HOUSE OF ASSEMBLY

Wednesday, March 19, 1975

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

PETITION: UNLEY TRAFFIC

Mr. MILLHOUSE presented a petition signed by 92 residents of Cross Street, Torrens Avenue, Fern Avenue, and Wattle Street stating that traffic prohibition regulations made under the Road Traffic Act were causing inconvenience and distress because of increased traffic activities, and praying that the House of Assembly would support the motion for disallowance of the regulations, notice of which had been given by the member for Mitcham on February 19.

Petition received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard.*

KATARAPKO ISLAND

In reply to Mr. ARNOLD (March 6).

The Hon. J. D. CORCORAN: The Katarapko Island evaporation basin was constructed in the early 1960's to take the irrigation drainage water from the Loxton irrigation area. To prevent the accidental discharge of saline water to the river in times of low river flows, no low-level outlet was provided in the design. In 1964, when the high river overtopped the basin, two 25.4 cm syphons were installed over the bank to lower the water level until such time as the salinity inside the basin was greater than the salinity level of the river. These syphons were again brought into operation on February 5 of this year but have been only partially successful in dropping the level of the basin. Because of the good quality water in the basin compared to the high salinity of the river, it was decided to install a low-level outlet to the basin, and installation commenced this week.

GOODWOOD PRIMARY SCHOOL

In. reply to Mr. LANGLEY (March 6).

The Hon. HUGH HUDSON: The junior primary section of the Goodwood school is already occupied, and the administrative quarters are expected to be ready by the end of this month. It is hoped that the primary buildings will be ready for occupation at the beginning of the third term this year. As the honourable member is aware, completion dates must be estimates and may be subject to variation by factors outside our control. The cost of the whole replacement school will be between $525 000 and $550 000. The Goodwood pre-school is a separate contract, and work is expected to begin on it when the present administrative section of the school becomes available for modification. Present planning is to have this work completed by the end of the year. The estimated cost is between $45 000 and $50 000.

SOUTH COAST HOUSING

In reply to Mr. CHAPMAN (March 6).

The Hon. D. J. HOPGOOD: In the question asked by the honourable member on March 6, he implied that the South Australian Housing Trust was allowing the waiting list to get longer in the Victor Harbor, Port Elliot, Goolwa, and adjacent areas, and making no effort to solve the housing shortage. He also claimed that there was a "deliberate slowing up of activity by the South Australian Housing Trust". In actual fact the trust has not built houses for rental purposes at Victor Harbor, Port Elliot or Goolwa. One house at Victor Harbor, built for sale to the State Government and subsequently sold back to the trust, comprises the sole rental property in the area.

Rental demand in the area is very low, and only three applications are held and these are limited to Victor Harbor. Persons wanting rental accommodation seem to have applied for Strathalbyn or other towns even closer to Adelaide. The trust will, very shortly, be placing four pre-made houses at Mount Compass to satisfy the demands of a local industry. No industries located in the three towns previously referred to have recently inquired after the availability of rental housing for employees.

The Housing Trust recently received an inquiry from the District Council of Port Elliot and Goolwa about the housing of age pensioners. However, the trust suggested that it should first explore the possibility of using the Australian Government's subsidy scheme, and the situation will be reviewed after the Australian Government has given its decision. From this information, it will be seen that there is no deliberate slowing up of activity by the trust in the area: it is simply that there has not been a demand for rental housing to warrant an extended programme.

MINISTERS' ABSENCE

The SPEAKER: Before calling for questions without notice, I inform the House that any questions that normally would be directed to the honourable Premier may be directed to the honourable Deputy Premier, and, in the absence of the honourable Minister of Labour and Industry, questions that normally would be directed to that honourable Minister may be directed to the honourable Minister of Environment and Conservation.

MINERAL EXPLORATION

Dr. EASTICK: Will the Minister of Development and Mines say what oil or mineral exploration, other than that by Shell off shore from Ceduna, is currently under way in South Australia, and what is the Government's intention regarding promoting or assisting further efforts to expand our known resources in the immediate future? South Australia's apparent lack of momentum in the field of oil and mineral exploration and the marked absence of the discovery of new reserves have been causing concern for a long time. The Opposition has raised the matter during debate and by question in this House on a number of occasions, and has pointed on numerous occasions to the interference of the Commonwealth Minister for Minerals and Energy (Mr. Connor) and the Commonwealth Government's policies as being major contributing factors to this alarming situation. I agree that the lack of activity in Australia's oil search programme is Australia-wide, and I believe this represents a major disgrace on the part of the Commonwealth Government and its policies in this area. I therefore ask whether the State Government is doing anything on its own initiative to counter this critical situation either by involvement by the Mines Department or through encouragement and assistance for private enterprise in proving new deposits throughout the State.

The Hon. D. J. HOPGOOD: The Leader's question seems to be particularly ill timed, because a well has been spudded in now off Ceduna.

Dr. Eastick: I suppose—

The SPEAKER: Order!

The Hon. D. I. HOPGOOD: Within a few weeks, a well will be spudded in by Esso in the South-East. The timing of the Leader's question does seem a little off, as the

question is being asked at about the time when oil exploration is picking up.

Dr. Eastick: Minerals and oil.

The SPEAKER: Order!

The Hon. D. J. HOPGOOD: The Leader has asked what initiatives this State Government has been taking in this area, and I point out to him that we renewed certain E.P.P's in the off-shore area late last year, despite the fact that certain constraints were being put on us not to renew those E.P.P's. As a result of our initiative, oil exploration is going on. It seems unfortunate in view of the statement the Leader has made about his own Party's attitude in this field that the Government has not been congratulated on the attitude it has taken to ensure that the programme is proceeded with.

Members interjecting:

The SPEAKER: Order!

The Hon. D. J. HOPGOOD: I have previously outlined to the House the measures taken last year by this Government to ensure a much higher level of exploration activity in the Cooper Basin, and the expenditure commitments that we required of the producing companies in that basin would be well known to members of this House. Again, this is something that has been done on the initiative of this Government. There are many exploration tenements in the northern part of this State. We have tried to co-operate with companies, particularly Shell, which is exploring in the North-West of the State and the Officer Basin, where possible. It would take me a long time to deal with the position regarding minerals.

Members interjecting:

The SPEAKER: Order! The honourable Minister.

The Hon. D. J. HOPGOOD: The situation in regard to minerals generally has not given the same cause for concern as has the oil question, but I direct the Leader's attention to the annual report of the Mines Department, where he will find the details.

Mr. KENEALLY: Can the Minister of Development and Mines say exactly what the Mines Department does? My question is prompted by a report in the *National Miner* in which new policies for mining, drawn up by the Liberal Party committee under the chairmanship of the member for Eyre, are set down. The so-called new policies begin as follows:

> The State Government should assume a greater responsibility in undertaking comprehensive geological surveys, preliminary exploration and research into mining problems with regard to current factors associated with mineral exploration.

The final paragraph of the article states:

> This is in complete contradiction to the present Government policy.

My understanding is that this is precisely what the Mines Department now does.

The SPEAKER: Order! Comments are out of order.

Mr. KENEALLY: Can the Minister give a clear statement about the matter to help us solve this mystery?

The Hon. D. J. HOPGOOD: I also saw the article to which the honourable member has referred.

Members interjecting:

The SPEAKER: The honourable member for Glenelg and the honourable member for Eyre are fully aware of the requirements of Standing Orders. Those Standing Orders will be implemented immediately.

The Hon. D. J. HOPGOOD: I was equally mystified about the novelty that was supposed to reside in this policy. I understand that the report also stated that new policies for further development would be announced in time for the next State election. If the basic outline of the policy remains as set out in the *National Miner,* I fail to see exactly what is novel about it. I point out that the Mines Department does much work in mapping and in providing data of various kinds, as well as seismic work and a certain amount of drilling work. All this seems to be very much in line with what was read out by the member for Stuart. I notice also in the report in the *National Miner* that the policy refers to the encouragement of private investment by sympathetic and practical application of factors that are referred to earlier in the report. I agree that the application of those factors would have this effect; I suggest that their application has had that effect. The report also states that the Government should give assistance to exploratory companies where this is considered justifiable. It is not clear from the policy whether that simply means assistance by way of data or information, or whether it means financial assistance.

I point out that this year the Government has underwritten a loan commitment on behalf of a company involved in oil exploration in this State. A large commitment is being funded in this way through our normal industries assistance machinery. Again, even if one is referring to financial assistance, there is nothing novel about the approach suggested in the report. The report also states that the Government should promote the most up-to-date exploration techniques. I should hope that this is exactly what the department is doing now in the type of forward planning work that it does. The final paragraph in the report states that this policy is in complete contradiction to the present Government's policy. That is utter nonsense, as anyone who closely examines what we have tried to do in South Australia will verify. A short time ago the Mines Department invited companies that had operated in this State to respond to a questionnaire to determine whether or not this State offered an attractive environment for mineral exploration. The response was gratifying, since industry indicated that it was attracted by the availability of data, including mapping information available at the appropriate department. I share the honourable member's mystification at this report.

INDUSTRIES ASSISTANCE

Mr. COUMBE: Will the Minister of Development and Mines clarify for me the matter to which I am about to refer, especially in relation to the seemingly contradictory statement he has just made? Has there been a sharp reduction this year in the number of applications by small and medium businesses for industrial assistance through the Industries Development Committee? If there has, would not the reduced number of applications and sums sought under Treasury guarantee, compared to the figures in previous years, indicate lack of confidence and an uncertainty in the future on the part of proprietors of small businesses seeking to establish or expand in this State?

The Hon. D. J. HOPGOOD: The situation is a little clouded because under our Industries Development Act, not only small businesses can apply for assistance. True, the Industries Development Committee has not had much work to do in recent months; however, I can assure the House that, in view of what I now know of what is in the pipeline, that committee will be busy fairly soon. Many approaches to industries assistance people have been made in the past few months. These applications have not yet progressed to the stage of being referred to the Industries Development Committee, but they soon will be. As our

industries assistance machinery exists to act virtually as a lender of last resort, to say that we are not doing much business could mean one of two things: first, that people are not coming to us, because they are not in a position to put forward a proposition; or secondly, that they have no need to approach us, because they can finance their ventures in the traditional way.

SMOKING ON BUSES

Mrs. BYRNE: The Minister of Transport will be aware that, on several occasions, I have written to him conveying complaints received by me from people, mainly non-smokers, about discomfort caused to them by other passengers' smoking on buses. As the Minister informed me that action was being considered, I ask him whether he has anything further to report.

The Hon. G. T. VIRGO: Because of my background, I find it somewhat difficult to reply to the question. Notwithstanding that, the Government is conscious of the problems confronting non-smokers sitting among smokers on buses. We are about to have affixed to the windows in the forward compartment of all Tramways Trust buses a sign that will read as follows:

For the comfort of passengers we would like you to refrain from smoking whilst in this bus but, if you must do so, please move to the rear.

It is an extremely pointed sign designed to say in effect, "Well, if you are so much addicted, for goodness sake get down the back. In the interests of non-smokers, what about waiting until you get off to have your next smoke?" As I have indicated, it is a matter that I find difficult to resolve. I hope the sign will be accepted by the public because, if it is, it could be of tremendous benefit to people who suffer when sitting near smokers.

FISHING INDUSTRY

Mr. BLACKER: Can the Minister of Fisheries tell the House what is the state of the Shark Fishermans Rehabilitation Scheme and how the fund is being used in connection with the current plight of shark fishermen? Last year, the trust fund was set up to help rehabilitate fishermen affected by the Victorian ban on the sale of large school shark. As at June 30, 1974, there was still a credit balance of about $54 500 in the trust fund. With the current pressures on fishermen caused by the intended mercury limitations as announced by the Commonwealth Minister for Science (Mr Morrison), can the Minister say how the credit balance from last year is being used and whether any further assistance is being made available to rehabilitate shark fishermen affected by these marketing restrictions?

The Hon. G. R. BROOMHILL: I cannot give the honourable member a direct reply but I will certainly obtain one for him. We are still hopeful that the regulations announced by the Commonwealth Minister for Science will not be introduced and that, therefore, there will be no further problem for people engaged in the shark-fishing industry in this State. The honourable member can rest assured that, if such a decision were made, the dramatic effects that would be felt by fishermen (shark fishermen and others) would require special approaches to be made to the Australian Government for rehabilitation and assistance for the people who would be so badly affected. However, I hope that such a decision will not be made and that we will not be required to make any approaches for rehabilitation.

Mr. Millhouse: When do you expect to know?

The SPEAKER: Order!

The Hon. G. R. BROOMHILL: I will obtain from the department a report on the work undertaken during last year and ascertain what is intended in the foreseeable future.

Mr. Millhouse: When do you expect to know?

The SPEAKER: The member for Mitcham may expect to know the implications of Standing Orders if he continually infringes them.

NATIONAL HEALTH SCHEME

Dr. TONKIN: Will the Attorney-General ask the Minister of Health whether country subsidised hospitals have been told that, unless they agree to participate in the Medibank scheme and persuade the people and doctors in their communities also to participate, the Government will withdraw their subsidies? I have been told that at a meeting recently held of representatives of subsidised hospitals (the implementation of the Commonwealth Medibank programme is being left to the department in South Australia) the Director-General of Medical Services (Dr. Shea) is reported to have issued an ultimatum in just those words; that is, that the country hospitals would not only agree to join the Medibank programme but would also have to work towards persuading the people and doctors in their communities to join. This is coercion, because it gives these hospitals no choice in the matter whatever: the only choice they have been given is to participate in this scheme or be forced to close.

The Hon. L. J. KING: I will obtain a report from the Minister of Health. I am bound to say that I find the question strange indeed, coming from the honourable member, who has actively supported in this House the action of members of the medical profession in attempting to coerce their patients into having nothing to do with Medibank.

MUNDULLA WATER SUPPLY

Mr. RODDA: Can the Minister of Works say what progress has been made by his department towards providing a reticulated water supply for Mundulla? Last week Councillor Young, the local government representative for the ward of Mundulla, asked me what information was available about this amenity being installed in this township. Mundulla is progressing, despite its proximity to Bordertown, and many new houses are being built there. Mundulla receives its domestic water supply through the use of windmills in the area, but there is a desire and indeed a need for a reticulated service. Will the Minister ask the Director of his department when such a supply will be available for Mundulla?

The Hon. J. D. CORCORAN: I shall be delighted to obtain some information for the honourable member. I do not know what progress has been made, although I recall recently seeing something that has a bearing on the subject. I will get a report for the honourable member and bring it down as soon as possible. I agree with him that Mundulla is a special area and is in difficulty.

