both colleges from the Education Department. This is a natural development of the policy adopted by the Government as a result of the Karmel report on education in South Australia. The Karmel report recommended that teachers colleges should cease to be the responsibility of the Education Department and should be incorporated under an Act of Parliament as independent institutions subject to the general supervision of a State co-ordinating authority.

The Government accepted this recommendation and, as a first step in implementing the new policy, appointed interim councils to both Western Teachers College and the School of Art in July, 1971. The colleges have thus had some experience in council government. The second stage saw the establishment of the State co-ordinating authority, the South Australian Board of Advanced Education, by Act of Parliament which came into force on July 1 this year.

Torrens college will, in fact, merge two mono-purpose institutions into one multi-purpose college of advanced education, which will add materially to the State's provision of top level tertiary institutions. It will provide the State with a new major college capable of attaining the stature of the Institute of Technology, but offering courses in different disciplines. Commencing with courses in fine art, applied art, design and teaching, the college will be well placed to provide South Australia with a liberal arts college, providing educational facilities which we have lacked. It is the Government's intention that this new college will not be restricted in its operations to the offering of courses in art and teaching, but that, with the approval of the Board of Advanced Education, the college will be able to expand its courses in other areas and become a truly multi-purpose college.

In this way the Torrens college will fit the generally-accepted pattern of a multi-purpose College of Advanced Education. The college has been accepted by the Commonwealth as a college of advanced education for the purpose of Commonwealth financial support for both capital and recurrent expenditure. The concept of Torrens as created by this Act conforms to Commonwealth requirements as well as reflects the views of the State Government. The chief concepts are that colleges of advanced education are self-governing multi-purpose institutions, with their own governing councils, the right of direct employment of staff free from the control of the Education Department and not as members of the Public Service proper, working within their own approved budgets, and with their development programmes co-ordinated by the Board of Advanced Education.

Various reports have emphasized the benefits to be derived from multi-purpose as distinct from mono-purpose institutions. The latest

of these was the report of the standing committee of the Senate which emphasized that teacher education should, where practicable, no longer be undertaken in mono-purpose colleges. Somewhat similar considerations apply to the School of Art. Commenced as a specialist art school courses of the School of Art have been broadened in recent years by an infusion of liberal studies, the addition of courses in industrial design, and in other ways. It has become increasingly more difficult and less desirable to try to maintain the School in academic isolation. In fact, the Western Teachers College and the School of Art are both ripe for inclusion in a fully integrated college of advanced education of the pattern which I have described.

Other benefits will follow. The present building of the South Australian School of Art is crowded now: no space exists for further development. Western Teachers College is fragmented on half a dozen different sites, with totally inadequate accommodation. The Government proposes to build a new college for Torrens on a site of about 45 acres in Underdale in a prime position to allow for future expansion. Whilst the college will serve South Australia, it will bring a top level tertiary institution to the western suburbs.

Under clause 16, the Minister is given power to appoint the first Director of the college. I am pleased to announce that Cabinet has approved my recommendation that Dr. Gregor Ramsey, current Principal of Western Teachers College, be appointed Director-designate of Torrens College of Advanced Education. Dr. Ramsey is a science graduate of the University of Adelaide and a former Deputy-Director of the Australian Science Education Project. He obtained his doctorate from Ohio State University in 1969 and was appointed Principal of Western Teachers College in October, 1971.

Clauses 1 and 2 are formal. It is the intention of the Government to proclaim the Act early in the New Year. The interpretation clause provides normal definitions which are identical in most cases to those of the South Australian Institute of Technology Act. Clause 4 establishes the college as an autonomous body and, when read in conjunction with clause 28, removes the two colleges from the Education Department. Clause 5 sets out the functions of the college and establishes its basic character in fine and applied arts, and teacher education. Subclause *(c)* of this clause makes provision for widening the scope of the college to cover education in other fields.

Clause 6 brings the college within the purview of the Board of Advanced Education for the accreditation of its awards. The college may award degrees, diplomas, and other accredited awards. Clause 7 is the usual non-discriminatory clause, with which I believe every member will agree. Clause 8 makes provision for the establishment of the college council. I point out that the council provided is in the modern style for adult tertiary educational institutions and includes staff and student representation. Council membership has been carefully devised to take cognizance of the fact that the two component colleges will continue to operate in their present sites for some time. They will be transferred gradually as buildings are completed at the new site. This being so, and as there are discrepancies in student and staff numbers between the two, with Western Teachers College having a much larger population, it has been deemed desirable to ensure that both present components are directly represented in the council.

The Principal of the School of Art is included as an *ex officio* member of the council to balance somewhat the elected staff and student membership under paragraphs *(c)*, *(d)* and *(e)* of subclause 2, which on current enrolments and staffing could unduly favour Western Teachers College representation. I call particular attention to paragraphs *(j)* and *(k)*. The former ensures that community representation must include at least two people of established competence in fine arts, while the latter permits the council to co-opt up to two additional members. This will enable the council to gain the services of people with particular knowledge or expertise which may be of value to the college.

Subclauses (4), (5) and (6) set the initial electorates for student and staff representation on the council. Subclause (6) contains a device to enable the council to be appointed on proclamation of the Act. Once the Bill is passed, I propose to cause elections to be held prior to Christmas. I will be requesting the new council, when appointed, to continue with the method of subclauses (4) and (5) for the election of staff and students, under its power to establish statutes, until Western Teachers College and the School of Art come together on the campus at Underdale.

Clause 10 defines the terms of appointments of members of the council and the grounds on which a member may be removed from office. A student member gains a term of one year in the expectation that student members will usually be senior students on election and

may leave the college before completion of a term of office if the term exceeds one year. It has been deemed desirable that a student member shall be, in fact, a student. Such member can, under subclause (3), stand for re-election if still eligible on the expiration of his or her term. Clauses 11 and 12 are normal provisions for the conduct of the council's business.

Clause 13 sets out the specific powers of the council. Clause 14 requires collaboration with other appropriate authorities. Subclause (2) provides a reserve power for the Minister to ensure that there will be an adequate supply of trained teachers. Clause 15 gives the council authority to determine the internal organization of the college and subclause (2) perpetuates the name the South Australian School of Art. The South Australian School of Art has occupied a unique place in education in this State. The perpetuation of the name within the Torrens framework ensures the continuation of an outstanding art centre.

Clause 16 provides for the position of Director as the chief executive and for the appointment of the first Director. Clause 17 makes possible the encouragement of an active student life in the college. Clause 18 is the normal provision for making land available for the purposes of the college. Subclause (5) enables the transfer of the present furniture and equipment of Western Teachers College and the School of Art to the college.

Clause 19 is proposed to protect the interests of staff within the present colleges. The position is that academic staff in the two present colleges are employees of the Education Department. Non-academic or ancillary staff have been appointed by the Public Service Board to work for the Education Department in the colleges. It is proposed that the appointed day will occur once salary and other conditions have been determined so that members of staff can make an informed choice of their future employment. It is hoped that these matters can be finalized by July 1, 1973. Employees who do not wish to transfer to college employment retain their rights under the Education Act and Public Service Act respectively.

Subclauses (2) and (3) protect existing status, salary and accrued leave, whilst subclause (6) preserves employee rights to superannuation. Clause 20 gives the council authority to make statutes governing the internal working of the college. These provisions are normal for autonomous tertiary institutions. They are, in fact, almost identical with the similar provision in the South Australian Institute of Technology Act. Members will note that any such statutes will be subject to disallowance by either House of Parliament. Clause 21 makes provision for by-laws which are also of a normal kind and which, like the statutes, will be subject to disallowance in the usual way.

Clause 22 attests the validity of statutes and by-laws. It also provides in subclause (5) that the council may adopt the statutes or by-laws of the South Australian Institute of Technology or the current rules or regulations of the present colleges. This provision is necessary if the college is to have a working base from which to operate in the new year. For example, there are rules and regulations governing the diploma courses in both institutions. Without provision for the adoption of the present practice, the new college would not have any legally constituted course in which to enrol students in January, 1973. Subclause (6) recognizes what a great deal of work is involved in the establishment of statutes and by-laws for a new college and therefore permits the adoption of present practice to extend over a two-year period. Clause 23 requires the college to report to Parliament annually, while clause 24 requires the keeping of accounts audited by the Auditor-General. Clause 25 makes provision for funding the college subject to the role of the Board of Advanced Education in reviewing budgets and making recommendations to the Minister.

Mrs. STEELE secured the adjournment of the debate.

COLLEGES OF ADVANCED EDUCATION BILL

The Hon. HUGH HUDSON (Minister of Education) obtained leave and introduced a Bill for an Act to confer autonomy on certain existing colleges; to provide for the establishment of new colleges; to provide for the administration of those colleges: and for other purposes. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

If passed, it will separately confer autonomy on Adelaide, Bedford Park, Salisbury and Wattle Park Teachers Colleges. Most of the explanations which I gave in respect of the Torrens Bill apply with equal force to this Bill. The recommendations of the Karmel report, the action of the Government in establishing interim councils in each college in July, 1971, the establishment of the Board of Advanced Education, and now the introduction

of this Bill represent a consistent pattern of development. In addition, the Commonwealth Government has announced recently, following the report of the Senate Committee on the Role of the Commonwealth in Teacher Education, that the Commonwealth will, by arrangement with the States, offer financial support for Government teachers colleges which are being developed as self-governing institutions, under Statute, free from Education Department control. The Commonwealth policy is, in fact, recognizing the merit of the policy which this Government adopted about two years ago, and the Bill provides the same kind of council government and the same relationship with the Board of Advanced Education with respect to accreditation of courses, finance and future development as explained in connection with the Torrens Bill. Inevitably, many of the clauses are identical in the two Bills. I will therefore direct my remarks more especially to the differences between this Bill and the Bill for Torrens. The introduction to the Bill states that it is to provide for the establishment of new colleges of advanced education, and the Bill gives the short title as the Colleges of Advanced Education Act. The purpose of these provisions, together with clauses 4 (1) *(b)* and 4 (3), is to establish a basic Act under which the existing teachers colleges and other possible future colleges of advanced education may be incorporated: that is, the Bill establishes a pattern for the future development of the college system.