MONARTO

Mr. WARDLE: Will the Minister of Development and Mines say what studies are being undertaken in regard to new road and/or rail links from Murray Bridge to Monarto and the metropolitan area? It is obvious that, because of the creation of the new growth centre and the development in that area, the rail transport position, involving a distance of about 80 kilometres, needs to be considered. That is especially so when we realise that the line to and from Christie Downs will be electrified in future and that the time

taken for that journey will be short. Obviously, people ought to be able to travel 80 km to or from Adelaide by rail is less than 21 hours, which is the time taken at the moment, and there is an urgent need to consider this matter. Regarding road links to the growth centre, the facilities provided at present will not always be adequate to service that area in the long term and, therefore, studies must be made in this regard.

The Hon. D. J. HOPGOOD: I think it is conceded that the freeway, when completed, will satisfy the general needs for road communication between Monarto and Adelaide for a long time. Regarding rail transport, I understand that Dr. Scrafton, in reporting to the Minister of Transport on the future of the rail system in the State, dealt with the matter to which the honourable member has referred, as well as with other matters. I will ask my colleague to find out whether a copy of that report can be made available to the honourable member.

UNLEY TRAFFIC

Mr. LANGLEY: Can the Minister of Transport say whether the closing of streets in the Unley District has reduced the accident rate along Duthy Street, George Street, and other streets? Further, will the report on this matter be available soon?

The Hon. G. T. VIRGO: The whole rearrangement of road patterns in the area is subject to a fairly intense investigation at present, and it is rather early now to give specific details. As soon as the information is available, I shall be pleased to let the honourable member have a copy of it.

FILM CORPORATION

Mr. GUNN: I direct my question to the member for Fisher.

The Hon. Hugh Hudson: Dear Dorothy?

Mr. GUNN: I ask the honourable member whether he is convinced about the way in which the South Australian Film Corporation is carrying on its affairs and whether he is satisfied with a public statement made by members of the corporation and with statements made through letters in the press.

The SPEAKER: Order! I call the attention of the honourable member for Eyre to Standing Order 123, and, in accordance with that Standing Order, I rule that the question is inadmissible.

Mr. GUNN: On a point of order, the matter that I have raised by way of question is one of public importance, and therefore I contend that the honourable member ought to be able to reply.

The SPEAKER: I have ruled in accordance with Standing Order 123. It is a matter over which the honourable member for Fisher has no jurisdiction.

Mr. GOLDSWORTHY: On a point of order, Standing Order 123 provides that questions may be put to Ministers and other members—

The Hon. Hugh Hudson: Read the whole Standing Order.

Mr. GOLDSWORTHY: It provides that questions may be put relating to any Bill, motion, or other public matter connected with the business of the House with which members may be concerned. The concern of the member for Fisher regarding the operations of the Film Corporation is well known to this House, and in terms of that Standing Order—

The Hon. G. T. Virgo: Are you contesting the Speaker's ruling?

Mr. GOLDSWORTHY: I am taking a point of order on the interpretation of Standing Order 123.

The SPEAKER: Order! The honourable member for Kavel has raised a point of order and then started to debate the matter. I do not uphold the point of order.

Mr. Mathwin: It was the Minister who interjected.

Mr. GOLDSWORTHY: The point of order concerns Standing Order 123, which states that questions may be asked of members on any matters of public concern in which those members may be interested.

The Hon. Hugh Hudson: It doesn't state that.

Mr. GOLDSWORTHY: I have just read the Standing Order, and that is what it states, in effect.

The SPEAKER: Order! The honourable member for Kavel raised a point of order, then started to debate an interjection, which was out of order, and then gave an interpretation. I do not uphold the point of order.

Dr. EASTICK: On a point of order, a report of this organisation was tabled in this House on March 4. It has not yet been printed. Therefore, I consider that it is a matter of vital concern to the people of this State, being a matter that is justly and properly before members of this House.

The SPEAKER: I do not uphold the point of order, because the subject matter that the honourable Leader of the Opposition has raised is not a matter before this House.

Dr. Eastick: The report has been tabled in the House.

Mr. GOLDSWORTHY: I wish to move to disagree to your ruling.

The SPEAKER: The honourable member must put the motion in writing.

Mr. GOLDSWORTHY: Yes, Mr. Speaker.

The SPEAKER: The honourable member for Kavel has moved dissent to the Speaker's ruling, because the question asked of the member for Fisher is one in which the honourable member has shown concern in this House and is a matter of public interest. Is the motion seconded?

Mr. GUNN: Yes, Mr. Speaker.

Mr. GOLDSWORTHY: I believe that the terms of Standing Order 123 are perfectly clear.

The Hon. G. T. Virgo: So do we.

Mr. GOLDSWORTHY: I also believe they are perfectly clear to members of the Government, because Standing Order 123 provides that, at the appropriate time in the House (and that is during Question Time), questions may be put to Ministers or to other members of the House concerning public affairs.

The Hon. Hugh Hudson: Why don't you read the full Standing Order?

The SPEAKER: Order! The honourable member for Kavel is moving dissent to the Speaker's ruling.

Mr. GOLDSWORTHY: I will read the Standing Order if that is what the Minister wants. As I understand that I have 10 minutes in which to explain the reasons for my motion, I guess I can spare a minute to instruct the Minister. 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.

The first point is whether the matter about which the member for Fisher has been questioned is a matter connected with the business of the House. Of course it is; a. report on

the South Australian Film Corporation was commissioned by the Premier and has been placed before the House.

Dr. Eastick: How long after he got it?

Mr. GOLDSWORTHY: A long time after he got it. The report was received on October 31 last year, yet it was brought down only a month or so ago. The operations of the corporation rightly are and have been the subject of interest in this House: they are a matter of public concern.

Dr. Eastick: And disquiet.

The SPEAKER: Order!

Mr GOLDSWORTHY: Yes. Secondly, it is competent, under the terms of Standing Order 123, for the member for Eyre to ask a question about this matter of the member for Fisher. The only other point to be satisfied in relation to this Standing Order is that the member for Fisher has shown some interest in the matter. If any member of the House has a record over a long time of questioning the activities of the corporation it is the member for Fisher.

Mr. Duncan: And a shabby record it is, too.

The SPEAKER: Order!

Mr. GOLDSWORTHY: The member for Elizabeth is the last member who should refer to shabby activities in this House.

The SPEAKER: Order! The honourable member for Kavel is moving dissent to the Speaker's ruling. That is the subject matter before the House, and interjections are out of order.

Mr. GOLDSWORTHY: It is perfectly clear that, on the three grounds specified in Standing Order 123, the question of the member for Eyre is perfectly in order. First, it is in order for the member for Eyre to ask a question of the member for Fisher. Secondly, the question is about something that has been the subject of a report to the House (no matter how belated that report) on a matter of interest to the House. Thirdly, the question is about a subject in which the member for Fisher has shown more than normal interest, as he has pursued the matter for months, even years, in this House. For these reasons, I have no option but to move dissent to your ruling, Mr. Speaker, that the question was not in order. Under Standing Order 123, it is perfectly in order for such a question to be asked of the member for Fisher and for him to answer it.

The Hon. J. D. CORCORAN: I must oppose the motion. The member for Kavel must realise that he bases his motion on the fact that the matter is of public interest or concerns public affairs. On reading this Standing Order, the honourable member cannot help but understand that it does not mean that an individual member can ask another member a question relating to public affairs. Clearly—

Mr. Millhouse: It's been done time and time again.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: Just hear me out.

Mr. Millhouse: Don Dunstan has done it.

The SPEAKER: Order!

Mr. Millhouse: It's been done repeatedly in the House.

The SPEAKER: Order! The honourable Deputy Premier.

The Hon. J. D. CORCORAN: I want to make perfectly clear what the Standing Order provides. 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;

That is the end of it.

Members interjecting:

The Hon. J. D. CORCORAN: There is then a semi-colon. The Standing Order then provides:

and to other members, relating to any Bill, motion, or other public matter connected with the business of the House—

Members interjecting:

The SPEAKER: Order!

The Hon. J. D. CORCORAN: Let me finish. It provides:

connected with the business of the House—

Members interjecting:

The SPEAKER: Order! The honourable Deputy Premier.

The Hon. J. D. CORCORAN: I repeat that it provides:

connected with the business of the House, in which such members may be concerned.

I listened to the question that the member for Eyre asked the member for Fisher: it did not have any bearing on the report to which the member for Kavel referred—

Mr. Evans: My word it does.

The Hon. J. D. CORCORAN: —and on which he hung his hat. The question had nothing to do with the report: it dealt with the statement made by the member for Fisher that has caused some controversy. The member for Kavel has chosen to dissent to your ruling, Mr. Speaker, merely on the grounds that the report was tabled in this House some time ago (and that is not so). I oppose the motion on the grounds that the member for Eyre may not ask the member for Fisher a question about a matter of public interest, as it is not within the jurisdiction of the member for Fisher to answer such a question. Members have a right to ask such questions of Ministers of the Crown.

Mr. Millhouse: It has always been done.

The Hon. J. D. CORCORAN: The question was in no way connected to the report to which the member for Kavel referred.

Mr. Goldsworthy: I didn't say it was.

The SPEAKER: Order! Honourable members know what is required of them under Standing Orders. While I am still Speaker, those Standing Orders will be implemented.

The Hon. J. D. CORCORAN: The question of the member for Eyre was prompted purely and simply by the desire to give the member for Fisher an opportunity to reply to some of the criticisms and statements made about what he said on this subject some little time ago.

The House divided on the motion:

Ayes (18)—Messrs. Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy (teller), Gunn, Mathwin, McAnaney, Millhouse, Rodda, Russack, Tonkin, and Venning.

Noes (21)—Messrs. Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Corcoran (teller), Crimes, Duncan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, Olson, Payne, Simmons, Slater, Virgo, and Wright.

Pairs—Ayes—Messrs. Allen, Nankivell, and Wardle. Noes—Messrs. McKee, McRae, and Wells.

Majority of 3 for the Noes.

Motion thus negatived.

The SPEAKER: Order! The honourable member for Glenelg.

Mr. GOLDSWORTHY: Mr. Speaker, you had given me the call for a question.

The SPEAKER: I had given the honourable member for Kavel the call for a question, but that was superseded by the point of order he raised.

Dr. EASTICK: I rise on a point of order, Mr. Speaker. Since when has a point of order superseded a member's right to ask a question?

The SPEAKER: The practice of the Speaker of this House is that questions shall be allotted at the discretion of the Speaker.

Mr. MATHWIN: Can the member for Fisher say whether, after reading the report of the South Australian Film Corporation laid on the table on March 4, he is satisfied with that report?

The SPEAKER: Order! I rule that the question is inadmissible. I refer to the circular that I, as Speaker, have sent out many times since I have been Speaker. The first point on that circular refers to inadmissible questions, as determined by Erskine May, and the first on the list is a question seeking an expression of opinion. The honourable member for Rocky River.

Mr. Coumbe: Well, we sure are gagged nowadays, aren't we?

The SPEAKER: Order! If the honourable member for Torrens meant his remark to be taken as an insinuation, he should reconsider it because it could be deemed to be a reflection on the Chair.

Later:

Mr. EVANS: I seek leave to make a personal explanation.

Leave granted.

Mr. EVANS: I seek leave, realising that some members are laughing because they think the matter may be trivial; but their expectations may be wrong. I sought this opportunity to make an explanation because yesterday I received from the South Australian Film Corporation the following letter:

Dear Mr. Evans, It has come to my attention that a junior member of my staff and her husband have taken it upon themselves to make personal inquiries about you. I wish to dissociate the film corporation from any such action and assure you that my staff have been instructed to avoid entering into any form of political controversy regarding the corporation. I regret any embarrassment that this incident may have caused you and hope that a similar one will not occur again.

Dr. Eastick: Who signed the letter?

Mr. EVANS: The Chairman-Director (Gil Brealey). I appreciate receiving the letter and wish to make it public. I did not know that the trouble originated from the corporation. A person telephoned my office, asking whether a certain person in the film industry was my sister. When I was able to take the call on an extension and asked why the person wanted the information, the woman on the telephone said she was sending out invitations from the Hahndorf Academy. I told her there was no relationship through blood in my case with the person to whom she had referred. After speaking to her, I telephoned the Hahndorf Academy and the person to whom I spoke denied any knowledge of the academy having inquired. Subsequently, another person from a television station spoke to someone in the film industry who telephoned me and asked whether the person to whom the first inquiry referred was my aunt. It seems that this inquiry, too, originated from the same source, so I make it public now that Mrs. Ian Davidson is in no way related to my family, as far as I can trace my family back to my great-grandparents. It was unfortunate that this sort of inquiry started merely because I asked some questions and made statements that I believed were important to the State. I truly appreciate that at least Mr. Brealey has dissociated himself from any criticism of me, but I am disappointed that other members of his staff or their relatives are setting out on this sort of personal witch hunt.

MINISTER'S VISIT

Mr. VENNING: Can the Minister of Education say whether he plans to go north, especially to the area that I have the honour to represent, or to any adjacent areas? Organisations in my district have asked me whether the Minister is likely to visit the area soon, as representatives of school committees especially would like to see him. At Port Broughton, when I was asked whether the Minister was likely to visit that area, I replied, "There is only one way to find out: we'll ask him." Does the Minister plan to go north, or is he open to receive an invitation?

The Hon. HUGH HUDSON: At any one time I have plans to go north and. indeed, to go into adjacent areas both east and west. These plans are continuous. However, the honourable member referred specifically to Port Broughton. As the member for Rocky River is a great friend of all members, we always try to co-operate with him. As he has asked me to visit Port Broughton, I shall take up that invitation when I get a suitable chance and notify the honourable member when I can go.

NURIOOTPA PRIMARY SCHOOL

Mr. GOLDSWORTHY: Has the Minister of Education any information on the construction of the new Nuriootpa Primary School? This has been a matter of continuing inquiry and approach to the Minister since I have been a member and even during the term of my predecessor. Detailed drawings of the school have been completed, and I understood that the new school was to be built this year. As the Minister undertook to give information to the school committee this week, I now ask him whether a firm decision has been made on the school. The only hold-up has been as the result of a doubt about the availability of funds for the forthcoming financial year.

The Hon. HUGH HUDSON: I am sure the honourable member will appreciate that the construction of the new Nuriootpa Primary School is a project of some magnitude and that the sums involved are such that it is not possible to slot the project into a programme precisely when we may all desire to have it included in the programme. Although there has been a very slight delay of a couple of months, I am pleased to say that tenders for this project will be called within the next month, which should mean that work will commence on the site in June or July. Some time will be required for the prospective contractors to prepare answers to tenders and for the tenders to be considered by the Public Buildings Department: after a contract is let it will be some time before the successful builder can get on to the site. Therefore, the replacement school should be available towards the end of the first term next year.

STENHOUSE BAY

Mr. BOUNDY: Can the Minister of Tourism give details of the time table for beginning development of Stenhouse Bay as a tourist complex, and can he say what level of private enterprise involvement will be allowed? A report in this afternoon's *News* states that the State is buying the town of Stenhouse Bay, formerly owned by Waratah Gypsum company. In that report the Minister states that further development will be undertaken either by private enterprise or by the Government. Opinion in the town considers that holiday flat and motel accommodation is most effectively promoted by private entrepreneurs.

The Hon. G. R. BROOMHILL: A committee has been established consisting of representatives of the Premier's Department, the Tourist Bureau, and the Environment and Conservation Department to determine the future management of the area the Government has purchased and to investigate matters in which the honourable member- is interested, as well as the sorts of development that will take place in future in this area. I will let the honourable member know more about decisions affecting the area after those decisions have been made.

GOVERNMENT FINANCES

Mr. McANANEY: Can the Treasurer indicate whether the Government had enough cash in the bank at the end of February to cover its trust account liabilities? At the beginning of this financial year the Government had about $64 500 000 cash in the bank and its trust account liability was $32 900 000. I have asked the question to ascertain, in the light of the big Budget deficit, whether there was enough money available to cover the trust account liability.

The Hon. D. A. DUNSTAN: The Treasury does not keep in a current account at the bank enough money to cover all trust account liabilities. Indeed, it would be bad financial policy for us to do so. The Government makes the necessary deposits to receive interest on them in order to ensure that we derive the maximum return for the State. As Treasurer, I sign millions of dollars into and out of such deposits each week. Therefore, the sum that is shown in the current account at the end of a month is likely to be fairly small, because moneys are going into and out of that account several times a week. The daily cheque signed by the Treasurer, or a Minister on his behalf, is likely to be between $5 000 000 and $12 000 000. In assets available to the State to meet demands on the trust account moneys, we are considerably in surplus always. The State has an extremely buoyant working account, and we are always considerably in surplus over trust account liabilities.

HILLCREST HOSPITAL STRIKE

Mr. MILLHOUSE: Can the Premier say what action, if any, the Government intends to take over the strike involving building trades maintenance workers employed at Government hospitals and other institutions? The strike involves 52 members of the various trades to which I have referred. A statement by the Assistant Secretary of the Plumbers Union (Mr. R. W. Fairweather) indicates that the strike will close Hillcrest Hospital because of a sanitary problem. Apparently, the strike is over a matter on which I have been approached previously: it involves a dispute with the Public Service Board over a payment. The relevant section of the report in this morning's *Advertiser* states:

> Board representatives had again rejected the claim and in fact had been made a counter offer which would have meant reducing the industry allowance for plumbers from $4.50 to $3.70 a week and no rise for 90 per cent of the other building trades'.

I was approached some months ago about a similar situation in which the board treated the man concerned most unfairly. From the report in the paper it seems as though the same problem has occurred, again. The Government is directly concerned in the matter through the Public Service Board. This strike could have most serious effects, and I may have made sufficient reference to show that. It is a problem, therefore, in which it would be more than appropriate for the Government to take the initiative to have the matter settled quickly. I ask the Premier what on earth he is going to do about it.

The Hon. D. A. DUNSTAN: Naturally enough, in any industrial dispute that involves the Government, the Government does concern itself. Reports on the matter are coming from the Public Service Board and the Labour and Industry Department. As I understand the honourable member's question he is suggesting that the Public Service Board is being an unsatisfactory employer—

Mr. Millhouse: It looks like it, yes.

The Hon. D. A. DUNSTAN: —and that the board should simply pay the claim made. I will bring down a report for the honourable member about the matter next week.

MOUNT COMPASS WATER SUPPLY

Mr. CHAPMAN: Can the Minister of Development and Mines, in his capacity as Minister in charge of housing, arrange for the appropriate officers of the Housing Trust to support the Mount Compass community in its application for an Engineering and Water Supply Department supply? The residents of Mount Compass have sought a permanent water service for some years and, although they recognise that new housing is essential for the future development of their area, they also recognise that a proper water supply is a vital part of that development. My question has been prompted by the reply given by the Minister today to a question I asked on March 6. The fourth paragraph of the reply states:

> The Housing Trust will, very shortly, be placing four pre-made houses at Mount Compass to satisfy the demands of a local industry.

The development at Mount Compass involves not only housing for industrial workers at the milk factory but also housing for local residents and local retired residents, as well as housing to cater for the metropolitan population spillover. It has been reported to me that the area is becoming popular as a quiet and beautiful site to which metropolitan people wish to retire. On the basis of that growth and development I am seeking all possible support for a water supply for Mount Compass. It is on that basis that I seek the support of the Minister's officers and hope that a proper and adequate supply will be provided for that community soon.

The Hon. D. J. HOPGOOD: I think that the Minister of Works is better able to authorise such a scheme and that he would have given such an application the fullest and most sympathetic treatment possible. If the honourable member is seeking a subsidy towards the cost of this scheme from the Housing Trust, that is by no means a novel concept. It has happened in other areas and I can promise the honourable member sympathetic consideration of such a request.

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

BUILDING SOCIETIES BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to provide for the registration, administration and control of building societies; to repeal the Building Societies Act, 1881-1968; and for other purposes. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

It repeals the Building Societies Act, 1881-1968. Because of rapid changes in economic conditions, particularly since

the late 1960's there has been an increasing and urgent need for revised legislation. The existing Act lacks the necessary power to control monetary policies of societies so that the problems of fluctuating interest rates and problems associated with an inflationary economy and shortage of liquid funds can be solved. Hence the primary aim of such legislation, namely the protection of the investing public and the borrower, cannot be achieved under existing legislation. Consequently the Government and the building societies mutually agreed that new legislation was of vital importance to enable protection to be restored to the investing public. As a result the Public Actuary and the Building Societies of South Australia have co-operated and combined their resources and experience, and over a period of several years (and it has taken several years) have developed this Bill, in an endeavour to overcome the present legislative deficiencies.

The Government expresses its gratitude to the building societies for their contribution to the formulation of the new legislation. The Bill strongly emphasises monetary policies dealing with loans, liquidity and reserves and confers extensive powers upon the Registrar of Building Societies to guide and control the raising of funds, investments and guarantees.

I seek leave to have the formal explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part I is formal. Part II deals with the administration of the new Act. Clause 6 provides that the Governor may appoint the Public Actuary to be the Registrar of Building Societies, and provides for delegation of his powers. Clause .8 provides that the office of the Registrar shall be a public office where all documents registered under the Act shall be kept. Clause 9: The Registrar is empowered to inspect any records relating to the affairs of a society whether the records are in the custody or control of a liquidator or bank or any other institution.

Part III includes clauses 10 to 23, and outlines the objects of a society registered under the Act. The formation, registration, and incorporation of a society, and the amalgamation of two or more societies are dealt with in this Part. Clause 10: The primary objects of a building society are the raising of funds as authorised by the Act, and the making of loans. Clauses 11 and 12: The requirements for formation, registration, and incorporation as established by these clauses are far more stringent than in the repealed Act. Formation can only be effected with a minimum of 20 natural persons and a minimum of $500 000 paid-up share capital. Previously, a society could be formed by a minimum of 10 persons and $20 share capital. Accordingly, the new Act effectively provides a strong foundation of protection for any intending societies and their investing public.

Clauses 13 and 17: These clauses provide the Registrar with the power to analyse critically any rule of a society, and where in his opinion a rule does not conform with the best interests of the members of the society, or the general public interest, he has the power to modify the rule. Clause 17 (4) provides that any decision by the Registrar to modify a rule is subject to a right of appeal by a society, and such an appeal will be determined by the Minister. Clause 18: No society shall be registered with a name that the Registrar considers undesirable. Clauses 19 and 20: Every society shall have a registered office for serving of documents. Its name shall be clearly printed on all documents associated with its activities, and the name shall be affixed to its place or places of business.

Clause 21 establishes the means for any two or more societies to amalgamate and apply to be registered as an amalgamated society. Clause 22: A society desiring to amalgamate with one or more other societies must forward to each of its members a statement setting out the financial position of the society and any other society with which it intends to amalgamate, stating any interest that the directors may have in the amalgamation and other relevant matters. Clause 23 allows a society to apply to the Registrar for his approval of an intended amalgamation, notwithstanding that the approval of the shareholders has not been obtained.

Part IV includes clauses 24 and 25 and defines the objects of an association, and provides for registration. Clause 24: Three or more societies may form an association and shall adopt such of the objects as are authorised by the new Act. Part V includes clauses 26 to 43, and deals with the monetary policies of societies. Division I of this Part sets out the loan policy of societies, and provides a means for fixing a maximum rate of interest at which moneys may be lent. Clause 26 deals with the basic function of a society which is to advance moneys on the security of a mortgage over land. Clause 27: The maximum rate of interest in respect of such a loan may be fixed by the Minister. Clause 28: Moneys are not to be lent on the security of a mortgage over vacant land, unless a dwellinghouse is intended to be erected thereon. Clauses 29 to 33 provide for limitations on the nature and extent of the loans that may be made by societies. Clause 34: A loan is not to be granted upon the security of a mortgage over land, unless a valuation has been obtained. Clause 35: The balloting for precedence for loans shall not be permitted under this section, but this does not affect any existing Starr-Bowkett society.

Division 11 deals with liquidity and reserves. Clause 36: Because of the failure of certain institutions to maintain an adequate proportion of assets in liquid funds, and in particular because of the run upon its funds experienced by one of South Australia's largest building societies, the Government considers that there is an urgent need to require societies to hold a minimum proportion of their assets in liquid form. These liquid assets must amount to at least 10 per cent of the aggregate of (*a*) the paid-up share capital of the society; (*b*) the amount held by the society by way of deposit; and (*c*) the outstanding principal of any loan made to the society.

If a society is to grant a loan, it must hold liquid funds that comply with the above requirements. A second, and major, aspect of the control of liquidity is the power to prescribe some other ratio between liquid and total assets, if economic conditions dictate a change in this respect. Clause 37: At the end of each financial year, a society is required to transfer to a reserve account 2 per cent of the surplus arising in that financial year from the business of the society. Division III provides the Registrar with the power to prohibit the raising of funds by a society if he considers it expedient to do so in the public interest. Clause 38: Whilst such a prohibition as previously outlined remains in force, the society shall not accept the deposit of, or borrow, any money, or accept any subscriptions for a share in the society. However, this section does not prohibit a society from borrowing from a banking or finance company or from an officer of the society. A right of appeal by any society against a prohibition is conferred by subclause (5).

Division IV defines the manner in which a society may invest its funds and raise funds. Clause 39: A

society may purchase or acquire any real or personal property necessary for carrying on its business. Clause 40: This clause outlines the investment policy of societies registered under this Act. Societies may only invest in the relatively "safe" investments prescribed by this section. Clause 41: This outlines the borrowing powers of a society. In summary, this Part provides for firm control over the operations of a society, but at the same time does not detract from prudent and profitable management. Clause 43: The Treasurer may execute a guarantee in favour of any person or body of persons for the repayment of any advance made to any society. This is designed to enable the Government in the last resort to help a society out of financial difficulties.

Part VI, including clauses 44-50, includes the rights and liabilities of the members, and provides for the issue of shares by a society. Clause 44: The members of a society are those persons who are admitted to membership in accordance with the rules of the society. No rights of membership accrue until payment in respect of membership as provided by the rules is made. Clause 45: A minor may be a member of a society. Clause 46: A body corporate may be a member of a society. Clause 47: A society may from time to time raise funds by the issue of shares. No member of a society shall, unless exempted by the Registrar from the provisions of this section, hold more than one-fifth of the total share capital of the society. Clause 48: This clause deals with the case where shares are held jointly. Clause 49: A society shall in respect of any debt due from a member or past member of the society, have a charge upon the shares, credit balance, dividend, etc., due to that member cr past member and may set off any such sum payable against the debt. Clause 50: A contribution, not exceeding 5 per cent of a' society's surplus in the preceding financial year of the society, may be made to charity.

Part VII includes clauses 51-64 and provides for the internal management of a society. Clause 51: The clause provides that the management and control of a society is to be vested in a board of directors. The board is, however, subject to regulations by a general meeting of members. Clause 52: The general age limit fixed for a director is 72 years, but a person of or above this age may be appointed or reappointed as a director to hold office until the next annual general meeting of the society. Clause 53 deals with the appointment of directors, and subclauses (3) and (4) are of particular importance, for they limit the eligibility of prospective appointees. Clauses 54, 55 and 56 contain further provisions designed to ensure that a society is properly managed. Clause 57: Meetings must be held by societies. The annual general meeting shall be held within four months after the close- of a society's financial year. Clause 58: A decision shall be made by a majority of those persons entitled to vote who are present at the meeting either personally or by proxy. Clause 59: A special resolution shall be effective only if supported by not less than two-thirds of the votes cast. A special resolution must be submitted to the Registrar for registration. Clause 60: The registers and accounts required to be kept by a society are set out in this section. They may be inspected by any person authorised by the Registrar.

Clause 61: A society shall keep at its registered office and at each branch office certain further documents that may be inspected by any member of the public without fee. Clause 62: The financial year of a society shall end on such a day in each calendar year as is provided by the rules of the society. A society is required to lodge such returns relevant to its financial position as the Registrar may require. Clauses 63 and 64 deal with the auditing of the accounts of a society.

Part VIII deals with receivership, official management and winding up. Part IX contains evidentiary provisions and prescribes certain offences. Part X confers on the Registrar the power to control advertising by a society. Clause 81: The Registrar must first consent to any advertisement that relates to a society proposed to be formed or registered under this Act. Clause 82: The Registrar may prohibit the issue by a society of advertisements of a certain description, or may require that specific information be included in an advertisement.

Part XI deals with miscellaneous matters. Clause 83: Full and accurate minutes of every meeting of a society must be kept. Clause 84: Any document may with the permission of the Registrar, and on payment of the prescribed fee, be inspected by a person with a proper interest in the matter. Clause 85: A member is to receive a copy of a policy of insurance taken out by a society over property in respect of which the society holds some security. Clause 86 provides for the making of an inquiry into the affairs of the society, and provides for the calling of special meetings of a society to resolve problems that may have arisen in the administration of a society.

Mr. EVANS secured the adjournment of the debate.

CONSUMER CREDIT ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Consumer Credit Act, 1972-1973. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

In recent years, particularly in North America and Canada, there has been a rapid expansion in the provision of credit by means of credit cards. These cards enable a consumer to obtain credit from many commercial organisations, and frequently without any limit as to the extent of the liability that he may incur. While credit cards are capable of being used to the great advantage both of consumers and of the commercial community, there is no doubt that grave dangers are inherent in their use unless proper legislative controls are imposed and observed. They provide abundant opportunities for fraud, and the multifarious opportunities of obtaining credit that they open up to a consumer may easily induce him to overreach himself financially by incurring debts that he has no reasonable chance of defraying. This Bill is designed to provide the framework within which reasonable legislative controls over the provision of credit by means of credit cards may operate.

If the controls are to be effective, and to apply without unjustifiable discrimination, it is necessary that they should apply to all credit providers who operate credit card facilities whether or not they are licensed under the principal Act. A salient feature of the Bill therefore is a provision to the effect that the requirements that will be imposed by regulation (and which will largely reflect the existing conditions upon which retail stores are permitted to operate revolving charge accounts) will apply to all credit providers who undertake the provision of credit upon revolving charge accounts operated by credit cards.