Clause 4 identifies the four colleges to which this Act will apply immediately, and in subclause (3) confers new titles on each college. These new titles have each been recommended to me by the interim councils of the respective colleges, and the Government has accepted the recommendations in order to emphasize the new status of the colleges of advanced education. Adelaide Teachers College will become Adelaide College of Advanced Education, Bedford Teachers College will become Sturt College of Advanced Education, Wattle Park Teachers College will become Murray Park College of Advanced Education, and Salisbury Teachers College will become Salisbury College of Advanced Education.

Clause 5 in subclause *(a)* provides for a continuance of each college's function in teacher education while subclause *(b)* provides opportunity for each college to expand its functions so that it may develop a multi-purpose character. I would emphasize that multi-purpose developments will be encouraged only where they are a reasonable extension of the activities of a college. Clause 9 provides for the creation of a council for each college. The constitution of these councils differs a little from that proposed for Torrens. We were not faced in these cases with the problems of amalgamating two colleges operating temporarily on different and scattered campuses. Instead, in each case we have a consolidated staff and college on its own campus. There is thus no need for some of the clauses included in the Torrens Bill.

As with the Torrens Bill, the council is in the modern format for tertiary education, providing for staff and student representation on the council. Subsection *(e)* provides for two nominees of the Director-General of Education. A nominee of the Director of Further Education was included in the Torrens Bill, as the Diploma of Teaching (Technical) is providing currently by Western Teachers College. In the case of colleges covered by this Bill, it has been deemed desirable to have two nominees of the Director-General because of the vital interest of the Education Department in the employment of graduates from the colleges. Similarly, six members of the public (eight in the case of Torrens) appear adequate for these colleges of advanced education, taken together with the provision for the council to co-opt two more appropriate persons. The remaining members of council are to be appointed in the same way as for Torrens.

The next clause to which I draw attention is clause 17, which names the Director as chief executive and protects the appointment of the present Principals in the change of title of the principal officer in each college. As with the change of name of the colleges, the adoption of the title of Director has been on the advice of the interim councils. It also reflects the new status of the colleges as well as the new status of the chief executives. There are three provisions in the Bill which, whilst identical to the provisions of the Torrens Bill, should be re-emphasized here. Clause 15 (2) confers on the Minister of Education a reserve power in collaboration with college councils to ensure that the colleges provide a sufficient flow of trained teachers of various kinds to meet the needs of the State. This, of course, is one of the fundamental duties of any Minister of Education. However, I stress that the word collaboration has been used deliberately in recognition of the new status of the colleges. The second provision to which I draw attention is clause 20, which confers on the staff of these colleges the same right of election and protection of

benefits in employment and superannuation as was mentioned in the case of Torrens. This means that each staff member has the individual choice as to where his/her personal future employment shall lie. The third provision is in clause 23 (5) and (6) which enables each college council to adopt current rules and regulations in order to have a working base from the proclamation of the Act. Subclause (6) gives a breathing space to the colleges in which to formulate their own statutes and by-laws which, of course, will be subject to disallowance by either House of Parliament.

The remaining clauses of the Bill are identical to the provisions of the Torrens College of Advanced Education Bill and I will not weary members by repeating what I said regarding that Bill. I pay a warm personal tribute to all those ladies and gentlemen who have served so willingly on the interim councils of the six colleges, namely, Adelaide, Bedford Park, Salisbury, Wattle Park and Western Teachers Colleges and the South Australian School of Art, in the period from July 1, 1971. These people have given freely of their time, their energy, their knowledge and their expertise, and their work has paved the way for true college autonomy. Doubtless, some will now consider that they have served their turn and will not seek re-election or reappointment. Others will, I hope, continue to offer their services.

To all of them, I offer the thanks of the Government and my own deep personal appreciation of their service. I also express my thanks to the Chairman of the Board of Advanced Education, to the Director-General and to other officers of the Education Department, who have given their services untiringly to ensure that the full autonomy of the teachers colleges and the School of Art will be a success and will involve a smooth transition.

Mr. COUMBE secured the adjournment of the debate.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (GENERAL)

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation) obtained leave and introduced a Bill for an Act to amend the Planning and Development Act, 1966-1971. Read a first time.

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

That this Bill be now read a second time.

This is the third amendment to the Planning and Development Act introduced by the Government during the current session. The two previous Bills dealt with specific urgent matters. This Bill deals with a miscellany of amendments to various parts of the Act. It provides for new powers relating to the control of development and the control of land subdivision, the introduction of objector appeals, new provisions regarding finance, and matters relating to administration and procedure. The Government is aware of widespread concern regarding the effects of scattered building development and land subdivision in the rural areas of the State, particularly those adjoining Adelaide and the major country towns.

Urban development of this kind poses a threat to efficient primary production and quickly destroys the predominant rural character of an area. Most important is the fact that, if allowed to continue between Adelaide and the proposed Murray New Town, such activity could destroy the open rural character of the beautiful Mount Lofty Range which lies between. One of the fundamental concepts of Murray New Town is that it will be physically separated from the built-up area of Adelaide. As a development plan covering this area will not be completed for quite some time, there is nothing to stop haphazard development adjoining the highway between Adelaide and Murray New Town. The Government proposes that more effective control in rural areas be achieved in two ways: first, by extending interim development control powers to control building development and, secondly, by giving the Director of Planning additional powers to control land subdivision.

At present, interim development control under section 41 of the Act is limited to the Metropolitan Planning Area. It is proposed to delete the reference to the Metropolitan Planning Area, thus enabling the Governor by proclamation to declare that any land within any planning area shall be subject to interim development control. All parts of the State are now included within a planning area, and development plans are in the course of preparation or have been authorized for each of the 12 planning areas proclaimed. The Government intends to introduce interim development control immediately for the area between Adelaide and Murray New Town. Other country towns will also benefit where such controls may be necessary in lieu of zoning by-laws made under the present Building Act, which is shortly to be repealed.

The additional powers to control land subdivision are threefold: first, it is intended to extend the overall control of land subdivision in the Act to any allotment of 30 ha (74 acres) or less, the present limit being 20 acres. There have been frequent references

in this House to the conditions arising in the Mount Lofty Range owing to the unrestricted subdivision of land into allotments in excess of 20 acres. The Commissioner of Highways is concerned at the creation of 20-acre allotments which have a narrow frontage to main roads merely to enable undesirable development to gain a frontage of that road. There are also other examples to be found, particularly along the Murray River, where a lack of control of allotments greater than 20 acres has resulted in the division of farm land into large allotments having a narrow frontage to the river and connected by a narrow strip to the major part of the allotment some distance back from the river.

These devious designs enable shacks to be built close to the river, possibly on land subject to flooding, and the owners can avoid having to set aside a public reserve and access road along the river frontage as required by the Act. The second measure to strengthen the land subdivision controls in the Act is designed to prevent the sporadic spread of urban type subdivisions in rural areas. It gives the Director of Planning power to refuse a plan if the land being divided does not form part of a compact extension to an existing township. Thus the measure will safeguard rural land against sporadic development. As the provision can create some hardship if it is rigidly administered, the Government intends that the Director, as a matter of policy, shall administer this new power in the following manner, pending the preparation of planning regulations.

Owners of any allotment will be permitted to divide that allotment, provided that the applicant can prove to the satisfaction of the Director of Planning that each allotment proposed to be created will comprise, and be used for, an independent economic unit for the business of primary production. In order to provide for the needs of a farmer wishing to allow, for example, his son or relative to build a house and to secure a separate title for that house, it is intended that the Director of Planning will approve plans which are submitted by owners of land held in a single current title existing at the date this amendment comes into operation and which create only one additional allotment of not greater than 1 ha.

Such allotment will be approved, provided that the remaining area of land in the original title can be proved to be an economic unit for the business of primary production and that such an allotment is created prior to any further subdivision or resubdivision of the land. Where an owner of any allotment wishes to obtain separate titles for houses already existing or under construction on the land at the date the amendment comes into operation, the Director will approve the creation of allotments of no greater than 1 ha provided that each allotment so created contains at least one such dwellinghouse. The Government considers that this policy is fair and reasonable and is in the best interests of all rural landholders who are genuinely anxious to maintain primary industry on a sound basis.

The final major provision relating to the control of land subdivision concerns the division of land in the hills face zone within the Metropolitan Planning Area. At present the Act requires the Director of Planning to refer any plan of subdivision to the State Planning Authority if the land is located within the hills face zone. The authority must report to the Director whether the plan conforms to the purposes, aims and objectives of the Metropolitan Development Plan which are primarily to prevent the natural character of the face of the range from being impaired. The report accompanying the plan of subdivision recommends that land within the zone shall not be divided into areas of less than 10 acres and of a lesser frontage than 300ft. Thus the authority has had to study each application submitted to it and make a reasoned judgment on whether the location and nature of the subdivision will be likely to impair the face of the range. As there has been public concern regarding the use of this discretion by the authority, the Government intends to make it mandatory that no allotment of less than those dimensions shall be created in future within the zone. It is also intended to put a stop to the increasing number of attempts to create allotments along private roads or thoroughfares within the hills face zone. There are many such roads in the zone and most of them are entirely unsuitable for development purposes. This new provision will to some extent lighten the burden of the Director in relation to hills face land. No appeal will be possible under this provision in the Act. I will now deal with some of the other new powers introduced in this Bill.