The provisions of the Bill are as follows. Clauses 1 and 2 are formal. Clause 3 provides that an exemption granted under section 6 of the principal Act before the commencement of the amending legislation will remain in force for the balance of the period for which it was granted. Clause 4 inserts a new definition of "revolving charge account". The definition is slightly expanded to include an account to which amounts due under consumer contracts of credit contracts are debited. At present the definition only deals with an account to which amounts due under consumer contracts are debited.

Clauses 5, 6 and 7 introduce a new system for authorising credit providers to provide credit by means of revolving charge accounts. At present these credit providers are simply exempted from the provisions of the Act. Under the new system a credit provider may obtain a licence containing an authorisation to provide credit by means of revolving charge accounts. This authorisation may be granted on the basis that the credit provider is solely authorised to provide credit by that means, or on the basis that the credit provider may provide credit by means of revolving charge accounts in addition to providing other forms of credit. Where such an authorisation exists, a credit provider shall, in respect of provision of credit by means of revolving charge accounts, be exempt from the provisions of Part IV of the Act which stipulate the form of a credit contract and impose restrictions upon the charging of compound interest. Clause 8 deals with an administrative matter. It has been found that the provisions of the Act requiring that all licences should expire on the one day have created administrative problems around the time of that expiry date. The amendment proposes that the expiry dates of licences will be determined in accordance with the regulations, and it is proposed that the expiry dates will be "staggered" throughout the year.

Clause 9 is an important provision providing for the making of regulations dealing with the provision of credit by revolving charge accounts. It provides that the regulations may require a credit provider to observe any prescribed requirements in negotiating or contracting with a consumer relating to the establishment or use of a revolving charge account; the regulations may provide requirements with which a contract between a credit provider and a consumer providing for the establishment or operation of a revolving charge account must comply; they may prescribe any requirement with which a person who provides credit by means of a revolving charge account must comply; and provision is made to exempt credit providers who provide credit by means of revolving charge accounts from the obligation to comply with any specified provision of the principal Act. Provision is also made by this clause to bring credit providers who are otherwise exempt from the provisions of the Act within the operation of the new regulations.

Dr. EASTICK secured the adjournment of the debate.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from March 18. Page 2950.)

Dr. EASTICK (Leader of the Opposition): I support the Bill. Unlike the recent attempt by the Premier to curry favour with a minority section of the community during the course of International Women's Year by foisting the title "Ms" on all women, this Bill makes a real change which will benefit women in particular, and as such it is worthy of implementation during International Women's Year.

One of the two major functions of the Bill relates to the running of the Public Trustee Department, and the most significant feature, having regard to the statement I have already made, provides for a better deal for widows whose partners have failed to protect their welfare through the provision of a will. The change corrects a glaring anomaly in the law that has caused much hardship to widows whose husbands have died intestate. Although I commend the change, I point out that the Government has failed to correct another glaring fault within the Act which blatantly discriminates against women, and I hope the Attorney-General will consider this point for amendment. I refer to the case where a person dying intestate has no widow and no children but a father, brother and sister. In that case the whole of the estate passes, to the father. However, if a person dies without a father but with a mother, brother and sister, the mother would receive only one-third of the estate.

This is obviously a serious discrimination against women which is archaic and has no place on the Statute Book of South Australia, and I hope the Attorney-General will help me later to amend the Bill for the benefit of women in this State. I believe that the two should be equal. Indeed, I go further and say that in my opinion the father and mother should enjoy the same privileges (that is, in the distribution of the total estate) and that the mother should not be put into the position of receiving only one-third of the estate as does the mother at present.

The Hon. L. J. KING: On a point of order, Mr. Speaker, the Leader of the Opposition is debating the rules of distribution of the estate in the case of intestacy. That matter is not touched on in any way in this Bill except as to one specific aspect which is mentioned in a clause of the Bill and which changes the amount payable to the widow in certain circumstances. I submit that to open up a debate on the rules of intestacy as they relate to the matters that he is discussing at present is not appropriate.

The SPEAKER: Order! I uphold the point of order. In fact, I have been reading the second reading explanation. My reason for upholding the point of order is that, although the Leader intends to move a motion for an instruction, until that instruction is before the House it is not open to debate. That motion can be moved only at the end of the second reading debate. The Leader must confine his remarks to the second reading of the Bill. He must not deal with the instruction, because it is not before the House at this stage.

Dr. EASTICK: Thank you, Mr. Speaker. I was merely drawing a parallel between the Government's action to correct an anomaly in one instance and its failure to deal with another equally serious, if not more serious, anomaly. I will take that matter further when I am dealing with the motion for instruction. I consider that the point has been well made.

Clause 5 makes a change that everyone will welcome. This change has been included in the Bill as a result of the action of one of my colleagues in another place (Hon. F. J. Potter) and I accept that the Government has taken up the cry that he has made on behalf of widows that the amount of money available to them should be increased.

The Administration and Probate Act was originally passed in 1919. Before that time, South Australia's intestacy laws followed those of the United Kingdom and the common law. Under the 1919 Act, the widow's share of the deceased estate was set at $1 000. In 1956, it was set at $10 000, the surviving spouse having all the estate if the

value of the estate did not exceed $10 000. If the value of the estate exceeded $10 000, the surviving spouse took the first $10 000 plus half of the remainder.

In the 19 years since that amendment was made in 1956, inflation has made rapid inroads into the real value of $10 000, and at present that amount is something of a laughable pittance, particularly if it is related to the cost of the family house and the ability to purchase that house when the estate must be divided to provide for the various beneficiaries. I consider that the change now being made from $10 000 to $30 000 is not unrealistic. However, I question whether $30 000 is adequate, having regard to the current inflation rate, and I also question whether in about 12 or 18 months time we shall not be again considering this matter to improve the situation applying to beneficiaries.

I will give a series of examples of typical estates that would come into the category with which I have dealt. I have taken four estates, varying in value from $25 000 (which would be slightly below what I think would be the average value of an estate at present) to $50 000. This range would cover estates of people who, through either oversight or misunderstanding of the law, could become victims of intestacy. Most people whose estates were valued at more than $50 000 would have appreciated the need to safeguard the estate for their beneficiaries and so would have taken advice that would allow them to put their affairs in order by way of will. The examples that I have taken are shown in the following table:

EXAMPLES OF ESTATE DISTRIBUTION

Example	Gross Value of Estate	Asset Values					Surviving Spouse's Share
		House and Contents	Car	Caravan	Cash	Sundries	
	$	$	$	$	$	$	$
A	25 000	20 000	2 000	1 000	1 000	1 000	17 500
B	30 000	20 000	2 000	1 000	6 000	1 000	20 000
C	40 000	20 000	2 000	1 000	10 000	7 000 (inc. $6 000 investments)	25 000
D	50 000	20 000	2 000	1 000	10 000	17 000 (inc. $16 000 investments)	30 000

The $30 000 statutory exemption provided is realistic but, unless there is a marked reduction in the rate of inflation in Australia, I doubt that the amount will be adequate in the long term. The Government is to be complimented for accepting what the Hon. Mr. Potter has proposed. There is still on the Notice Paper of this House an item of private member's business dealing with this matter, and in due course I will move that that item be read and discharged because the matter has been covered adequately in this Bill. I accept that the changes made in the Bill relating to the Public Trustee Department have applied in other States for some time. A different form of funding will be undertaken in relation to deficits and excesses relating to those estates dealt with by the department. The member for Bragg will deal with this matter later.

I believe that an anomaly exists in relation to certain arrangements that will apply to the Public Trustee Department that may not apply to private trustee companies. Any benefits available should apply to all those associated with this work. Although I will not take this matter further now, I want it recognised that the differences existing between the Public Trustee Department and private trustee companies is recognised by members on this side. In due course, I look forward to the Attorney's accepting the amendments to which I have referred. I recognise that the changes made in relation to intestacies are by no means an exhaustive list of the changes that should be made for the benefit of intestacy legislation in this State.

Dr. TONKIN (Bragg): I, too, congratulate the Hon. Frank Potter for his efforts in another place, as I believe they have resulted in much of what is contained in this Bill. Clause 8, which amends section 102 of the principal Act, is the kernel of the whole Bill. Under the Bill, a Common Fund Interest Account and a Common Fund Reserve Account are provided for. Clause 8 bears close examination. Interest earned from investments made from the common fund shall be paid to the credit of an account to be called the Common Fund Interest Account. This account will now be kept by the Public Trustee Department. The money so accruing will be paid, first, in interest payments made under the Act on the amounts held by the department in trust at the time; it will also be used to defray the expenses over and above those that are covered by the fees charged by the department.

I agree with the Leader entirely that the Public Trustee Department's function is very different from the function exercised by private trustee companies. Whereas those companies are obliged to get the best deal they can get for beneficiaries, the department is frequently called on to administer estates which are not primarily given to it for financial management and which include the estates of mental defectives and other people who are not capable of managing their own affairs. The department may be given estates by way of court order. Considering that the department does not have an easy job to do, I believe that, in all the circumstances, it does a fine job.

Clause 8 gives the Public Trustee power to fix rates of interest depending on the term of the accounts. The department will be able to use the Common Fund Reserve Account to make good' any deficiencies that may have -arisen in the past in connection with either the common fund or the administration of an estate by the department. In this .case, the Bill gives sweeping powers to the department. We are told that this provision is basically designed to help the department pay its own way. Although I believe that is most necessary, to know whether the sweeping power is also necessary we must look at the situation that has applied in the past, ascertaining whether the department has been able to pay its way until now. From public reports, it is almost impossible to assess whether or not the department has paid its own way.

In many cases, I believe that State revenue has had to be used to make up deficiencies; therefore, deficiencies in the department's running expenses have resulted in a charge being made against the general revenue of the State. The provision in the Bill seeks to relieve the State of

what may well be a deficit, transferring the burden on to beneficiaries or people for whom the Public Trustee Department acts. The commercial advantage the department presently enjoys is that the State bears any deficit it may have, with the cost being paid out of general revenue, and thus being spread over all taxpayers in the State. The department will still have a similar advantage, but its excess costs will tend to be paid for at the expense of widows, minors, mental defectives, and other protected persons. This factor must be borne in mind.

The reason for the present Bill being introduced just might be related to the alterations which we recently considered and which gave the Public Trustee Department power to invest, in and purchase property and to administer that property. It is a matter of common knowledge that the department is either about to move or has moved into a new building. The commitments associated with the new building will probably be great, certainly far greater than similar commitments have been in the past. I believe that the profitability of the department's activities (which has been lower than the profitability of the average private trustee company) will be lower still. The reduced profitability will result from inflationary tendencies, increased costs of administration, and increased salaries and other expenses. There is a fair chance that the deficit to be met from State revenue, if this legislation is not passed, will increase; this could be embarrassing to the Government and to the operation of the department.

Therefore, clause 8 is necessary because it will give the department a chance to make up deficits and to pay its own way. I point out that the Act requires the department to pay an interest rate that is not less than the long-term bond rate. Nevertheless, the department will have power to set interest rates according to its need to avoid having a deficit that cannot be covered by its investing funds in the Common Fund Interest Account. With those reservations (and they are not strong reservations at this stage), I support the Bill. I look forward to the discussion of some of the other matters that may arise during the Committee stage.

The Hon. L. J. KING (Attorney-General): The only matter that calls for comment is the suggestion that the Bill will in some way place the Public Trustee Department in a different (and presumably, it is suggested, more advantageous) position from that of private trustee companies. I want to make clear that that is not so, as the Bill does not change the position in that regard. Under the existing Fees Regulation Act, the Public Trustee has power, as others have, to specify fees for services. As the general provision relating to the Public Trustee's remuneration is contained in the Administration and Probate Act, it was considered that all the provisions relating to his remuneration should be in that Act, and that is all that the provision does. I make clear that the reason why the Public Trustee has power to charge fees is that he performs functions (statutory functions often, but also functions not performed by private trustee companies and not imposed on them in any way), and it is necessary for him to charge fees for this service.

Dr. Eastick: Limited to that area only?

The Hon. L. J. KING: Yes. My view as to deceased estates is, as I put it to representatives of private trustee companies and have explained here, that the proper way to charge remuneration for deceased estates is as a percentage of the estate, so that the testator knows when he decides whether to appoint the Public Trustee, a private trustee company, or a private executor what percentage of the estate will be taken in remuneration. It is completely misleading to allow a position to develop in which a testator could appoint the Public Trustee or a private trustee, thinking that X per cent (or whatever was the prevailing rate) was the amount to be deducted from the estate for remuneration, only to find other charges superimposed for income tax returns and valuations, etc. I assure the House there will be no authorisation for the Public Trustee to charge fees on deceased estates other than commission, except in circumstances in which he has to perform special functions that are performed by the Public Trustee and not performed by private trustee companies. That is my general attitude to the matter, and that is the policy to which I will adhere.

Bill read a second time.

Dr. EASTICK (Leader of the Opposition) moved:

That Standing Orders be so far suspended as to enable an instruction to be moved without notice.

The SPEAKER: I have counted the House, and, there being present an absolute majority of the whole number of members of the House, I accept the motion. Is the motion seconded?

Dr. TONKIN: Yes.

The SPEAKER: The motion is "That Standing Orders be suspended." All those in favour say "Aye", all those against say "No". As I hear a dissentient voice, a division will be necessary.

The House divided on the motion:

Ayes (18)—Messrs. Allen, Arnold, Becker, Blacker, Boundy, Dean Brown, Coumbe, Eastick (teller), Evans, Goldsworthy, Gunn, Mathwin, Millhouse, Rodda, Russack, Tonkin, Venning, and Wardle.

Noes (22)—Messrs. Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, Olson, Payne, Simmons, Slater, Virgo, and Wright.

Pairs—Ayes—Messrs. Chapman, McAnaney, and Nankivell. Noes—Messrs. McKee, McRae, and Wells.

Majority of 4 for the Noes.

Motion thus negatived.

In Committee.

Clauses 1 to 7 passed.

Clause 8—"Moneys received by Public Trustee to be paid into bank and invested."

Dr. TONKIN: This seems to be the crux of the Bill, but, because of the extraordinary decision of the Government to deny a debate on matters that would lead to equality of treatment for women, will the Attorney consider introducing soon legislation to remedy the present inequitable and discriminatory situation against members of that sex?

The Hon. L. J. KING (Attorney-General): The position is that the rules relating to the distribution of estates on intestacy have been the subject of report No. 28 by the South Australian Law Reform Committee. That report is now in the hands of the Parliamentary Counsel with a view to drafting a Bill that will be considered by the Government. The matter adverted to by the Leader of the Opposition during the second reading debate will be fully considered. However, it is quite impracticable, and it would be irresponsible of this Committee, to try to deal with complex and important questions relating to the rules of intestacy by way of a snap amendment to a Bill that bears no relation to that subject matter at all. It is one matter to recognise the problems and anomalies involved in the

present law, but it is another matter to be sure that the remedy is the correct one. However, there is more than one possible way of bringing about equality: it is not necessarily any specific way.

If members will read the Law Reform Committee's report, they will be enlightened on this topic and will find that the Government will deal with the matter. The report was the origin of the provision contained in this Bill that varies the sum payable to a widow under certain conditions. The Committee will recall that, following the introduction of the Bill by the Hon. Mr. Potter in another place, the Government in that Chamber stated that the Law Reform Committee had recommended a higher amount than that contained in Mr. Potter's Bill. The Government in another place amended the sum to $30 000, and Mr. Potter agreed to that amendment, which has now been incorporated in this Bill. Members will be hearing more about the rules on the distribution of estates on intestacy when the Law Reform Committee report has been considered and we are in a position to implement it.

Dr. EASTICK (Leader of the Opposition): I rise only to say that it is regrettable that the information we have just been given by the Attorney-General had to be drawn out in the way it has been in a debate on this clause. The opportunity existed for a full debate on the merits and demerits of various alternatives. However, having been denied the opportunity of taking this matter further, I accept the detail that has been given and look forward to receiving a copy of the Law Reform Committee's report No. 28. I hope it is available to all members but, if it is not, I hope that a copy can at least be made available to members on this side so they can look further into this important issue.

Clause passed.

Remaining clauses (9 and 10) and title passed.

Bill read a third time and passed.

RUNDLE STREET MALL BILL

In Committee.

(Continued from March 18. Page 2974.)

Clause 26—"Funds of the committee."

The Hon. G. T. VIRGO (Minister of Local Government): I move:

In subclause (1) to insert the following new paragraph:
(*aa*) all moneys paid by way of fees or charges referred to in paragraph (*b*) of subsection (1) of section 11 of this Act;

This gives effect to the point I made in the report I submitted to this Chamber on behalf of the Select Committee. The purpose of new paragraph *(aa)* is to provide that moneys collected by the Rundle Street Mall Committee by way of fees and licences, etc., will be retained by the committee for the purpose of expenditure within the ambit of this legislation.

Mr. COUMBE: I support the amendment, because I believe it is absolutely vital to the well-being of the whole project, especially to the proper functioning of the committee. These funds will be retained for use by the committee and will not be part of the general revenue of the city council.

Amendment carried; clause as amended passed.

Clause 27 passed.

Clause 28—"Sale of car park site."

Mr COUMBE: Clause 28 (1) provides:

If on or before the thirty-first day of December, 1975, the Minister by writing under his hand states that he is satisfied that the council will provide and construct, in accordance with final design plans approved of by the Minister, a car parking station on the car park site, the Minister of Works shall be authorised and required on or before the thirty-first day of January, 1976, to sell and convey to the council the car park site with vacant possession for a consideration of one million one hundred and sixty thousand dollars.

Does the Minister know whether design plans have been started for this project and, if they have been, does he believe they will be ready to enable the car park to be completed on or before December 31, 1975? If the car park will not be completed by that date, what will be the position? Further, will the Minister comment on the position of the Adelaide City Council's receiving the sum of $1 160 000 from the Government, the estimated capital cost of $4 500 000 which the council will probably have to meet to construct the car park, and whether the council will be able to service that sum?

The Hon. G. T. VIRGO: A feasibility study has been undertaken, I understand, by the Corporation of the City of Adelaide. Under the current financial arrangements, I believe the council is satisfied that it can service the debt associated with the parking station. Regarding the completion date for the car park, it is important to bring to members' attention the terminology used in clause 28 (1), namely, "in accordance with final design plans approved". I forget the previous terminology, but "final design plans" does not mean that all the detailed planning work has been done; however, I am assured that that does not constitute a problem. Various consultations have taken place, involving the city council, my department, Parliamentary Counsel, the Lord Mayor, Town Clerk, and me. The council is satisfied with the terms and conditions of this clause and, indeed, with the other provisions.

Clause passed.

Remaining clauses (29 to 31) passed.

Schedule.

The Hon. G. T. VIRGO: I move:

To hachure all the delineated areas within the outer boundaries of the plan set out in the schedule not at present hachured, dark stippled or light stippled.

There is an error in the streets shown in the existing schedule on the eastern side of Gawler Place which I understand were there at one time but which have now been built on. The amendment corrects that error.

Amendment carried; schedule as amended passed.

Title passed.

Bill read a third time and passed.

CROWN PROCEEDINGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 18. Page 2971.)

Mr. GOLDSWORTHY (Kavel): I support this Bill which, although straightforward, is explained in the Attorney-General's usual legal way; he argues a case on the one hand and a different case on the other hand, and before long one runs out of hands! The purpose of the Bill is more or less to decide which hand will prevail. I am one of those members of the Opposition who are far from satisfied with what second reading explanations tell us. However, this Bill is fairly simple and straightforward, and the explanation appears reasonably satisfactory. As well as experiencing difficulty with Government legislation, the Opposition is experiencing difficulty with second reading explanations that say nothing.

Mr. Mathwin: That's their system.

Mr. GOLDSWORTHY: Yes. When Bills come in with the rapidity with which they come at this time of the session, it makes a farce of the democratic process if the Opposition is told nothing but is supposed to know what

they are all about. Fortunately, this is one of the few Bills we can understand readily, apart from the fact that the explanation is couched in legalistic terms. A small claims jurisdiction was set up in the Local Court which was to exclude lawyers. This must have come hard for the Attorney-General, because most of the legislation he introduces looks after the legal profession.

Mr. Coumbe: I don't think he'll be appearing in the small claims court, though.

Mr. GOLDSWORTHY: The fees will be too low. The original concept was to exclude lawyers unless the litigants on both sides agreed to have legal representation. The question of how companies or corporations could be represented was raised, and it was resolved that an employee or agent for a company, other than a lawyer, would be able to argue the case for that company. The specific question arose as to where the Crown fitted in. The second reading explanation states:

It could be further argued, if the Crown desired to do so (which it does not), that the Crown is, by virtue of the constitutional immunity of the Crown, not bound by restrictions on representation imposed by the new legislation, and hence can appear and be represented in proceedings in any manner that it thinks fit. However, the question has been raised as to whether the Crown can be represented in small claims proceedings in the same manner as . other bodies corporate. The purpose of this Bill is to put this matter beyond doubt.

All the Bill seeks to do is ensure that the Crown can be represented in a small claims court in the same way as a corporation can be represented. If the Attorney-General had said that in a few sentences, we would have known what the measure was about.

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

JUSTICES ACT AMENDMENT BILL (VARIOUS)

Adjourned debate on second reading.

(Continued from March 18. Page 2971.)

Dr. TONKIN (Bragg): I support this Bill which, as the brief second reading explanation sets out—

The Hon. L. J. King: The last one was too long.

Dr. TONKIN: The length of a second reading explanation does not always seem to govern how much information it imparts. This small Bill relates to a situation where the entry of a plea of guilty is made by using the prescribed form, which I understand is form 4A.

The Hon. L. J. King: Yes.

Dr: TONKIN: I have no personal experience of these matters.

The Hon. L. J. King: You never know.

Dr. TONKIN: One of the problems that crops up occasionally through the use of this form is that, if the magistrate believes that for some reason or other the circumstances surrounding the offence should be ventilated in court, he may direct the prosecutor to state those facts even though the defendant is not in court and has pleaded guilty by using the prescribed form. Recently, doubt was expressed whether or not it was possible for this to be done under the existing provisions, and this Bill now puts that matter beyond all doubt. If the court finds that the charge has been proved, the prosecutor may relate to the court any relevant matters about the defendant, in the same way as if the defendant had been in court and had pleaded guilty.

Section 106 will require that a declaration be made in relation to written statements, and the form of the statement that shall be used has been set out. In the past a witness who has made a statement may have been subject to cross-examination. He may now be examined and then be subject to cross-examination in the usual way. The objective of the Bill is to forward the course of justice in the courts, and we support the measure.

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

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (APPEALS)

Adjourned debate on second reading.

(Continued from March 6. Page 2741.)

Mr. EVANS (Fisher): In the main, I do not oppose the Bill, because it contains the provisions that at least members of the vocal and more conspicuous group in the community seem to want. I would expect that a Government department would have collated the most precise detail about the hills face zone over the period during which there has been controversy about that area. However, when I asked the Minister and his officers for such information, I was disgusted at the limited amount that was available.

The Governor of this State has commented on how the hills face zone should be preserved, many other people have referred to the area, it has been the subject of many editorials in daily and weekly newspapers, and probably every conservation group in the State has made an issue about the area. I asked the department for a map showing the areas of the hills face zone that had been subdivided, the areas for which applications for subdivision had been made, the areas controlled by State Government departments or semi-government authorities, and the areas that still could be subdivided. However, the information was not available.

The Minister has accepted a major Bill that will ban all future subdivision in the Hills, except in areas where the Government of the day considers it in the public interest to subdivide, without having at least a map showing what is taking place in the area. I will detail the only information that I could obtain. There are 766 vacant allotments with an area of up to .2 hectares, and 324 of these are serviced. These allotments are in areas like Teringie Heights and Skye. There are 151 allotments of more than .2 ha, and 38 of them are serviced. Allotments used for primary production total 482, with an area of 10 408 ha. A total area of 326 ha, comprising 390 allotments, is occupied for residential purposes.

About 1 000 people live in the area defined as the hills face zone. The department states that, assuming that one dwelling is erected on each of the remaining 1 399 vacant allotments, having regard to the present policy that houses can be built on vacant land in that area, the additional population will be about 5 000, giving a total population of about 6 000. It is fair to say that only about 15 per cent of the houses that can be built are built in the hills face zone. The news media made the bad guess that no additional houses would be built in that area. In fact, only one-sixth of the houses that can be built there have been built. Therefore, we can assume that many more houses will be built as the years go by. I make the point strongly that we are being asked to debate this matter without having before us any real detail at all. I know that we can stand on the Adelaide Plains and see houses here and there on the hills face zone or roads being built there.

Mr. Mathwin: You can't see the restaurant.

Mr. EVANS: Although that has not yet been built, I take it that it is still one of the Government's plans. All the detail we have is a fiddling little map on the

notice board in the Chamber. It is laughable that so little detail as this should be provided, when we consider the total context of the problem concerning the hills face zone. When I approached the department as Opposition spokesman on this matter, I expected the officer to show me a map and give me detail concerning how much land was owned by each department, by individuals, and so on. I do not believe the department has shown a keen interest at all in this area.

Because of public criticism, I believe action was taken quickly to prevent subdivision in the area. I have received a letter which is signed by Mr. Steed (I can reveal his identity, as the contents of the letter would do that, anyway) on behalf of a group of licensed engineering surveyors and which states:

Please find hereunder details of the background and progress of the applications to resubdivide the land at Willunga to which the Minister referred in his second reading speech to the Bill to amend the Planning and Development Act—

that is the plan which is exhibited in the Chamber and which is supposed to show members what is happening—

The scheme proposed to resubdivide five existing large allotments, totalling 164.3 hectares, into 30 allotments, all in excess of 4 hectares in area. The developers wished to implement a scheme where people could be granted a living area of approximately .5 hectares to erect a house which could be effectively screened from view by existing natural bushland or by heavy plantings of native trees. These living areas were to be surrounded by open space, which would be restored from its present barren and eroded condition, to pleasant open country liberally planted with trees. Under the present Act, however, it is not permissible to create any allotment of less than 4 hectares in this zone. The developers have had lengthy consultations with the Woods and Forests Department, which has most generously co-operated and prepared a detailed report specifying the nature of desirable tree planting. A copy of this report is enclosed—

I have a copy of that report—

All the details of the developers' intentions were made available to the Director of Planning. The first application was lodged on June 5, 1974. After subsequent discussions with the department, it was made clear that the Director would oppose any applications which did not have unobtrusive house sites. The developers indicated that they would defer their application for nine of the proposed allotments until their tree-planting programme had been put into effect and could clearly make their proposals effective in not merely preserving but enhancing the natural character of the area. Additionally, they indicated their willingness to do anything reasonably in their power to maintain the amenity of the area. A copy of the relevant letter is enclosed. A reply to this letter was never received.

This gentleman, who made a specific request to the department, claims he has never received a reply. Perhaps that is one reason why the department does not have readily available to members of Parliament (if not to the community at large) the sort of detail one would expect it to have available. This letter continues:

Subsequently it became clear that the Director intended refusing all of the applications. In an interview on November, 26, 1974, with the Deputy Director and a planning officer, the owners of the land were told that even if they wished only to create one additional allotment, regardless of its size or shape, consent to do so would be refused. The Minister is misleading Parliament in that:

1. The plan presented is not typical of applications in the zone—

that is the plan on the notice board in the Chamber—

2. It is an application for a specific purpose for a unique piece of land and should not be discussed on the basis of lines drawn upon a plan which give an impression completely different to the situation on the ground.

3. The Minister has included in the plan allotments which are no longer proposed to be created.

4. The department has already refused most of the applications and intends to refuse the remainder, using the powers it already has.

Therefore, the Minister has exhibited a plan to support his case, knowing that what it proposes can never be implemented, whether or not the Bill is passed. I believe that is taking too great an advantage of the opportunities available in this Parliament to support an argument. The letter continues:

In addition, if the Minister's remarks outside the House were quoted correctly in a front page article in the *Advertiser,* he is misleading the public even more so when he suggests that the developers "were planning to circumvent the 1972 Act".

This group denies that it was trying to get around the legislation; it says that it was open and frank with the department at all times, and that that is the way it wished to operate. We must accept that there are honest and frank people in the community, who openly state their intentions. To show that there was some real intention by this group to regenerate tree growth in this area, which has been denuded of growth by mankind, particularly Europeans, I will quote the following report sent to Mr. Steed on August 28, 1974, by the Woods and Forests Department:

The best way to lay out these plantings is with three rows around the perimeter. The first row would be three metres from the fence line and with plants at three-metre intervals. Row 2 would be three metres inside row 1 and the plants at two-metre intervals. Row 3 would be three metres inside row 2 and plants at one-metre intervals. Species for the above layout: row 1—South Australian blue gum; pink gum; bushy sugar gum; stringy bark; radiata pine; and macrocarpa cypress. Row 2—golden wreath wattle; sallow wattle; bushy yate gum; swamp mallett; South Australian coastal mallee; and boobialla. Row 3—bracelet honey myrtle; western honey myrtle; hillock honey myrtle; South Australian coastal wattle; karo; and Flinders Range wattle.