The Queenstown project has highlighted a problem that the Government strongly feels ought to be solved as soon as possible. Local councils have in many instances complete jurisdiction over the development of their individual areas and they may accept or reject

a certain project without regard to the effect that that project might have beyond the immediate council area. It has become apparent that a major shopping complex, for example, can have a far-reaching effect on its surrounding environs and that, as neighbouring council areas have no rights in the matter, the scheme ought properly to be considered by an independent body. The Government therefore intends to give the State Planning Authority power to step in in such a case and to decide the application in lieu of the council. The authority will consider the proposed scheme in the light of the community as a whole and will make its decision having regard to the advantages or disadvantages to all affected areas. The planning authority will be vested with this power only on a proclamation of the Governor made in each separate case.

It is intended that local councils be able to require roadways in new subdivisions to be constructed to a greater width than the minimum of 7.4 m (24ft.) specified in the present Act. It is desirable that this action be taken so that those roads which are likely to be used by buses or by heavy transport vehicles in industrial-type subdivisions should be constructed to a greater width at the initial expense of the subdivider. It is intended that the maximum width of construction shall be 14.8 m (48ft.).

The Government intends to remove the restriction at present in the Act which prevents the authority from subdividing land held by it, except where the land is needed for redevelopment. The authority is the purchasing body of land for Murray New Town, and it is desirable that the authority should be able to divide land held by it. The Government also envisages that it may be necessary for the authority to buy land and subdivide it into residential allotments for sale to the public at cost, as a means of curbing the increasing price of land.

I come now to the question of objector appeals. This matter has been given careful consideration by the Government, and the Director of Planning was asked to make special studies in other States of Australia and travel to New Zealand in order to determine the best possible procedure. The Government intends to grant a right of appeal to those persons who are eligible to object to any proposal under planning regulations if they are aggrieved by a decision of a local council or the State Planning Authority to grant consent to that proposal. At present, it is held that a right of appeal exists only for an aggrieved applicant, and the Government has concluded that it is fair and just to give a right of appeal to persons who claim their interests are affected adversely by permission being granted for any development to proceed. As the problems associated with urban development are becoming more complex, much ill-feeling will be overcome by giving both applicants and objectors the right of appeal to the Planning Appeal Board.

Providing such a right of appeal for objectors may cause a considerable increase in the number of appeals lodged with the board. Delays can be onerous and costly and give rise to undesirable practices by objectors. The Government has already foreshadowed such an increase in the number of appeals to the board and made provision for an enlargement of its membership. As some safeguards are needed to prevent a multiplicity of frivolous and time-wasting appeals, it is intended to give the Chairman of the board or an associate chairman power to decide whether an apparently vexatious or trivial appeal should proceed. It is also intended that the board be given the power to award costs when it thinks fit.

The purpose of an appeal is to review a decision made previously by the appropriate authority. It is proper therefore that only those persons who lodge objections at the appropriate time should be allowed to appeal against any consent given. Provisions are included to ensure that a developer is not help up unduly, having received a favourable decision, and that he is aware of the date upon which he is free to proceed with his development without any risk of an appeal being lodged.

It is intended to increase the payment in lieu of land when a small number of allotments is created in plans of subdivision or resubdivision. At present, a subdivider within the Metropolitan Planning Area pays $100 an allotment into the State Planning Authority's Planning and Development Fund when 20 allotments or less are being created. It is intended that the payment of $100 an allotment be increased to $300 an allotment. No increase is proposed in country areas. However, in both cases the size of allotment to which the provision applies is to be enlarged from 2 acres to 1 ha (2.47 acres).

Mr. McAnaney: What about young people?

The Hon. G. R. BROOMHILL: If the honourable member listens, I will explain this provision, and he will see that it does not affect young people. As the Act now

stands, there is a distinct advantage to the developer of a subdivision that has 20 or less allotments. At the most he would have to pay $2,000 into the fund. The developer who creates more than 20 allotments has to give 12.5 per cent of the land as open-space land. At the least this would be equal to 2½ allotments, which obviously in most subdivisions would be worth considerably more than $2,000. It is hoped that by increasing the amount of the contribution the position of the developer of 20 or less allotments will be equalized with that of the developer of more than 20, and that, in comparison with payment, the provision of open-space land will become an economic proposition and therefore a more frequent occurrence.

Consideration has been given to relating the amount payable in some way to the value of the land, but investigations have shown that the administrative measures necessary to achieve an equitable system would be lengthy and cumbersome. The payment of a sum an allotment applies to the smaller types of subdivision and resubdivision where, for example, only one or two allotments are to be created. A quick decision is necessary in such cases. To relate the amount payable to land value would require extensive valuation procedures and possible rights of appeal against such valuations. The estimated effect of the provision will be to increase revenue from this source from about $100,000 to $300,000 a year. This sum is necessary to finance the State Planning Authority's expanding land acquisition programme for open space. A complementary amendment is proposed to the Real Property Act relating to the amount payable when strata titles are issued.

The Bill proposes that councils can make payments into the Planning and Development Fund. There is doubt at present whether a council can pay moneys into the fund if, for example, a council wished to join with the State Planning Authority in acquiring land for redevelopment or sharing the cost of compensation to preserve trees or historic buildings. The Bill also contains various amendments that give effect to the Government's concern with conservation and environmental matters. The Planning Appeal Board and the State Planning Authority will be required to give consideration to conservation of the environment and prevention of pollution when making a decision on various matters arising under the Act. The Bill contains several amendments relating to administration and procedure, and I will expain each of these as I deal with the clauses of the Bill in detail.

Clause 1 is formal. Clause 2 fixes the commencement of the Bill on a day to be proclaimed. Clause 3 is a consequential amendment to the arrangement of the Act. Clause 4 amends certain definitions. The definition of "allotment" is clarified. The existing wording enables a person who deposited a plan of a lease before the commencement of the principal Act to request the Registrar-General to issue separate titles for the defined areas in the lease. This of course was never intended and is contrary to the intention of the principal Act. The definition of "plan of subdivision" is extended to include plans that create allotments of 30 ha or less. The outdated definition of "Land Office plan" is substituted with a definition of "public map".

Clause 5 deals with delegation. The authority is given the power to delegate either to the Chairman or the Secretary its powers in relation to considering applications for approval under planning regulations or interim control provisions. It is impracticable for the full planning authority to consider all the numerous straightforward applications that come to the authority from day to day. The authority is also given the power to delegate to a panel consisting of the Chairman and two other members of the authority its functions in relation to hearing objections to proposed planning regulations. The panel will then report to the authority and the authority will make the decision on the objection.

Clause 6 restates the right of appeal to the Planning Appeal Board by any aggrieved applicant who has been refused some consent, permission or approval under the principal Act. Clause 7 clarifies the position regarding the time within which the various rights of appeal to the board must be exercised. The board is directed, when making a decision, to have regard to the health of the community as a whole, not only within the locality under question. The board must also have regard to conservation of the environment of the particular locality and prevention of pollution. Clause 8 directs the authority, when examining and assessing the development of a planning area, to have regard to the prevention of pollution and conservation of the environment. Clause 9 directs the authority to make copies of authorized development plans available for purchase by the public.

Clause 10 ensures that consent must be sought for resubdivision, as well as subdivision, of any

zone defined for that purpose by a planning regulation. The authority is given power to delegate its powers and functions under a planning regulation in relation to a council area to any person or group of persons. Thus, for example, a single person can be sent to remote areas on behalf of the authority. The authority will also be able to set up committees to investigate and deal with various problems. This clause also provides that, where any consent, permission or approval under the principal Act is given subject to conditions, those conditions shall bind all future owners of the land to which the conditions relate. For example, the authority may grant permission for a building to be erected, subject to the condition that a belt of trees in front of the building be maintained. As the Act now stands, the next owner of the land is under no obligation to maintain that belt of trees.

Clause 11 enacts two new sections. New section 36a gives a right of appeal to the Planning Appeal Board by any person to whom notice of a proposal has been given, who has objected to the authority or the council, and who is aggrieved by the decision of the authority or the council to grant approval of the proposal. The right of appeal is therefore limited to those people who have already lodged objections to the proposal. The Chairman or an associate chairman may ask an appellant to show cause why his appeal should not be dismissed as vexatious or trivial. The board may award costs in any appeal. The board may make an order in certain cases to enable the original applicant to proceed with the proposal, notwithstanding that there is an outstanding appeal over some aspect of the proposal. The unsuccessful appellant objector may appeal against the decision of the board to the Land and Valuation Court. New section 36b gives the Governor power to declare by proclamation that in lieu of a council, the authority shall deal with any application lodged with that council that may have a significant effect on conditions prevailing outside that council's area. I have already referred to the reasons for this new provision.

Clause 12 amends section 37 of the principal Act which provides that a planning regulation shall not prevent a person from continuing to use his land in the way in which it was lawfully being used before the planning regulation took effect. The provision has been rephrased so as to make it quite clear that all conditions attached to any prior consent are adhered to. A planning regulation is also not to affect a consent given under the interim control provisions of the Act. Clause 13 directs a council to submit proposed planning regulations to the authority before giving public notice of the regulations. The authority has prepared model regulations, and wishes to ensure that there is as much uniformity between the regulations made by different councils as possible.

Clause 14 is a consequential amendment. Clause 15 removes all references to the Metropolitan Planning Area from the interim development control provisions of the Act. Thus, these provisions can now apply to any land within the State. As I have already explained in some detail, this amendment will enable the authority or a council, as the case may be, to exercise control over development in any area within the State. Once again, the authority and the councils are directed to have regard to the health of the whole community, the conservation of the environment of the locality under consideration, and the prevention of pollution, when making decisions with respect to development proposals. Clause 16 repeals section 42 of the principal Act which deals with subdivision of land in prescribed localities. This section is re-enacted in Part VI of the Act that deals with control of land subdivision.