The Woods and Forests Department provided all details needed to regenerate the trees in that area, but at present it is denuded. It was unfair of the Minister to mislead, to some degree, the House with the plan he exhibited on the board. When looking at the hills face zone we can see trees, many native and many exotic, and olive trees are especially prominent, but a large area of that zone is denuded although originally it was covered with trees. The white man tried to farm these areas but, because of the unsatisfactory conditions, he walked away from it. In that area of about 10 000 hectares it would be true to say that perhaps no more than 10 persons could obtain a complete livelihood on the property: they could get a living off the property but could not obtain a viable living on the property from agriculture. This area is still denuded.

At present in the community are many young people who are unemployed. Much of this area is owned by semi-government, State Government or local government authorities, but no effort has been made (although much money has been made available by the Commonwealth for unemployment schemes) to regenerate plant life on land owned by Government and semi-government departments. This is a job that young unemployed people could do willingly, because it would benefit the State. It would not matter if 50 per cent of the trees died: it is claimed that Monarto will obtain an 80 per cent strike, and I am sure that that percentage could be obtained on the hills face zone. Much of this zone is bare and barren, and the quarries are conspicuous. A person, in a letter to a newspaper, suggested that the community could afford another 20c a tonne to cart its quarry material, but the Minister, the Premier and I know that it would cost much more than 20c.

Some time ago I asked the Premier to introduce a scheme to relocate the quarries, and I was staggered at the

figures he quoted me, because the total plan would cost about $125 000 000, and that was two years ago. Today, one would have to speak in terms of $250 000 000, an amount equivalent to the cost of five Flinders Medical Centres. If the quarries were shifted, the scars would remain. I believe that the Government's regulations to control quarries in the hills face zone are reasonable and, generally, will stop further destruction. I believe that the aesthetic quality will not become worse but will improve in future as trees that have been planted reach maturity. I received a letter asking why houses could be built above Torrens Park in Dunstone's quarry, which has not been worked since the late 1930's. The writer thought that this was a natural cliff face that had been created, and almost did not believe me when I told her that it was an old quarry.

If man walks away, nature will take control and create a reasonable area in which we can live. That comment would apply to the area at Torrens Park, and I am sure the same area would not offend people living on the Adelaide Plains. Across the hills face zone Engineering and Water Supply concrete water tanks have been erected with no shielding of trees planted around them. They can be seen from the plains but, at the end of Goodwood Road at Panorama, many trees and lawns have been planted around the water tanks. At Morphett Vale a P.M.G. tower has been erected on the hills face zone, even though I, the Commonwealth member of Parliament, and many constituents objected. The authorities told us that this was the best way it could be done. If a private person wanted to erect a television antenna or a two-way radio aerial, it would not be allowed, yet a Government department can get away with it. Electricity Trust transmission supports are erected throughout the hills face zone and, even though many of them are placed behind the backdrop of the hills, they still offend people. What a monstrosity is the Flinders University as it stands out in its stark nakedness.

The Hon. Hugh Hudson: That's a matter of opinion.

Mr. EVANS: I challenge the Minister to allow private enterprise to build that sort of structure on the hills face zone: what an outcry there would be.

The Hon. Hugh Hudson: It's not on the hills face zone.

Mr. EVANS: No, not as defined, because the boundary was placed around Flinders University and other developed areas so that they would be excluded.

The Hon. Hugh Hudson: Bellevue Heights was also excluded.

Mr. EVANS: Bellevue Heights was already developed before the hills face zone was defined, but all of the area was not excluded. I shall refer later to this departmental conflict on administrative decisions. In some areas houses already existed before the hills face zone was defined; they are now included in that zone, and one can see in that area only a limited number of houses. A national women's magazine in late spring last year splashed a full page photograph in its magazine to attract tourists to the magnificent blaze of purple in the Adelaide Hills. I am not referring to a publicity stunt for a certain political Party, but to a tourist attraction of the beautiful purple flower of the noxious weed Salvation Jane. We have therefore recognition throughout Australia of a noxious weed being a tourist attraction. The hills face zone is full of noxious weeds: not just Salvation Jane, but African daisy and St. John's wort. If one cares to name a noxious weed, it is there.

Another area that causes people concern its the development of roads and the proposal that the Minister of Transport has to upgrade the Old Belair Road, which will be conspicuous when viewed from the plains. That road could be sited only about 230 metres to the south on an old bullock track that was used in the past and it would be less conspicuous from a major part of the city. That track would provide better gradients, but I have not yet been able to ascertain why the engineers will not consider the site.

Mr. Keneally: Perhaps they've got more engineering ability that you've got.

Mr. EVANS: Perhaps, but there was an occasion in relation to the Mylor bridge when engineers agreed with me and rerouted a complete road. I do not altogether lack common sense in that field, nor do I lack it in this place. In Gorge Road, Bellevue Heights, people were asked to keep their houses at the lowest possible level to ensure that they did not offend their neighbours or be conspicuous from the plains. Many people in adjacent areas were affected in the same way, because they happened to be in or on the fringe of the hills face zone. One case involved my applying to the Environment and Conservation Department to vary plans because the front wall of the house concerned would have been about 6 m high.

After I had met departmental officers on the property they finally said, "Look, this guy hasn't got enough money to excavate and push his house back into the Hills like all the others have; he has not got that sort of money so we'll have to let him build it." I believe those officers were considerate, and I have no grouch about the way they approached the matter and were willing to discuss it. However, if we are to have controls in the hills face zone surely we should say that such an application has no relevance. If a person has designed a house that is a bad design in principle for the area, he should not be allowed to build it. Unless he is willing to excavate into the side of a hill about 9 m, it is apparent he has over-budgeted on his house and cannot comply with planning conditions. Nowhere in planning regulations is it stated that a rich man should excavate to a depth of about 30 m into the side of a hill, that a man receiving an average income should excavate about 15 m, or that a person who overcommits himself can build on the footpath to a height of about 6 m.

That is what happened, and the Minister, if he checks his files, will find that that was the case. Such action is offensive to neighbours involved. Why should they have to spend their money on observing the planning regulations, whereas another person be allowed to build a house about 6 m in front of theirs thus blocking their view? That is a double standard. When people ask me about this matter, all I can say is that I have done my best. At Coromandel Valley, on the highest hill in the area a family built a house and applied to build a swimming pool. The conditions for building the pool were fair; it could not be built so that it protruded more than 46 cm above ground level. Members of the family did not object to that condition, but they were not allowed to pave the area around the swimming pool: they had to plant lawn around it.

I telephoned departmental officers about the matter and said that the only people who would be able to see the area around the pool would be those flying in Qantas, Trans-Australia Airlines or Ansett aeroplanes. The department relented and admitted that it was ridiculous that people should be required to plant lawn on top of a hill around a swimming pool. That is the sort of conflict we have, however.

Let us consider Skye. No-one would accept that it has been a good subdivision, but it could be much better if there were a good reticulated water supply providing

a ready supply of water to enable people to plant trees and shrubs to beautify the area. Building blocks at Teringie Heights were too small, so that was bad planning by the Government of the day.

I predict that some of the most beautiful parts of Adelaide are those areas where tree and plant life has been regenerated or created by man. At Waverley Ridge, Crafers, and Stirling, exotic flora blends with indigenous flora, and I doubt whether any visitor from another State who goes through that area does not say, "That is the most beautiful part of the Adelaide Hills." In that area houses are built on adjoining .8 ha allotments. It is a beautiful area. I predict, even though the Minister of Education may object to Bellevue Heights—

The Hon. Hugh Hudson: I didn't object, you know.

Mr. EVANS: Then I apologise. As years go by Bellevue Heights will be one of the most beautiful areas in the State. People will be able to look up at it from the plains and see nothing but trees. Mitcham council and people in that community are planting trees as quickly as they can on reserves, in streets, and on their own properties. They are a tree-conscious community, and the area will ultimately be beautiful. The same applies to Glenalta, Sun Valley and Monalta. Of course, Monalta has not developed to the same extent as have Glenalta and Sun Valley, where from a distance one can barely see a house because of tree cover. It is a beautiful area. All houses will soon be sewered in that area (and I hope sewerage comes soon) making it one of the most beautiful areas in the State.

One can visit Elizabeth to see the effect of tree planting. Elizabeth is becoming a beautiful area, too. The same can be said for areas in the Tea Tree Gully District. I have referred to fairly new suburbs but, in about 50 years, trees planted in those areas will be close to maturity and will separate houses completely and block off suburb from suburb within 10 years. It can be done and has been done, but it has not been done merely by nature itself. It has been done with the help of man, and we should be conscious of that. Sometimes it is a pity that we do not have patience to wait and see the results of efforts that have been made. Sometimes any form of development is condemned by sections of the community because their philosophy is against development. It is a matter of being against anyone doing anything; unless they do it themselves it is no good. If such a person lives in a certain area he may say that no-one else can do what he has done already, and I think that is selfish and unfair. Earlier, I commented briefly on Hawthorndene, which is in the hills face zone, and I referred to a letter to the Minister. Many years ago it was decided to build a scenic road across the top of the range and down through Hawthorndene, Coromandel Valley, Clarendon, etc., but suddenly the plan has been dropped. Part of the Hawthorndene area was defined as being within the hills face zone and, in particular, a property owned by a Mr. Wescombe was set aside to be part of a future scenic road. The land is not in the hills face zone. Most of it is on the flat. Mr. Wescombe accepted the situation as a reasonable proposition, but nearly 10 years later no decision has yet been made on the route of the scenic road, except that it will not go through that area. That small area of 2.5 ha could be withdrawn from the hills face zone so that the land could be used for the general purpose for which land in the area is used: that is, housing in what will be a beautiful suburb when it has sewerage facilities and gets rid of the odour that now permeates the area. The complications arising out of an application to have the land withdrawn from the zone and the provisions of the Act are unbelievable. Mr. Weston has been unjustly penalised. There is nothing he can do with the land because no Minister is making a definite decision on its use. When will that scenic road be planned and how far will it go along the top of the hills face zone? No-one seems to know, yet here we are looking at a provision that makes major changes in that area.

If we could regenerate tree growth in the hills face zone, we could save much of the flash flooding that occurs on the Adelaide Plains. At present, when we have a heavy rainfall the water runs off the hills face zone and the drains on the Adelaide Plains are overtaxed. If we could replant that whole area there would be real benefit to the community. Likewise, if we are to impose restrictions on these landholders we should offer some rate compensation or some land tax compensation. We should not ask them to control the growth of noxious weeds or to replant the area without helping them to do so. We should not bleed them dry as we do at the moment, tying them up with shackles so that they have no incentive to do anything that would benefit the community.

The Bill gives power to vary certain conditions in relation to an appeal. Supplementary plan No. 5, which affects the Stirling District Council area, is supposedly on public display at present. That plan makes no provision, to my knowledge, for the building of aged cottage homes. What society, what community, what planning authority would set out to say that in this modern day we cannot have provision for planning an area or areas suitable for aged cottage homes? It is inhuman to say to the aged people of that area, or those approaching the age of retirement, that they cannot continue to live in the area unless they remain in their family homes. We could build magnificent aged cottage homes in that area; we could blend them in with the environment; they could be aesthetically acceptable; and they could be of benefit to the aging people. One cannot take an old tree from the Hills and plant it on the hot plains, and it is just as cruel to take a human being who has spent the major part of his life in the cooler atmosphere of the hills and bring him down to live on the hot Adelaide Plains. If we gave such people the opportunity to live in aged cottage homes, they would make available their homes for younger families to raise their children in the same magnificent environment in which those aged persons brought up their families.

Mr. Keneally: How would you—

Mr. EVANS: The member for Stuart may think this does not matter much but, if the No. 5 plan goes through, I believe it will be one of the disgraces that this Government has allowed to occur.

Mr. Payne: How far would they be from a shopping centre?

Mr. EVANS: One that has been built at Crafers is less than 250 m from the shopping centre, and public transport is available. In Aldgate, Stirling and Crafers small groups of 16 or 20 aged cottage homes could be built. The Minister's department should look at this in all honesty. There is a need to care for our aged; they have a right to receive some consideration in their retirement years. Also, there is no provision for accommodation that is needed for unmarried persons who may be sent to the area for employment.

Supplementary plan No. 5 is available at the council chambers and in the department's office but it is not on public display. One should not have to walk into the department, ask to see the plan, and have someone hunt around under the counter to find it. It should be available so that John Citizen can walk in and see it easily. It is

not bn public display if someone has to ask for it and wait 10 minutes before a copy is produced for inspection. I have received many complaints from people in the area about the supposedly proposed road past Belair National Park, but there is no plan relating to that on public exhibition.

I understand the complications involved with planning where there is interference with people's rights. It is fair to say there will always be conflicts and the first part of this Bill provides for an appeal to be allowed to the Full Court only where the appeal concerns a matter of law. I will not accept that provision at this stage. At present the right of appeal is there to the Planning Appeal Board. Judge Roder is a capable man in law and I know that his associate chairmen are also capable in that field. I will resist the move to provide that an appeal may be made to the Full Court only on a point of law. I know that the Minister wants to prevent the right of appeal to the Land and Valuation Court, but I consider that that provision should remain. It is worth noting who are the personnel on the Planning Appeal Board, and they are as follows:

Chairman: Judge J. H. Roder.
Associate Chairmen:
Judge D. C. Williams.
Judge R. H. Ward.
Judge J. M. White.
Judge R. F. Mohr.
Judge G. M. Ward.
Judge D. M. Brebner.
Full-time Commissioners:
K. J. Tomkinson.
F. P. Bulbeck.
D. MacD. Fordham.
S. Buttrose.
D. G. Pitt.
Part-time Commissioners:
J. D. Cheesman.
J. A. Crawford.
F. N. Maurice.

These people have an important part to play in planning. When I attended a hearing because I had an interest in a constituent's problem, I was impressed by the way in which the proceedings of the board, under Judge Brebner, were conducted. I have no doubt that the person concerned was given every opportunity to put his case, even though he was nervous. He said afterwards that he had lost his train of thought when he was before this group of people.

There is a backlog of work before the board at present. Three courts are operating, involving three judges and six full-time or part-time commissioners. Only five full-time commissioners are available and so, even if none of those persons is in ill health or otherwise absent, a part-time commissioner is needed, and the Minister should consider appointing another full-time commissioner.

Clause 5 deals with hearings before the board, and the penalty is increased by 100 per cent, namely, from $500 to $1 000. Provision is also made to strike out the provision that the court could ask a potential witness to withdraw from the hearing. I do not know how "potential witness" is defined, but I ask the Minister why the provision is to be struck out, thus allowing a potential witness to sit in on a hearing whereas a witness would not be allowed to sit in. A court should have power to exclude a person from a hearing if it considers that it ought to do so.

Clause 11 gives the board power to vary a decision made by some other body, in addition to the power that it has to confirm or reverse a decision. That is an important provision, and I accept it as being reasonable. Clause 11 also deals with appeals to the Full Court, and I hope that the Minister will give a more detailed explanation of why he wishes an appeal to the Full Court to be allowed only on a point of law. I ask why the provision regarding the Land and Valuation Court is to be struck out. I do not see why that provision should not remain.