Clause 17 clarifies the position with regard to those leases of portions of an allotment that need the approval of the Director. The amendment will make it quite clear that such a lease requires the Director's approval if it exceeds five years, whether that five-year period is comprised of the term of the lease, or the term of the lease and the term for which the lease may be renewed. The section as it now stands has been interpreted in a way that is contrary to the intention of the Act when it first came into operation. The section is also amended to apply to all pieces of land that have an area of 30 ha or less.

Clause 18 re-enacts old section 42 of the principal Act to which I have already referred. The alterations made to the section are purely consequential upon the removal of this section from Part V of the Act. The section properly belongs to Part VI of the Act which deals with control of land subdivision. The only reason for the present position of the section in Part V of the Act, which deals with interim development control, is that Part V as it now stands deals with the Metropolitan Planning Area. This of course is sought to be changed by this Bill. New section 45b is enacted. This section prohibits a person from depositing a plan for approval if that plan shows any allotment that has a frontage on a private road, or any allotment that has a frontage to a public road of

less than 100 m or an area of less than 4 ha, if such an allotment lies within the hills face zone.

Clause 19 empowers a council to refuse approval to a plan of subdivision if it does not conform with road specifications laid down by the council. The council may specify the width of the roads to be formed by a developer up to a maximum width of 14.8 m. Clause 20 amends section 52 of the principal Act which deals with the grounds upon which the Director may refuse approval of a plan of subdivision. The contribution that a developer of 20 allotments or less may choose to pay into the Planning and Development Fund in lieu of providing open-space land is increased from $100 to $300. The ground of prematurity is simplified and broadened, so that the Director can look at a wider area than the immediate locality of the land in question. A further ground of refusal is given to the Director if he is of the opinion that the proposed subdivision would not form a compact part of an existing developed area. This will enable him to prevent haphazard development and to preserve existing rural areas. Simple metric conversions are also effected by this clause.

Clause 21 effects a metric conversion. Clause 22 provides a statutory easement for the Electricity Trust of South Australia in all cases where an easement is shown on a plan of subdivision. The trust has found difficulty in obtaining easements in the past, and it is apparent that a statutory easement will be much more satisfactory. The wording of the easement is similar to the easements already provided in this section for the benefit of the Minister of Works for water supply purposes, and the councils for drainage purposes. Clause 23 amends section 61 of the principal Act which deals with power of the Governor, at the request of the owner, to proclaim land as open space that may not thereafter be subdivided. As the section now stands, owners of Crown leasehold land may not make such an application. The amendment extends the benefit of this section to owners of all types of Crown leasehold land, provided that the consent of the Minister of Lands is first obtained.

Clause 24 gives the authority power to acquire land for the purpose of relocating people and businesses displaced by the redevelopment projects of the authority. At present, the authority may only designate land for relocation by the protracted and cumbersome method of preparing supplementary development plans. By striking out subsection (5), the present restriction prohibiting the authority from subdividing its own land, except for redevelopment purposes, is removed. The provision has been found to prevent major positive moves by the authority to implement development plans, such as developing acquired land for an industrial estate or a new town. Councils already have the power to subdivide council land, subject to the approval of the authority, and it is anomalous that the authority has not a similar power.

Clause 25 empowers the payment of moneys by councils into the Planning and Development Fund. Clause 26 provides that proceedings for offences under the Act may be commenced within 12 months of the alleged commission of the offence. At present, the Act is silent on the question of time, and so the Justices Act time limit of six months prevails. With this proposed amendment, the principal Act will be in line with the Building Act.

Dr. EASTICK secured the adjournment of the debate.

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

THE REPORT

The Select Committee to which the House of Assembly referred the Renmark Irrigation Trust Act Amendment Bill, 1972, has the honour to report:

1. In the course of its inquiry your committee held two meetings and took evidence from the following witnesses:
   Mr. S. W. Heritage, Chairman; Mr. D. L. Tripney, Secretary; and Mr. R. H. Maddocks, Engineer-Manager, representing the Renmark Irrigation Trust.
   Mr. R. J. Daugherty, Parliamentary Counsel.
2. Advertisements inserted in the *Advertiser,* the *News* and the *Murray Pioneer* inviting interested persons to give evidence before the committee brought no response.
3. In evidence to the committee the representatives of the Renmark Irrigation Trust expressed concern that the proposed new section 123bb to be inserted in the principal Act by clause 4 of the Bill, providing that payments which the Treasurer may make to the trust by way of loan "towards the cost of the provision of a domestic water supply within the district", may possibly inhibit the trust in providing water for industrial and

other purposes. To obviate any likelihood of this arising your committee is of opinion that an amendment should be made to clause 4 by leaving out the word "domestic" and inserting in lieu thereof the word "reticulated".

4. Your committee is satisfied on the evidence placed before it that the financial provisions contained in the Bill are acceptable to the Renmark Irrigation Trust.

5. Your committee is further satisfied that there is no opposition to the Bill, and recommends that it be passed but with the following amendment:

Clause 4, page 2, line 25—Leave out "domestic" and insert "reticulated".

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Enactment of sections 123ba and 123bb of principal Act."

The Hon. J. D. CORCORAN (Minister of Works): I move:

In new section 123bb (1) to strike out "domestic" and insert "reticulated".

The reason for this amendment was given in the report of the Select Committee. It was said by members of the Renmark Irrigation Trust when giving evidence that, unless this amendment was made, the trust could be prevented from providing water for public parks and industry. To clarify the situation this amendment was framed after consultation with the Parliamentary Counsel.

Dr. EASTICK (Leader of the Opposition): The Opposition is in total accord with this amendment. It eliminates any future possibility of representations being made to this House regarding activities properly undertaken by the Renmark Irrigation Trust.

Amendment carried; clause as amended passed.

Clause 5 and title passed.

Bill read a third time and passed.

MARKETING OF EGGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 26. Page 2506.)

Mr. McANANEY (Heysen): I hope that the Government will soon introduce a Bill to provide for the orderly marketing of eggs. I support this Bill in the main. Its most objectionable feature concerns the composition of the board, the number of members having been reduced by one. Perhaps that is good but, from my experience, boards with mixed control have not been successful. However, in situations where there has been control by a majority of primary producers, who have in every instance employed experts to conduct a good marketing programme, the board has been successful. However, those boards with control divided between the producers and nominated board members have not been successful.

I do not like the Minister being responsible for nominating these members (if equal control is introduced) unless the selection is made from a panel of suitable nominees. I object to that provision. The Bill requires that a good product shall be produced and that control shall be exercised through a marketing procedure to ensure that the product is not left in a hot window or placed under some other condition where the eggs can deteriorate. Although many people dislike too many controls, such controls are sometimes necessary to ensure that the product is delivered in good condition to the consumer. I refer to the conditions applying to the marketing of apples, where apples are kept atmospherically stored for long periods so that, when they are eventually marketed, they are in remarkably good condition but deteriorating before they reach the consumer. I believe that the same marketing procedure and process should be applied to other fruit and vegetables, and I hope that that arrangement will be extended.

Egg producing was formerly carried on by many part-time producers and, although in many respects it is unfortunate that they are no longer in the industry, they could not in the past produce quality eggs. I believe that we are now getting to a situation where egg production will become an efficient industry as soon as we get control of production to a point where eggs can be sold at an economic price. When we do get to that stage (where we produce slightly more eggs than can be sold at a reasonable price), the industry will be viable and the consumer will get a good egg at a lower price than he is currently paying, and this will help the industry. Provided that the Government introduces the other legislation to which I have referred, I support the Bill.

Mr. GOLDSWORTHY (Kavel): I support the Bill. I refer to a letter from a constituent who is a member of the Poultry Section Committee of United Farmers and Graziers Incorporated. I sent him a copy of the Bill and he suggests that the Bill is in line with the recommendations of his committee and for that reason I believe that the Government will have little difficulty with this legislation. Other members have referred to details in the Bill, and I, too, wish to mention some matters.

As the egg industry is worth $7,000,000 to South Australia, it is extremely valuable to the State. Like several other areas of primary production, the egg industry is experiencing over-production. Possibly, not much capital is needed to operate a poultry farm, unless one wants to establish elaborate units. Traditionally, most farms have had fowls in the backyards and some people have sold eggs on the side. Since the C.E.M.A. plan has come into operation, with the registration and grading involved, operations have had to be more businesslike. Nevertheless, many people other than big producers are engaged in the industry, although more and more big producers are coming in. It seems to me that in many operations a big man can squeeze out a small man, and that may be true in the egg industry.

The Minister will appoint three producer members to the board, and I do not know what conditions will attach to these appointments. I wonder whether the conditions attaching to appointment would be sufficient to attract the expertise needed in an industry experiencing over-production and one in which eggs are being sold at give-away prices, such as for egg pulp. One of the main objectives of the Bill is to improve the quality of eggs coming on the market.

Reference has been made to the unfavourable conditions under which eggs are displayed in retail outlets, and the board has no control over these conditions. Rightly, one provision in this Bill gives the board regulatory power for inspection of the conditions of sale and the rotation of egg stocks. If a large quantity of eggs is stacked in a shop and sales are made from the top, by the time the storekeeper gets to the bottom of the stack the eggs are fairly stale.

I understand that in New South Wales and Victoria egg producers are issued with either an A class licence or a B class licence, and the eggs are graded for quality as they come from the producer. I understand that a B class licence holder in New South Wales is paid 8c a dozen less than an A class holder, and in Victoria 4c a dozen less. If a producer does not produce eggs of premium quality, his licence reverts to a B class. In the assessment, matters such as the colour of the yolk are considered. The conditions under which eggs are produced vary from season to season throughout the year. When there is green feed, the yolk is of good quality. I understand that in New South Wales and Victoria a producer may experience a variation in the type of licence he holds.