Clause 14 allows the Crown to intervene in proceedings before the board when it is considered that a matter of major public importance is involved. The costs of the parties resulting from the intervention of the Crown will be taxed in accordance with the scale prescribed for the purpose and will be paid out of money provided by Parliament. It is reasonable that the Crown should be allowed to intervene in such cases to make its point, especially if it is a point in law.

Clause 16 strikes out the provision requiring payment of a fee of $2 by people who lodge an objection to an approval that has been given or to a proposal that has been submitted for approval. I cannot see the reason for this deletion. I can see a reason for increasing the amount but, on the other hand, aged pensioners could sometimes be affected if the fee were increased. Surely a fee of $2 is reasonable. The Leader of the Opposition originally moved the amendment that provided for this fee, and that provision should have been allowed to remain.

I am interested in the provision that costs may be awarded against people who lodge an objection that has no real substance in it. Where the matter is trivial or where adjournments are being sought to delay a matter, costs may be awarded against the person who carries out the objectionable act. When people set out to exploit other people, to cause delays, or to be vexatious merely to slow down the normal course of justice, I have no objection to costs being awarded against them. Clauses 19 and 20 increase penalties. In his second reading explanation, the Minister said:

Clause 21 provides that the provisions of the Act governing appeals to the Planning Appeal Board shall apply also in respect of appeals against decisions of the City of Adelaide Development Committee.

Although the relevant clause has some words whose meaning I do not completely follow, it does not refer to the City of Adelaide Development Committee. Perhaps the Minister will explain what this clause really means. Clause 21 inserts the following new section 42k:

The provisions of Division 3 of Part II of this Act shall, *mutatis mutandis,* apply as far as they are applicable and not inconsistent with the provisions of this Part to an appeal under this Part.

My dictionary states that "*mutatis mutandis*" refers to "with due alteration of details in comparing cases". However, I still cannot relate that to the City of Adelaide Development Committee. I am willing to admit my ignorance; I should like the Minister to explain what this phrase means in relation to this provision. In Committee, I shall seek to amend clauses 44 and 45 in order to attempt to remove areas of doubt in those provisions.

If a person is honest, he could not say that areas such as Springfield, Torrens Park, and parts of Panorama (all situated in the foothills) are ugly. Equally, it could not be said that every building is ugly or that every tree planted conflicts with nature. If one takes a visitor into the Hills to look at the lights of Adelaide, the visitor will say how beautiful are those lights on the Adelaide Plains. In fact, this is considered to be a tourist attraction. Therefore, why should city people not have an equal benefit of looking from the Adelaide Plains to the Hills to see the lights? I can see that the member for. Stuart is pointing towards

the heavens, so I could expect criticism from him. My point is that sometimes pressure is put on us, forcing us into corners in which we cannot think logically.

I support the Bill, because most people to whom I speak believe that it is acceptable to stop subdivision in the hills face zone. However, I shall not be surprised if, by the turn of the century, people are saying that we should look at the areas of Holden Hill, Tea Tree Gully, Para Hills, Bellevue Heights, Panorama, Darlington, and Ingle Farm to see the beautiful trees planted there. They will suggest that we should start planting trees in the hills face zone. I hope that someone will start doing that before the turn of the century. As I have said, I have one or two objections to the Bill, and I will suggest a couple of amendments. I have no great criticism about it, except in relation to the right of appeal; I hope the Minister will agree with what I have said about that.

I have spent some time on this matter because it affects a large section of the community. I reiterate how disgusting it is that Parliament should have to discuss the matter when no Government department can produce a map showing the hills face zone and outlining what is taking place or could take place there. I could not obtain such detail so that, if it is available, people are just not willing to supply it to me. I should be disappointed if that latter position applied, although I do not think it does. I support the second reading.

Mrs. BYRNE (Tea Tree Gully): I wish to refer only to the part of the Bill dealing with the hills face zone, this subject having been carefully canvassed by the member for Fisher. Part of the hills face zone is in the Tea Tree Gully District. I am pleased that it is now intended to prevent the creation of allotments in that zone. An attempt is being made to preserve what is left of the natural environment. I notice that a proviso exists whereby the Governor, by proclamation, can exempt certain land from this provision if he is satisfied that it is in the public interest to do so. That proviso was essential; I believe that more use will be made of it than was expected when it was included in the Bill. An organisation approached me over an application concerning the hills face zone, but, as the application was prior to March 1, 1975, that organisation is not affected by the Bill. However, many other applications will be made.

Some people in my district purchased land there simply because they wanted to live near the hills face zone. They do not want to see the Hills despoiled in any way. Many representations have been made to me about this matter. At one stage, I was asked to make representations to the Minister that part of this land be purchased for use as open space in order to prevent its being subdivided. However, at that time such a purchase could not be contemplated, because of the higher priority attaching to other land that had to be purchased.

Fortunately, the State Planning Authority has purchased another piece of land in the hills face zone above Tea Tree Gully and Vista so that this land will be preserved for posterity. One problem that has not been referred to is the high cost of supplying water and sewerage services to steep locations in the hills face zone. In addition, many engineering difficulties are associated with such a project. This proposal to prohibit further allotments in the hills face zone has public support, as well as my support.

Mr. MATHWIN (Glenelg): In general, I support the Bill. The fact that the Government seeks to establish a new town outside the metropolitan area would seem to have some bearing on the introduction of the Bill. It has been decided to stop building on the fringe, because the Minister in his second reading explanation said:

It is now intended that no further allotments should be created in the hills face zone, in an effort to preserve what is left of the natural face of the Adelaide Hills.

It is significant that pressures for the new town of Monarto may have something to do with this Bill being introduced. In his second reading explanation, the Minister also said:

The present Bill deals largely with three aspects of planning legislation. First, it deals with matters relating to planning appeals. The proposed amendments incorporate the recommendations of the Roder committee and are intended to expedite, simplify and lessen the cost of the appeal process. In the past, the legal procedures involved have been the cause of delay, frustration and expense, much of which will be avoided as a result of the provisions of this Bill. The basic essentials of any appeal system, namely, speed, cheapness, impartiality and simplicity will thus be assured.

I believe that the Minister is slightly off-beam. Dealing with clause 16, he later said:

It abolishes the present $2 fee now payable when lodging an objection to a planning application. It is considered that the right of objection given by Parliament should be freely available, and the present fee does not make any significant contribution to administrative costs.

I am sure that the fee of $2 being included as part of the administrative cost would be farthest from the Government's mind when the Bill was introduced originally. A $2 donation or deposit for an appeal would be absolute twiddle, if it were to offset the cost. This $2 fee is required to be paid by an objector to a council's decision on a consent use in an area. When the council is able to decide this matter, it has to circularise people living in the area who may object, but they must lodge a $2 fee with their objection. This is a minor sum and not of great significance to anyone, even to pensioners. When an objection is made, the objector has the right to appear before the council and also appeal to the Planning Appeal Board. This small fee may safeguard the council and the board from trivial appeals, sometimes lodged by those who may be called professional objectors who are trying to create trouble and mischief. An objection does not have to come from a person living in the immediate area: it could be an objection to a building in Glenelg by a person living in Mount Gambier or in another State. However, with this safeguard the genuine objector has the chance to object.

If several persons object, a lawyer can speak for them at the council meeting or they may speak for themselves, and all persons who have signed a. petition opposing the erection of a building may, after the payment of only a $2 fee in respect of each petition, individually put their case to the council. This is an excellent and a cheap method, because an aggrieved person is able to appeal to the Planning Appeal Board or to the council on payment of a mere $2. Many elderly persons and aged pensioners live in my district, and I am sure that they would be willing to pay $2 for the privilege of being able to appeal against the council's decision. When a valid objection is made and the $2 fee is paid, a receipt is given so that there is a complete record of the names of people who have objected. I believe that the Minister could well reconsider this matter, and I hope that he will. When referring to clause 11 in his second reading explanation, the Minister said:

As the Act now stands, appeals may be made to the Land and Valuation Court and subsequently to the Supreme Court. New subsection (3) provides that appeals to the

Full Court are restricted to questions of law. This is considered desirable because the Planning Appeal Board is a specialist body that has the benefit of hearing evidence on planning matters.

The Minister says that the Planning Appeal Board is a specialist body but gives no reason for saying that. His second reading explanation in this case was reasonable, but that could not be said for his explanation of the Bill relating to coast protection. I do not believe the Minister has given us sufficient information about this measure. The board consists of 15 members, seven of whom are judges, and only two of whom are town planners. Other members include two former Town Clerks and others with local government experience. A former Mayor, a Mr. Tomkinson, is a member of the board, but he is not a town planner. Mr. Tomkinson has an interest in a real estate company but that does not necessarily give him any ability as a town planner. I should like Mr. Tomkinson's qualifications explained.

Other members are Mr. Cheesman (an architect), a Mr. Bulbeck (another architect), and Mr. James Crawford, a former colleague of mine on the Brighton council. Another member, Frederick Norman Morris, seems to have no qualifications at all; we do not know what his ordinary avocation is. Excluding the judges, one wonders about the qualifications of the others when the Minister says that the board is a specialist body that has had the benefit of hearing evidence on planning matters. True, they have had an opportunity to hear evidence over the years since the regulations have been in force, but that does not make them specialists. One should be more than simply a member of the board for several years to be able to claim specialist knowledge. I question the Minister's statement that the board is a specialist body.

From time to time we hear that the board is extremely busy and has to make inspections and hear appeals. Apparently, board members spend many hours on the job entrusted to them. If that is the situation, one wonders why the Minister has seen fit to load those people with additional work thereby giving them less time to do adequately the jobs they now do. It is indeed difficult to understand why the Minister referred to speed, impartiality, and simplicity. The two matters to which I have referred are those that most concern me and two of the councils in my district.

Mr. McANANEY (Heysen): In general terms, I support the Bill. Anything that it is claimed will expedite the work of the planning authority must be supported. Although we have had planning legislation in South Australia for some time, insufficient progress in planning has been made in this State. If I blame anyone for that, I blame the Government for not implementing more comprehensive planning legislation. Although I believe in planning I do not necessarily agree with some of the planning previously carried out in South Australia. I agree that there should be power to control what happens in the hills face zone, but people cannot tell me that it would not be better to build on those bare hills that lack vegetation. I know there are areas where it is impracticable to build, but what city in the world would allow bare hills to remain and stop the building of houses on them?

I do not agree with the member for Tea Tree Gully when she says that most people believe that the hills should be left in their present state. I have spoken to people who believe the hills face zone should have houses built on it. Rarely has anyone said to me that the hills should not be built on. To prove my point, I suggest that people travel along Main North Road to Smithfield and look out over the lower foothills. One can visit any area in South Australia to see that sort of barren scenery. However, continue to Para Hills which 15 years ago was an eyesore of tin roofs, and one sees an area that is now covered by trees growing above the houses. People are living there and enjoying their surroundings. They have made the area more beautiful than it was, and other South Australians can enjoy it, too. Ingle Farm at present is a ghastly site but, in 10 to 15 years trees will have grown beyond the rooftops and the people enjoying living there will have created an area of beauty for themselves, as well as for the rest of the community.

It seems to me that people who wish to retain bare hills do not like people around them and do not like people to enjoy themselves. In fact, I believe that people who wish to retain bare hills need psychiatric treatment. What right have people in the Tea Tree Gully area to say that areas in the hills should not be developed? People must live together and share beauty that can be developed.. Where in the Adelaide Hills are the most beautiful spots and the most beautifully vegetated areas? I have seen much of the world and, to my mind, some parts of the Adelaide Hills are as beautiful as anything to be found anywhere, and the areas in question have been man-made. I do not dislike Australian vegetation, but at certain times of the year one can see a thousand different colours of green. The imported trees, especially, make a beautiful sight.

Years ago I used to take my children around the Stirling and Crafers area, which was a place of delight and joy, and I would tell them that they could see nothing better in the world. What happened? The freeway was built and destroyed the area overnight. However, although the freeway was not built long ago, already the trees planted have started to grow, and when one comes over Mount Barker hill the scene is one of beauty. The cuttings through the hills have begun to weather, and if nature had achieved the same effect conservationists would be looking at the area and admiring nature's work.

I think the weakness in the Act is in the day-to-day working of its provisions, there being continual appeals from the planning authority to the appeal board. I do not know how many appeals have been successful, but there must be something wrong with the legislation when so many appeals are made against the authority's decisions.

Mr. Evans: It is the departmental officers trying to put over their personal whims and wishes.

Mr. McANANEY: It is a bad situation when an appeal board overrules so many of the authority's decisions. I do not know who is at fault, but I believe the Adelaide hills face zone could be made a more beautiful area than it is now. Perhaps a provision could be introduced requiring the planting of a certain number of trees on each block, but at the moment there is a negative approach by some: people in the authority. I know of a woman living just off Greenhill Road who wanted to have erected a fence; less than one metre in height to keep her neighbour's dog out, and the authority said she could not do that because it might spoil the view of the people in the area below.. They must have better eyesight than I have if they can, see that far. That sort of thing makes a farce—

The Hon. G. R. Broomhill: Why didn't you take that up with me to see what the real situation was?

Mr. McANANEY: It is a long time ago now, but I think that after an appeal was made to someone the lady concerned was allowed to have a fence erected part of the way.

The Hon. D. J. Hopgood: Why didn't you do that in the first place?

Mr. McANANEY: The person who made the stupid decision in the first place is the. one about whom I am complaining. I received a nice letter from the lady afterwards. Planning in South Australia is essential, but the plans are being dealt with too slowly. I cite as an example the Hahndorf caravan park, in relation to which interim control did not apply. That park is the ugliest site in the Hills, with white caravans perched on elevated areas.

The Hon. D. J. Hopgood: Is that worse than Ingle Farm?

Mr. McANANEY: In 15 years time, that area will be a man-made thing of beauty. If the trees were taken away from some old Housing Trust areas in the district of Glenelg, the area would probably be the most ghastly that we have. However, the constituents of the member for Glenelg have planted trees and the area now is much better than it was before man went there. I hope that the authority will use wisely the power that we are giving it to control subdivisions in the hills face zone. I hope that trees will be planted. Anyone who goes to Switzerland can see the hills of Montreux and Geneva, with the lights twinkling through the trees at night time. I am going to Switzerland soon, and the beauty may make even an old man like me romantic. We should not prevent people from beautifying the Hills for the happiness of future generations.

Mr. GUNN (Eyre): As I believe in sensible and responsible planning, I am aghast and amazed at the present operations of the State Planning Authority. The authority comprises an unrepresentative group of people. Its decisions are not made having regard to the wishes of people in country areas. An examination of the history of the authority and the way in which it has functioned shows that it has alienated people in country areas. The views of those people have not been considered. In addition, councils have been treated poorly and grower organisations have been treated with contempt. The Stockowners Association is fed up with the treatment that it has received from the authority.