I do not think that similar provisions regarding classes of licence are made in this Bill, but doubtless that matter will be considered. Clause 22 gives the board the power to check the quality of eggs coming on to the market, and that power does not exist at present. Queries have been raised about the eligibility of producers to vote for members of the board. Under this Bill, an eligible person is one who has 500 or more hens. Previously, one farmer had 350 birds and eight votes for membership of the board could be recorded, but that could not happen under the new legislation. The Bill contemplates moves towards stabilizing the home market and some provisions relate to producer agents.

Clause 8 (2) provides that one member shall be elected to the board for two years, one shall be elected for three years, and one shall be elected for four years, provided that the period of office for each member shall be determined by lot. I would have thought it appropriate to give the longest term of office (four years) to the person who secured the most votes and to give the second longest term (three years) to the member who secured the next highest number of votes. It is a minor point, but in that way the terms would be related to the number of votes polled. I do not know whether that suggestion commends itself to the Minister or whether there is reason for not adopting it.

The Hon. J. D. Corcoran: There may be a dead heat.

Mr. GOLDSWORTHY: The Minister was elected by one vote on one occasion. If there was a dead heat, the members could toss a coin. The number of persons voting to elect members of the board would be large, and the possibility of a dead heat occurring would be fairly remote. In view of his own experience, the Minister may be a little touchy about this point. The board will have wide powers indeed. It will have discretion to grant or refuse a producer agent licence to any applicant therefor but shall not capriciously refuse an application. One wonders what is meant by "capriciously".

The Hon. J. D. Corcoran: Without reason.

Mr. GOLDSWORTHY: The board could cook up any reason. Therefore, this is a wide provision. The grounds of appeal do not seem to be precise. The producer agent can appeal to the Minister, who may hear and determine the appeal or appoint a competent person to do so. I hope that the persons

appointed to the board will be of the calibre to which I referred earlier and that they will make sensible decisions that will be acceptable to the industry generally. Legislation relating to the further stabilization of the industry will probably be introduced later. Similar legislation is already operating in Western Australia; New South Wales has voted for further stabilization of the industry; and Victoria and South Australia are now examining the matter and perhaps drafting legislation.

Mr. GUNN (Eyre): I support the Bill and, like the member for Kavel, hope that it will help stabilize the industry. The matters that I wish briefly to raise relate to egg producers on Eyre Peninsula. I am not familiar with the number of producers in other parts of the State. Recently, I received from one of my constituents a letter complaining that he had sold 30 dozen eggs and cleared only $2.50 for his efforts; and he was not particularly pleased about that. Part of that letter is as follows:

Enclosed please find copies from South Australian Egg Board—one a circular to producers, the other returns for 30 dozen eggs. I feel you must agree, after studying same, that something wants to be done urgently for us over here. It costs me much more in hen levies a week than 30 dozen eggs will return. I have been incensed over this for some time and don't see why I should give up my hobby and sideline because of the way we here are being treated. Because our returns are so much less, I feel we should pay so much less hen levy . . .

He continues by saying that the returns producers receive do not even pay for the feed for their hens. One of the problems facing these people is the distance they must transport their eggs. They put the eggs on the train for Port Lincoln and, because of the journey involved, the eggs are only second-grade on arrival. Local shopkeepers can purchase their eggs from the board; these must be transported a greater distance than the first-grade eggs. My constituent received only a fraction over 8c a dozen for his eggs. There would therefore seem to be an anomaly when one must pay about 60c a dozen for eggs in the city. This long-overdue legislation will solve many of the problems that these people are experiencing.

It amazes me that the producer must always suffer. Unfortunately, merely because a producer is receiving low prices for his product it does not mean that the public can purchase those products more cheaply. I am pleased to see in clause 17 that a producer may be exempted from the provisions of the Act. I hope that people in a similar position to that of my constituent and others on Eyre Peninsula will avail themselves of this provision. I support the Bill, which, I hope, will rectify some of the anomalies to which I have referred.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—"Term of office of members of the board."

Mr. GOLDSWORTHY: Subclause (2) provides that the period for which each member shall hold office shall be determined by lot in accordance with the Minister's directions. Does the Minister know of any reason why members should not retire from the board in the order of the number of votes they received at the election?

The Hon. J. D. CORCORAN (Minister of Works): The honourable member would appreciate that this applies to the first election only, and that, thereafter, the members will hold office for three years. It was decided that it would be simplest to do it by lot. I do not think much would be achieved by amending the provision, except that it would be a reward for the person who received those votes. However, it is possible that all three members could receive the same number of votes at election, and then we would have to choose by lot.

Clause passed.

Clauses 9 to 14 passed.

Clause 15—"Producer Agents."

Mr. GOLDSWORTHY: Why are the appeal provisions in new subsections (8) and (9) not more specific? In most legislation that I have seen introduced, the person or authority to whom an appeal can be made is named, but under this Bill the Minister may appoint virtually anyone he wishes to appoint.

The Hon. J. D. CORCORAN: This type of provision is not unusual in legislation. Under new subsection (9), the Minister himself may hear and determine an appeal, or he may appoint some competent person to hear and determine it. This legislation will be under the administration of the Minister, who is responsible to Parliament. The best people to police legislation are members of Parliament. If people affected by this legislation are not satisfied with its provisions relating to appeals, they can raise the matter with members who, in turn, will raise it in Parliament.

Clause passed.

Clause 16 passed.

Clause 17—"Exemptions."

Mr. GUNN: Under this provision, a person with only a small number of hens may apply for an exemption, and this will be granted,

provided he complies with other provisions in the Bill. Therefore, presumably, such a person can sell eggs, as long as he stamps them and carries out other normal grading procedures.

The Hon. J. D. CORCORAN: The reason for this provision is that subsection (4) of the principal Act was found to be extremely difficult to police. I believe that it is foolish to create laws that are difficult to enforce. For this reason, it has been decided to exempt people who will obviously be unable to comply with certain provisions of the Bill.

Mr. Gunn: They would have to stamp their eggs.

The Hon. J. D. CORCORAN: This exemption is most desirable, especially in the case of some of the honourable member's constituents. However, as I am not sure about the matter he has raised, I will have it clarified by the Minister of Agriculture and then let the honourable member know the position.

Clause passed.

Remaining clauses (18 to 24) and title passed.

Bill read a third time and passed.

CREDIT BILL

Adjourned debate on second reading.

(Continued from October 25. Page 2454.)

Mr. McANANEY (Heysen): The public seems to accept that some consumer protection is necessary. However, I believe that if we protect people too much they will become defenceless and incapable of looking after their own affairs. Perhaps I am a little old fashioned in this respect, as I believe that people should exercise some degree of responsibility. With the better education provided these days, the average consumer should know better what is the law. If our education system does not provide this knowledge, there is something wrong with that system. Under clause 12 of the Bill, the Commissioner for Prices and Consumer Affairs or his representative has power to enter any premises and to seize any books or documents relating to the business being carried on in those premises. However, clause 21 (3) provides:

> A person shall not be obliged to answer a question put to him under this section if the answer to that question would tend to incriminate him, or produce any books, papers or documents if their contents would tend to incriminate him.

Unless some other provision covers this matter, it appears to me that all the books and records will have already been obtained by the prosecutors and that therefore protection under this latter subclause will not be of much value to a person charged. The Bill has many good features. Clause 41 deals with a form of contract that is a sale by instalment. This clause sets out the contracts that will be involved. By this provision, a consumer will have an opportunity to see what a transaction will actually cost him; responsible people would have found this out in the first place. However, I suppose it is the duty of Parliament to protect those who have not already taken these precautions for themselves. I think that is a good feature of the Bill.

Another clause provides that the print must be of a certain size. That is important, too, because the contract should be capable of being easily read. Clause 45 provides that the person who supplies the credit or makes the contract must not receive any consideration. A certain motor trader in my area has pointed out to me that, if he does not receive any money for this service he provides to a customer when a sale is made, he must increase his charges for other services he provides. The Attorney-General could probably give a logical argument on this matter, but the sense of justice to the customer must be borne in mind. The Bill has considerable merit. Although protection can be overdone, it must be provided to people who are incapable of looking after themselves. However, if protection is carried to the extreme, more people will be unable to look after themselves, and that would be a retrograde step. I support the second reading.

The Hon. L. J. KING (Attorney-General): I do not intend to deal with many of the points that have been raised in the debate, because they would better be dealt with in Committee; they are concerned mainly with certain clauses. In reply to the last point made by the member for Heysen, namely, that if protection is carried too far we will develop people who are unable to look after themselves, I point out that the reason why the present law is incapable of functioning effectively in the consumer area is that it is based on an assumption that the parties to contracts are on equal bargaining terms: that they negotiate a bargain and, when they are satisfied with the terms that have been negotiated, they close the bargain, and both ought to be bound by it. However, that is not what happens in a modern commercial society. The terms of the bargain (if it can be dignified with the name "bargain") are dictated by the commercial organization, and the consumer must make up his mind whether he is willing to accept the

terms and close the deal, or whether he simply does not do business. He has no choice of terms or opportunity to negotiate: he either takes the goods on the terms on which they are offered or he does not take them at all.

If one tried it out some time and sought to negotiate with, say, a finance company or insurance company and said, "I am not entirely satisfied with clause 19 *(b)* in your form of contract but would like to vary the words to cover my case, because it is unduly favourable to you and not to me," it would be an illuminating experience to see the reception that would be given. Such a person would get a look of blank amazement on the face of the clerk, who would say, "That is the only form we have. You either take it on those terms or you do not get it at all." So the traditional law of contract, which is based on the assumption that there is equality of bargaining terms and freedom of negotiation leading to a freely-entered into contract, simply has no application to our economy and society.

Consequently, we have reached the stage where, if the public is to receive the protection it needs, it is necessary for Parliament to say, "Whatever might be contained in the small print in the contract form, certain protections are to be written by law into the transaction so that fair dealing between the parties can be ensured by law." The ordinary member of the public is unable to secure that fair dealing for himself, because of the absence of not only any real bargaining strength on his part but also the necessary knowledge, sophistication and comprehension to be able to appreciate the problems and protect himself.

The Leader of the Opposition queried why the limit of $10,000 had been placed on the consideration for transactions within the ambit of the Bill. Basically, the Bill is intended to deal with consumer transactions: it is not intended to deal with ordinary commercial transactions between business people who may be assumed to have some degree of bargaining power and sophistication and be able to protect themselves. Both the Rogerson committee and the Molomby committee, which considered the practicability of limiting these provisions to cases in which the goods were acquired for the personal use of the consumer, concluded that that was not a practical solution to the matter. Paragraph 2.5.4 on page 43 of the Molomby committee report states:

In the committee's view the introduction of considerations of purpose would lead to extensive controversy, uncertainty, and litigation. In its view the most pressing need is for legislation to protect those who enter into small transactions on credit and thus the primary test should be by reference to the smallness of the transaction. Subject to the qualifications which follow, the committee recommends that the protection of the legislation should apply to transactions in which credit is provided for an amount less than $10,000.

The sum of $10,000 is, in a sense, arbitrary. The Crowther committee in the United Kingdom recommended that the limit in the Moneylenders Act in that country of £2,000 should be retained. The Rogerson committee, which reported a few years earlier than did the Molomby committee, recommended $5,000. Perhaps it is a sign of the times that the Molomby committee decided on $10,000.

Mr. Mathwin: Is that the committee that was set up by Prime Minister Wilson?

The Hon. L. J. KING: The Molomby committee was actually formed by the Law Council of Australia at the request of the Attorneys-General of the Commonwealth and of all the Australian States. The Crowther committee was set up in the United Kingdom by the Wilson Government, and it brought down an excellent report that has been of considerable assistance in preparing these Bills. I hope that that will not cause the member for Glenelg to lose enthusiasm for the Bills, because I assure him the work of that committee was extremely effective, and it is a good report.

Mr. Mathwin: It has blunted the incentives of many British people.

The Hon. L. J. KING: If the member for Glenelg believes that the recommendations of the Crowther committee were widely read in the United Kingdom and a perusal of that report had the effect of blunting the incentives of the British people, they must be more literate and show more curiosity about the contents of official reports than is the case with the public of South Australia. It would be interesting to know whether the member for Glenelg has read the Crowther report or the Molomby report, because he did not seem clear where they originated. All committees came to the conclusion (and correctly so) that the only practical criterion for distinguishing the sort of transactions protected by this type of legislation from those that are not is the amount of consideration. The Leader of the Opposition also asked why the consumer lease, which is the subject of the provisions of this Bill, should continue for more than four months.

This is related to the provisions concerning sales by instalment that provide that, where there is a sale and the consideration is to be

paid by three or more instalments, it is treated as a consumer credit contract. For that reason, and because normally the three or more instalments in the case of a lease would be the equivalent of three or more payments of monthly rental, the four-month period was selected in the case of the consumer lease. The Leader also asked how what is merchantable should be decided. The concept of merchantable quality incorporated in this Bill is a concept well known in the law on the sale of goods. The same warranty is implied as in a contract for a sale of goods under the Sale of Goods Act, the distinction being in this Bill that, in relation to contracts where the consideration is less than $10,000, it is not open to the parties to agree to exclude the condition of merchantable quality.

The notion is well understood, and broadly it has been expressed in several ways. When we say an article is merchantable we say it is reasonably fit for the purpose for which goods of that kind are bought, and that the fitness for the purpose is reasonable, having regard to all the circumstances and particularly the price, the apparent condition of the goods, and the circumstances in which the sale takes place. Finally, the question of whether an article complies with those conditions (that is to say, whether it is merchantable) has to be decided on an examination of all facts. A dispute would be decided by the court or, in some cases in the Bill, by the tribunal. The Leader asked how many copies are required by clause 48 to be legible. This is a good point, because when one examines that clause there is room for doubt whether the legibility required by the clause applies only to the copy on which the plaintiff in proceedings relies, or to other copies. I intend to move an amendment that will make the point clear.

What is desired is that, if a clause is to be enforceable, it should be legible in the copy supplied to the consumer. I think that other matters raised during the debate will be better dealt with when discussing each clause, and I shall leave them until then. However, I pay a tribute to those who took part in the arduous and exacting work of preparing this legislation. I have referred to the members of the Rogerson and Molomby committees, and I pay a special tribute to the Parliamentary Counsel (Mr. Daugherty) in the initial stages and, more latterly, Mr. Hackett-Jones, who have laboured long and arduously and with great skill in drafting the Bill. Also, I pay a tribute to the Solicitor-General (Mr. Cox) and my Senior Legal Officer (Miss Margaret Doyle) for the effort and skill they have put into the work entailed in preparing these Bills.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Progress reported; Committee to sit again.

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

UNFAIR ADVERTISING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 17. Page 2101.)

Mr. BECKER (Hanson): This is quite a short Bill, simply making two amendments to the existing Act by putting the emphasis or the responsibility on the person placing the advertisement with the paper or medium concerned, and by spelling out, under the Acts Interpretation Act, the definition of an advertisement relating to land, buildings, and so on. Any advertisement relating to real estate now comes within the provisions of the Unfair Advertising Act. From time to time we see real estate advertisements which we could consider unfair advertising, and we know, too, that used car dealers have been one of the main problems in this area in the past. I shall quote one or two advertisements I have perused in the real estate sections during the past week or so, to try to give typical examples of what these amendments will cover. The first is an advertisement for a property at Salisbury Downs at a price of $13,400. The advertisement states:

> This brand new solid red brick ranch style home is the buy of the week, comprising feature wood panelled entrance hall, large lounge with Basket Range fire surround, three double bedrooms, ultra modern kitchen, dine, huge bathroom fit for a prince—

The bathroom is fit for a prince! That is up to our own imagination. It is fully tiled with a separate shower alcove, vanity bar, and shaving cabinet. That is probably the normal requirement for a bathroom. Why they should say this is fit for a prince I do not know. However, it has a mosaic laundry. The advertisement continues:

> Set on extra large corner block among other good quality homes in a rapidly expanding area, this is undoubtedly more than good value—it is excellent. Finance arranged. To view . . .

This is what happens in selling real estate. In this field, much depends on advertising properties to the public. We will always see an advertisement relating to a certain type of home which is "one to suit you", "exceptionally good value", and so on, "with three large bedrooms"—

Mr. Mathwin: And a princely bathroom.

Mr. BECKER: Yes, that is something I have not seen before. Perhaps there would be pink ermine—

Members interjecting:

Mr. BECKER: Perhaps we should ask the agent how he would describe any other bathroom in the metropolitan area, because this one sounds much like any other we would find.

Mr. Venning: A bathroom for one sex only?

Mr. BECKER: Yes, but the point is that an advertisement specifying "three double bedrooms" or "three extra large bedrooms" means that the house may suit one person, and not another. When I was employed in the bank I was asked to inspect a property on behalf of a customer. He said it was extremely good value, with three large bedrooms, just under $30,000, and in quite a neat suburb. When I inspected the house it was obvious that there were two main bedrooms and that the third bedroom was an office. The land agent had been able to get the owner of the property to put a single bed in the office, putting it across the room to make it appear a third bedroom. What he did not explain to the purchaser, and what was not explained to me, was that it was necessary to walk through the third bedroom to reach the laundry and bathroom. It was quite clearly a house of two bedrooms with an office, a large entrance hall, an entertainment room, or something of the sort.

With the proposed amendments, the Bill will now place the responsibility on the person lodging the advertisement with the press. It is quite a good move. We find another advertisement, also in the real estate section, which is headed "No-finance deal", that states:

> On no deposit, $21 approximately per week, reducing to $14 per week, approximately . . .

That type of advertisement, to me, is misleading, because it mentions a "no-finance deal". Everyone must know that it is not possible to buy a property, a home unit, a house, or a block of land without some financial arrangement. There must be a first or second mortgage involved somewhere. If the advertisement mentions that the repayments are being reduced from approximately $21 to approximately $14, the person buying the property and the person being induced to inspect it should know the financial arrangements. The firm advertising this property says it is a no-finance deal. I am suspicious that probably what is intended is that the $21 a week approximately will cover certain payments so that the purchaser will have sufficient deposit after 12 months or two years, at which time he will go on to a fixed financial arrangement which still could include a first and second mortgage. To me, from a banking point of view, that would be a misleading advertisement.

We still see the misleading advertisements in the press. The difficulty is, as was pointed out in the second reading explanation by the Attorney-General, to place the emphasis clearly on the person or body responsible. The publisher will publish what he is requested to do if he knows it is within the Act. The advertising agent is there to try to sell something for his client, so he will endeavour to write it up in the best way he can. I am concerned to read an advertisement, this time in the used car section, headed, "New Credit", and stating:

> Even if you are bankrupt or if you have had a repossession, please try us, because at Doug Rowe's Car Corral we have our own private financial arrangements with no comprehensive insurance to pay.

If someone is bankrupt, he knows that he must obtain the approval of the bankruptcy administrator to borrow money and to make further commitments while he is still endeavouring to pay money to his estate to pay off his previous creditors. Such an advertisement is not in the best interests of a person who could be easily deceived by such an offer. We know that in the credit world a repossession is recorded by the various lending institutions, making it extremely difficult for the person concerned to obtain easy credit. To talk of "our own private finance arrangements with no comprehensive insurance to pay" could be deceiving, because the person buying the car surely would insure the vehicle, but of course this is the let-out in this type of advertisement; he would not be encouraged to insure. So, I support anything that can be done to tighten up loopholes and protect the consumer.

In the media from time to time we see advertisements stating that no deposit is required even if a person has had bad luck when trying to obtain credit. However, it is not until the reader gets to the bottom of the advertisement that he reads, "Ring us today for an immediate credit check." We do not know what is involved in that. Further, used car dealers and other traders sometimes say in their advertisements that no deposit is required and that so much a week has to be paid; or, they simply say that no deposit is required.

In another advertisement that I have seen, 15 cars are listed, with the make of the car and a brief description—for example,"1972 Austin Kimberley, the Englishman's favourite car, beautiful mustard colour, body good, and matching trim, $260 deposit". However, a potential buyer cannot compare that car with any other car advertised, because the full price is not given. I therefore believe that, if a dealer states the deposit, he should also state the cash price. I find little to object to in the Bill, which tidies up loopholes that have been abused. To use a term that is very popular nowadays, I say that "anyhow" I support the Bill.

Mr. EVANS (Fisher): I, too, support the Bill. The member for Hanson referred to an advertisement that described a bathroom fit for a prince. I suppose it is better to advertise a bathroom in those terms than to advertise it as a bathroom for a queen! I believe that the responsibility falls on the individual to inspect a property advertised, regardless of how it is advertised. Surely no-one would buy a house without inspecting it. The argument could be advanced that a person might have to travel a considerable distance to inspect the house, only to find that it did not fit the description.

Mr. Payne: Real estate has been snow white for 111 years!

Mr. EVANS: At times real estate agents do not state in advertisements the exact address of a property, to stop other agents from finding it. This is not really harmful because, if a prospective buyer is interested, he will contact the agent so that he can inspect it. In the main, I accept the purpose of the Bill, and I believe it should be acceptable to society as a whole. I cannot understand why a reference to "things" in the Act should be changed to include "land and buildings". I would assume that "things" includes all things. However, I realize that the Bill clarifies the situation.

I also believe that there is merit in the idea that advertisements should state the cash value of an article. I have always been annoyed by advertisements that state that an article is for sale but do not state the cash price; if no telephone number is given, a potential buyer may have to travel a great distance to inspect the article, only to find that it is too expensive. I support the Bill because it is a step in the right direction, but at the same time I emphasize that individuals should realize their responsibility to inspect articles that are advertised for sale. If they are not familiar with the type of merchandise or property advertised, they should employ someone to inspect it on their behalf so that they are fully protected. If they do not do that, no legislation will ever protect them. I support the Bill.

Dr. TONKIN (Bragg): I support the Bill. All advertising contains an optimistic note that is introduced by the seller. Indeed, this optimistic note is frequently echoed by the would-be buyer. Some puffing is employed in all advertisements. The member for Hanson referred to advertisements for real estate and motor cars. I agree that some advertisements are very fulsome, but puffing is often carried to such extremes that one wonders whether the house for sale is one of the inflatable structures that we saw in the east park lands during the recent Festival of Arts. Be that as it may, I believe that this form of advertising is self-limiting, because the firm that makes blatantly extravagant claims will suffer in the long run as a result of the lack of confidence of the purchaser. Unfortunately, some people may suffer in the process, and we must have regard to the welfare of people who may be taken in by these methods, although I do not believe there will be many of them.

Having inspected a house, people will be unlikely to agree to purchase it if they do not like it or cannot afford it. On studying this Bill, I am reminded that opinions vary as to what is desirable; one has only to look at the varying styles of houses, furniture, carpets and clothing to confirm this point. Without being in any way personal, I wish to refer to the choice of tie of the member for Glenelg, and I wish to contrast it with my tie. It is just as well that tastes vary, because it would be a very dull world if they did not. The protection offered in this Bill in connection with puffing advertisements is not really all that necessary, although it is probably very comforting to have it. However, I am concerned, as I am sure the Attorney and all honourable members are, about those cases in which the prospective purchaser is not able to judge for himself the standard of the goods or services being offered—in other words, when he has to rely on some form of expert advice on the matter. That expert advice frequently comes from the person trying to sell the goods.

I believe the matter I raised in this House, I think about two weeks ago, relating to the advertisement of a method to relieve pain in arthritis is to some extent a borderline activity. To refresh honourable members' minds, the advertisement states:

Method developed to ease the pain. Get the facts free. Write today. Millions of people . . . thousands of doctors . . . have discovered this dynamic new concept of body care. You can get this information free.

That is probably a borderline case, as the people who reply to that advertisement will do so in the belief that they will be relieved of their pain. Some of them will misread the advertisement (I am not sure that the advertisement is not so worded that they will read into it more than is really there) and believe they will be cured of their pain. It seems that in reply they receive a booklet with a pseudo-scientific discussion of the aging process, and people probably believe they are being advised by experts in this field. When the salesman finally suggests the purchase of a piece of equipment to provide high-frequency massage and heat to affected areas, these people frequently have nowhere else to turn. They must balance their own judgment on the matter, which is probably not well based but which is influenced and based on their will and desire to be relieved of their pain, against the high-pressure salesmanship of a man who will benefit considerably by selling them the apparatus.

I look forward to hearing what the Attorney-General's officers report in this respect. I may be wrong, but I consider that this is a borderline area in which this legislation will help people. There are many other examples into which I do not intend to go tonight. This is the crux of the matter: people, when they know, are able to judge for themselves and, when they do not know, must be protected. That is what this Bill aims to do. I agree entirely with the member for Hanson that the cash price of an article should be advertised and easily seen.

All members are aware of the tendency, particularly in the United States of America, to live on credit and time payment. Indeed, this way of life has become well established in our own country. More than ever before, people are being encouraged to buy goods and services on time payment because it suits people to lend money and finance these projects. In fact, I am told that if one goes into a retail store in North America and offers to pay cash for an item, it is considered there is something suspicious about the matter and, indeed, the management will ask to see all sorts of credentials, including drivers licences and other means of identification. On the other hand, if someone offers to buy a product on a no-deposit time-payment plan, the management gladly accepts the sale and takes one's signature without any inquiry. This is a ridiculous state of affairs. I do not think it should be encouraged. The cash price of any article should be clearly available to the purchaser.

Mr. VENNING (Rocky River): I support the Bill. There is only one thing about this type of legislation: the public is going to be confused. The legislation is taking away from people a little of their initiative, through not having to work so many things out for themselves. Notwithstanding this aspect, I support the legislation. I am pleased to know that it is being extended to cover land dealings. I know of a case in which a farming property was advertised for sale, the advertisement stating that so many acres were clear and arable and so many acres were still to be cleared. Having bought the property and attempted to work it, the new owner found that the amount of cleared land was not as advertised and that, as a consequence, he had paid considerably more for the property than he should have paid. In this instance there was a court case and, although the purchaser won the case, it would have been better if he had been protected by legislation.

I agree with my colleagues when they speak about the various aspects of advertising. We all agree that advertising today has become an art, and one will find that people in this type of business tend to become high-pressure salesmen in publicizing certain things, not only properties. Because of their training in this avocation, they invariably talk one into purchasing something which one does not need and which, without their coercion, one would not buy at all.

The prices of all articles, whether purchased for cash or not, should be displayed. As the members for Bragg and Fisher said, this would be a good innovation, so that a person would know the true price of an article if he had the cash to pay for it. High-pressure salesmanship is involved in getting people to go along and inspect, and perhaps purchase, a house property. The only harm is that the description of a property can be enhanced in the press. However, when the person involved inspects the property, he should if he has any clues be able to decide whether the description of the property is true or false. If a young person is not competent to purchase a house, he should, despite this legislation, still take his mother along with him because he would be unable to look after himself, let alone purchase a property. This legislation gives some protection to these people.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

Mr. BECKER: I move to insert the following new subsection:

(3) For the purposes of this Act, a statement or representation contained in an advertisement is an unfair statement if—

(a) the statement specifies an amount payable as portion of the consideration for goods or land offered for sale in the advertisement; and

(b) the advertisement does not contain a statement of the total consideration for which the goods or land may be acquired for cash.

The amendment speaks for itself. Previous speakers have referred to advertisements offering goods for sale on varying deposits which do not give the full price of the article offered. I move this amendment to clear up this matter.

The Hon. L. J. KING (Attorney-General): I agree that an advertisement in the terms referred to contains an unfair statement and that it is desirable to spell out this matter in the Act. I am prepared to support the amendment.

Amendment carried; clause as amended passed.

Clause 4 passed.

Clause 5—"Liability of advertiser when advertisement is for purposes of business of advertiser."

Mr. VENNING: I seek information regarding this clause. What is the position if sheep advertised for sale at a market were described as being sound of mouth when, in fact, they were found to be broken mouthed?

The Hon. L. J. KING: It can be seen that a general defence is offered in new section 3b, which provides:

It shall be a defence to proceedings in respect of an offence against this Act for the defendant to prove that the unfair statement complained of was of such a nature that no reasonable person would rely on it.

The member for Rocky River knows much about sheep and is also a reasonable person. He would therefore be in a better position to answer that question than I am. If an advertisement contained the type of statement to which the honourable member has referred, it would plainly be an unfair advertisement, and I should think that it would be impossible for a defendant to plead successfully that no reasonable person would rely on it. It is obviously a statement of fact on which reasonable people might rely.

Clause passed.

Title passed.

Bill read a third time and passed.

LISTENING DEVICES BILL

In Committee.

(Continued from October 3. Page 1783.)

Clause 3 passed.

Clause 4—"Prohibition on use of listening device."

Mr. MILLHOUSE: I move:

To strike out subclause (2).

This clause switches the onus of proof in a matter in which there is absolutely no reason for change. Subclause (1) makes it an offence intentionally to use any listening device to overhear, record, monitor or listen to any private conversation. If we are going to have a Bill at all, I suppose that we must prohibit such conduct. The subclause also provides:

. . . whether or not he is a party thereto, without the consent, express or implied, of the parties to that conversation.

That, too, is all right. The subclause then contains a heavy penalty of $2,000 or six months gaol, or both. Subclause (2) provides:

In proceedings for an offence that is a contravention of subsection (1) of this section it shall lie upon the defendant to satisfy the court before which those proceedings were brought that he had the consent, express or implied, of the parties to the conversation . . .

I can see no valid reason for that. There is no reason why one of the parties to the conversation should not go to court and say that the person involved had no consent, that the party concerned did not consent to the taping of their conversation or to the overhearing of it. There is no difficulty about the prosecution proving that affirmatively. I remind the Attorney-General (if he needs any reminding) that in every case of larceny the last question asked of the owner of property by the prosecutor is, "Did you give any consent to anybody to take the goods?" The person concerned says, "No", and that is the end of it. Why cannot the same situation apply here? Why do we have to switch the onus and make the defendant in this case satisfy the court that he had consent? I can see no reason for the switch in the onus of proof. It is not a difficult thing for the prosecution to prove and it therefore does not come within the exception to the general principle that the prosecution or the Crown should prove every element of the charge.

The Hon. L. J. KING (Attorney-General): I agree with everything the honourable member has said. I am happy to support his amendment.

Amendment carried; clause as amended passed.

Clauses 5 to 9 passed.

Clause 10—"Offences."

Mr. MILLHOUSE: I move:

To strike out subclause (4).

As I understand the subclause, it quadruples the length of time for a prosecution. Under the Justices Act, the time in which a complaint must normally be laid is six months. By the provisions of subclause (1), the Justices Act operates in this case, as offences are to be disposed of summarily. Therefore, I can see no reason whatever for the period within which a complaint is laid to be lengthened from six months to two years.

The Hon. L. J. KING: The time should be extended for these prosecutions, since concealment is likely to be associated with this type of offence. It is not impossible to conceive a situation in which the member for Mitcham and I may be having one of our occasional conversations; someone not well disposed towards one of us may listen to and even record that conversation. Later, he may wish to use that illegally-recorded recording. It would make it too easy if such a person could just wait for the six months period to expire and then publish the conversation, because once that time had expired it would no longer be possible to prosecute. Many people might do this. People who were looking for sensational and lucrative stories might eavesdrop on a conversation, knowing that after six months they could safely make use of a recording of the conversation to make money by publishing the conversation in newspapers or in some other way. In these circumstances, the normal period of six months in which a prosecution can be launched seems too short. I realize that people could wait two years and do this anyway, but it would be far more likely that after two years whatever value would have been obtained from publishing the conversation would be lost, so that less could be made of it. I think that the circumstances here are unusual enough to warrant extending the period for laying a charge.

Mr. MILLHOUSE: I can see some force in what the Attorney says. I should have thought that a better way out of the problem would be to make these offences indictable, in which case, as I understand it, there would be no time limit. Indictable offences, which can go before a judge and jury, have no time limit. It may be worth looking at this subclause to see whether, with the good graces of another place, that may not be a better way out of the difficulty. If the offence were indictable, there would be no limit, and a recording of the conversation between the Attorney and me, which would be just as valuable after two years as after six months, could not be divulged.

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

REAL PROPERTY ACT AMENDMENT BILL (FEES)

Adjourned debate on second reading.

(Continued from October 18. Page 2221.)

Mr. MILLHOUSE (Mitcham): I support the Bill, about which there is little I need say. Obviously, it is much more convenient for solicitors and others that they should be able to find, without having to search all over the place and then be haunted by the thought that they may have made a mistake, the precise fees that are payable. I know from my experience in an amalgamated practice that one has only to look at the Act or the regulations made under it, and not chase around in other places. I have no quarrel with that part of the Bill. However, I feel in honour bound to those members who so vigorously opposed clause 61 of the Land and Business Agents Bill to point out that part of this Bill is consequential on that Bill, in that clause 8 repeals sections 271 and 272 of the principal Act; those are the sections in the Real Property Act that deal with the licensing of land brokers. Section 271 provides:

> The Registrar-General may, with the sanction of the Governor, license fit and proper persons to be land brokers for transacting business under the provisions of this Act, and may, with the like sanction, prescribe the charges recoverable by solicitors and brokers for such business . . .

The section then deals with the scale, and continues:

> . . . and may, upon proof to his satisfaction of the malfeasance or incapacity of any such licensed broker, and with the sanction aforesaid, or upon non-payment of the annual fee hereinafter mentioned, revoke such broker's licence.

Section 272 deals with the giving of a fidelity bond. I do not oppose the repeal of these two sections, because I support the provisions in the other Bill which will take their place. In fact, in this Bill new section 277 will give

power to the Governor to make regulations prescribing the charges recoverable by solicitors and licensed land brokers for transacting business; this is good and is in line with what the Attorney-General has said. I felt in honour bound to point this out in case any member who opposed certain provisions in the other Bill wanted to have another fling. If he wants to he can.

The Hon. L. J. King: It should be said that they did not oppose the provisions regarding land brokers but that they opposed only the provision in clause 61.

Mr. MILLHOUSE: That is right.

The Hon. L. J. King: They could support this Bill consistently with what they have done previously.

Mr. MILLHOUSE: I can see that I have alarmed the Attorney-General. This Bill goes to some extent with the other Bill. I am happy with the Bill, and I support it.

Mr. EVANS (Fisher): I support the Bill. I do not wish to stir up any more controversy as suggested by my colleague. I am thankful that he has brought this matter to my notice, but I was aware of it before. Clause 9 inserts new section 277, which provides that the Governor may prescribe by regulation the fees that may be charged for the handling of documents. It is important that, if one has views on what effect this legislation may have in the long term, one should state those views. My view on how it will operate is that, when the first regulations are prescribed, the fee will be about the normal fee now charged by land brokers, whether employed by land agents or whether independent of land agents. I can visualize that in the future, when brokers become completely independent of agents (which is the intention of the other Bill if it is passed and to which this Bill is supplementary) the legal practitioner may say that it takes quite a time to transfer titles compared to his other work, and he will say that he needs an increase in fees. The land broker will not object but will tend to say, "If it is worth more to the solicitor it is worth more to me."

The man in the street will face a considerable increase in costs for the conveyancing of titles. As much as any member may deny that, or the Attorney-General may say that that is not the intention of the Government or his profession, I make it clear that this is what will happen. The rate of increase in the fees for the conveyancing of titles over the next 10 years will be much greater than the normal increase that would be caused by the inflationary trend that occurs in our society. If I am not here, someone in the future may be able to refer back and say that this is what I said would happen. I agree that the status of the agent would be improved. I have no real objection to the Bill, because, if the other Bill passes another place, it is essential that this Bill also pass. The Bill repeals sections 271 and 272 of the principal Act, which give powers to the Registrar-General to license land brokers. Over the years, whether members like it or not, no land broker has ever lost his licence, nor has it been necessary to take it away from him. The Bill takes away the power from the Registrar-General and puts it in the hands of a board. If one accepts the other Bill one must also accept this Bill. I support the Bill, with the reservation about what will happen to the average person who wants to buy a house: he will pay more than he now has to pay.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Clause 9—-"Regulations."

Dr. EASTICK (Leader of the Opposition): In his second reading explanation the Attorney-General said that subclause (2) allowed for the revocation and alteration of fees that were made under the Fees Regulation Act. Would it be possible to delete from that Act any reference to fees applying to the Real Property Act, so that all facilities could be provided by the provisions of this Bill? If a person wishes to obtain details of charges under the Real Property Act, he will still have to refer to the Fees Regulation Act.

The Hon. L. J. KING (Attorney-General): The effect of this Bill will be that fees under the Real Property Act will not be contained in regulations made under the Fees Regulation Act. The Fees Regulation Act enables regulations to be made varying fees generally, and those regulations have the effect of amending Acts of Parliament which prescribe fees. This is a bad provision, because it creates complete chaos: a person looking at an Act sees a fee and assumes that it is correct, but does not realize that a regulation made under the Fees Regulation Act has changed it. Also, this makes the consolidation of Statutes extremely difficult. It is therefore the Government's policy to remove fees from Acts when those Act are being dealt with and to enable

regulations to be made to fix the fees. The Fees Regulation Act was originally passed to overcome the problem of increasing fees, because, without that Act, every time fees were increased other Acts would have to be amended. It is considered to be better to remove all fees from Acts and provide that they can be varied by regulations under those Acts. When this process is completed (and it will take a long time), there will be no scope for the operation of the Fees Regulation Act, and it can be repealed.

Dr. EASTICK: When explaining the Bill me Attorney-General said:

I draw honourable members' attention to the proposed new subclause (2) which would enable existing regulations made under the Fees Regulation Act to be amended or revoked by regulations under this Act.

Subclause (2) uses the word "may". It seems to me that there is not a genuine intention to make all regulations relating to the Real Property Act function as from now, and I doubt whether this provision goes far enough. If it is too late to do something about this in this Chamber, perhaps the Attorney-General, if he saw fit, could seek to have an amendment inserted in another place to take the issue beyond doubt.

Clause passed.

Remaining clauses (10 to 12) and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 8.38 p.m. the House adjourned until Wednesday, November 1, at 2 p.m.