People whose land has been designated have not been told of the decision. They do not know until they read a report. This is disgraceful, and after the next State election we will rectify the position at the first opportunity. I have no quarrel about the appointment to the authority of the Director of Planning, the Director and Engineer-in-Chief of the Engineering and Water Supply Department, the Commissioner of Highways, the Surveyor-General, and the seven other persons nominated by the Minister, which in effect is by the Government. However, the people whose land will be affected have not be given representation on the committee.

The Hon. G. R. Broomhill: But a grazier—

Mr. GUNN: That person is not on the authority as a representative of the rural community. He took the place of another member. The rural community should have two representatives on the authority, and my colleagues and I will take action to achieve that after the next State election.

Mr. Langley: You won't be able to.

Mr. GUNN: The member for Unley will not be here then: he will be in the wilderness. I have said that people do not know that their land has been taken or that the authority has designated it for future use in relation to development, and in this connection I will quote a letter, dated March 14, 1975, addressed to the Stockowners Association. That letter states:

We thank you for your letter *re* Riverland Development Plan, which evidently includes a large portion of our leases. I have been in touch with the Chairman of the Pastoral Board and he assures me that they cannot resume the land. We have been granted new leases within the last 18 months for 42 years, which will come into effect in seven years. The Chairman was quite definite in this regard and feels at this stage that there is no need for further action.

Obviously, that person did not realise that the State Planning Authority had power to acquire and that the Government had power to acquire the' leases. The first thing that these poor people knew was when the Assistant Secretary of the grower organisation looked at the plan and contacted them. The same organisation asked councils what they thought about the operations of the State Planning Authority. Recently I attended a local government conference at which delegates expressed strong dissatisfaction about how the authority was conducting its affairs. I spoke about the matter, and I hope that the officer from the Minister's office who was present has reported on what I said.

The Hon. G. R. Broomhill: He would not know who you were.

Mr. GUNN: I shall be pleased to let the Minister read the letters I have so that he knows the position, if he does not know it now. Judge Roder should have been given the additional task of examining the operations of the State Planning Authority. I am pleased that he examined the Planning and Development Act. This organisation procrastinates, causing great concern in the community. I believe it has done much harm to the cause of planning and reasonable and sensible conservation in this State. I am totally dissatisfied with its performance. If one looks at the plan for Eyre Peninsula, one sees that certain assurances were given by an officer. However, that person is no longer with the authority, so I wonder whether his assurances stand. Many people believe that this officer was completely frustrated in his duties. Strong representations were made regarding this plan.

I hope that when he replies the Minister will clearly indicate, with regard to the 50-odd recommended areas on Eyre Peninsula, how long it will be before owners know exactly what is the future of their properties. Does the Government intend to acquire them compulsorily? What time is involved in this proposal's being implemented? What compensation will be payable? A constituent of mine recently told me about a. Government officer's coming on to his property (and this is not the case about which I have been negotiating with the Minister). My constituent told the officer that he would like a fence to be situated well up a hill so that some scrub could be included in his land to protect his sheep during the winter. The officer said, "If we have trouble from you, we will put the fence half-way down the hill in the middle of your paddock." Yet members of the State Planning Authority wonder why people get their backs up.

Members representing this area have had just about a guts full of the authority. People living on Eyre Peninsula and in other parts of the State are entitled to know what the Government is doing with regard to planning. Until the Government makes precise statements, I will continue to be as critical about the authority as I have been today. I can cite many other cases of actions by the authority similar to those I have described. I am far from convinced that the authority works in the best interests of

the State. Although the people running the authority may be capable of planning London, they know nothing about the rural areas of this State.

Dr. TONKIN (Bragg): The Bill deals with three major items. Since the word "appeals" appears in the title, this aspect must be considered the most important part of the Bill. As the Minister has freely admitted, the Bill results from the marked criticisms made about the State Planning Authority and the whole planning system over the past several years. I remind the House of the remarks made in August, 1973, by the Chief Justice (Dr. Bray) when he delivered a judgment in the Full Court in the case of an appeal against a ruling that had been given about a subdivision of land in the hills face zone. This statement will forever be remembered, just as the statement of the Minister of Transport, when he said that a necessary incentive would be given by way of ultimatum, has come into the usage of this Parliament. The Chief Justice said:

> The luxuriant growth of this legislative jungle abounds in ambiguities, inconsistencies and incoherences.

At the same time, Dr. Bray said that, in his opinion, the legislation should be consolidated so that the validity of regulations was placed beyond doubt one way or the other. On May 25, 1974, the President of the South Australian Division of the Royal Australian Planning Institute (Mr. Turner) said that the legislation was ambiguous and imprecise. He said that the Planning Appeal Board could have more flexibility if the right of appeal to the Supreme Court from board determinations were removed. I do not agree with that, but nevertheless he was saying that something should be done.

Mr. Turner also said that there were rumours that the Government intended to establish local government courts that would handle procedural and minor matters, in an attempt to speed up the operations of the Planning Appeal Board. He made the point that an appeal rarely cost less than $1 000 if a solicitor and planner were employed. A newspaper report of March 8 this year states:

> West Torrens council says it is concerned at the way the Planning Appeal Board makes decisions. A council spokesman said yesterday the council was concerned at the heavy costs involved in appearing before the board. "Council is also concerned at the time taken in technicalities or legal forms and also the fact that the board is sometimes forced to reach a decision based on some technicality rather than on planning", the spokesman said.
>
> "To try to overcome the problem, the council is writing to the Local Government Association suggesting that the Planning and Development Act be amended."

Many other newspaper extracts can be seen in the library that show concern being expressed and criticisms made in this regard. I believe that Judge Roder's inquiry, which resulted from these criticisms, has made proposals for alterations that are probably worth while. If they have the effect of simplifying appeals they must surely help the workings of the authority and the appeal board.

The Minister has gone on record as saying that the existing complexity has resulted in delay, frustration and expense. Certainly the provisions in the Bill simplify the matter of appeals. Clause 6 reduces the legal technicalities by providing that matters will be determined on equity, good conscience and the merits of the case before the board. That is a fair statement, but I am surprised that it has had to be spelt out. I should have thought the board had power to base its decisions on those criteria, anyway. Certainly legal technicalities have cropped up. I have no doubt that legal technicalities have been exploited by people who have appeared before the board. This is a matter of considerable concern to people who have planning approvals to obtain before they can proceed with their projects. I have no doubt that appeals have been made on the basis of technicalities. The board will hot now be bound by rules of evidence, technicalities, or legal forms. Clause 12 provides that related appeals may be heard together; this is another sensible move. There is obviously no point in listening to one appeal, and then hearing another from a next-door neighbour; those appeals might just as well he heard together. This type of informality will help speed up proceedings before the board. If this is done, it is more important than ever to retain the right of appeal to the Supreme Court.

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

Dr. TONKIN: The more informal the proceedings of this authority become, the more important it is that we should keep the right of appeal to the Supreme Court. Under new subsection (3), appeals to the Full Court are restricted to questions of law. Presumably, although the Planning Appeal Board consists of experts, it seems that there is no need for expert witnesses when it comes to Supreme Court hearings. Under the present procedure appeals are heard by the Land and Valuation Court and then, if necessary, are referred to the Supreme Court. It would be a retrograde step if we limited appeals to legal technicalities in that jurisdiction, and I see no point in that. The matter of expert witnesses can be dealt with. The board consists of experts, and expert witnesses can be called by any court. They can be treated as such, and I do not believe there is any reason why appeals to the Supreme Court should not continue to be allowed and why, if necessary, expert witnesses could not be called to give advice on matters to which the appeals relate.

The second matter dealt with by the Bill is the delegation of developmental control to local government by giving up some of the rights of approval the board has at present. Under clause 18 this delegation of authority will relate to "particular kinds of application". What is not made absolutely clear in the legislation (it certainly is not clear in the second reading explanation) is what exactly are "particular kinds of application". The Minister should enlighten us on this matter when he replies to the second reading debate. I think it is important. After all, how can we, as members of Parliament, make up our minds whether something is desirable or not in its detail, if no details are given, and no details are given in this regard. If no details are given, the Minister should let us know exactly what is involved and what is contemplated.

The Hon. G. R. Broomhill: It will be—

Dr. TONKIN: I am pleased to have the Minister's assurance. The third matter relates to planning in the hills face zone, and my colleagues have dealt with this matter in more depth and from a slightly different point of view. Limiting subdivisions by preventing further subdivision may well be desirable, but I am not sure. I think probably it is, but once again Opposition members are somewhat handicapped by not knowing exactly what is the present situation. The member for Fisher has dealt with that matter very well, but why are we taking this action? That is a question that we must all ask. Is it to preserve the nature of the hills face zone for aesthetic considerations? Is it just the look of the hills as we on the plains look up to them? Is that what it is all about? If it is, the member for Heysen had a very good point. By careful tree planting and by beautifying the area, there can be no objection to its development. It must be more than that.

Perhaps a buffer zone is necessary between the development of Adelaide and the development of satellites, whether Monarto or other cities on the freeway, and that may have something to do with it. There would be a multiplicity of factors relating to this matter. Adelaide is in a unique position because it has developed as a plains city, delineated clearly by the hills face zone arid by the Mount Lofty Range. This is an unusual situation, because most cities are on plains completely or on hills. We are especially fortunate as we have a plain development, but this has led to the tremendous problem we have seen in this State of developments north and south.

The Hon. J. D. Corcoran: What's wrong with that?

Dr. TONKIN: I believe that closer settlement on the hills face zone would not be attractive, but I cannot understand why houses should not be built on part of that zone. I can remember, for as long as I can remember, the Mount Osmond Golf Club sitting on top of Mount Osmond, and I have watched with great interest the development of buildings down the side of the mountain. There is not much there that is unattractive. If there is to be a limit to development, there must be a balanced approach to the whole problem. It is no good banning people from the hills face zone altogether, but we have to adopt some limitation and some control to ensure that we do not over-develop it.

I believe there is a balanced line, and I think people can go too far. The developers want to go too far and make the best use, as far as they see it, of every bit of land, whereas the conservationists tend to go too far the other way, and do not want any sort of development. I take issue with the member for Fisher concerning his remarks about Flinders University. Buildings at this university have been designed and have won awards for their design in the context of the environment in which they have been placed. Of all the places to criticise for the development of such noble buildings and such a wonderful campus! I do not think the member for Fisher could have chosen a worse example to make his point. The low hills are brown and barren and devoid of trees, yet on those same hills has been established a campus of which this State can be proud. I speak now as a member of the University Council. A consultant has been appointed to advise on tree plantings. The area has been planted with trees in a planned way, and the whole campus is a delight to behold, as it fits into its surroundings extremely well. I disagree totally with everything that the member for Fisher has said in that regard.

I am concerned, as are other Opposition members, that no plan is available of the hills face zone area from which we could see exactly how much land had been subdivided and how much had not been subdivided, how much of the subsdivided area had been built on, and how much had not been built on. It is apparent from the figures we have been given that much building on the hills face zone can still be continued. It is extremely difficult to consider legislation of this nature concerning the limitation of further subdivision on the hills face zone if we are not to be told the details and if there is no way of our knowing how far that subdivision has gone. From that viewpoint the Minister and his department, and perhaps the authority, have been extremely lax because, if the Minister really wanted this matter ventilated properly, he could have, instead of introducing the Bill at this stage (now that the session is to be- extended so that the Premier can honour his promise to introduce a Bill dealing with sex discrimination before the end of the session)—

The SPEAKER: Order! Back to the Bill.

Dr. TONKIN: —delayed it. The Minister would do well to get the plan and information that are necessary for all members in this place to fully consider the measure. If the Minister is willing to do that, he should do it during the break between now and June and give us an opportunity to proceed with the Bill then. I know that the matter is urgent and that there is a great need to update the legislation to facilitate the passage of appeals; however, it is not beyond the Minister to get this information and to have a plan drawn up to submit to us within a matter of a few days. I hope the Minister will adopt that attitude. I have no real complaints about the Bill and, provided that the information we get from the Minister on hills face zone development is satisfactory, the measure should pass. I hope the Bill passes, but repeat that I believe we should have that information before we make up our minds.

Mr. RODDA (Victoria): Some aspects of planning have affected certain areas in my district. It is interesting to hear the Minister say that the basic essentials of any appeal system are speed, cheapness, impartiality, and simplicity. Such a policy is needed in 1975, because we are living at a time when decisions must be made quickly. That view has been echoed by the member for Fisher and ably underlined by the member for Bragg.

The Bill deals with three aspects of planning legislation, the second of which deals with interim control. That provision will cast far and wide, and will include special significant areas such as the Murray River and the Flinders Range. It is obvious that the Government has under wraps other development plans about which the Opposition can only speculate. Regarding interim control, the Minister said (at page 2740 of *Hansard*):

> This will remove the conflict between the interim development control powers exercised by councils in country, areas and the controls exercised under the Building Act where exemptions have been made under that Act.

When the Building Act was before the House, there was much debate on the effect of interim control, but sober counsel prevailed then. At that time the erection of a windmill or a fence, if it was to be more than 3 m high, was subject to full control. We on this side have some reservation about this measure and we have long memories. We were not happy with the Minister's reply on the Building Act, because he seemed to be hiding under a bushel. Some building is pending in my district, and John Citizen is apprehensive and aware of the controls under this measure. However, I have seen many examples where such controls are necessary.

The third aspect of the Bill relates to the hills face zone. The Minister said there has been increasing concern about the many houses being built in that zone. I remember in the short time I was privileged to be a Minister in the Steele Hall Government—

Mr. Jennings: Three and a half days, wasn't it?

Mr. RODDA: I thought the member for Ross Smith had a memory like an elephant, but it seems he has other ingredients that are surfacing at this late stage in his long career in this place.

The SPEAKER: Order! The honourable member must come back to the Bill.

Mr. RODDA: While I was a Minister there were problems associated with the Adelaide Hills that related not only to the hills face zone.

The Hon. J. D. Corcoran: I suppose watersheds would have been a problem?

Mr. RODDA: Yes, and the effluent and eutrophication that came down the creeks and affected the environment. My even more distinguished colleague the member for Heysen made some rather practical observations about what could be done with the hills face zone, and I agree with his observations. In due course I hope that the development referred to by the member for Heysen will be a fact of life and included in the third aspect of the Bill.

The other point I wish to underline relates to clause 11. Whilst we have great faith in the Planning Appeal Board (and I do not wish to cast aspersions on members of the board) I do believe that the individual should have the democratic right if he chooses to appeal to the highest court in the land. That cuts across the Minister's rather cryptic statement about speed, cheapness and impartiality. Consideration of cheapness could be deleted, but the other aspects are dear to the hearts of members on both sides of the House. The deletion of the right of appeal will take from the people something that they have had.

The Hon. G. R. Broomhill: When did they exercise the right?

Mr. RODDA: That is a moot point. The Minister is taking away a right. The interjection is useful, but I deprecate the action being taken to remove that right. There are heartburnings in Naracoorte at present in regard to a plan that has been placed before the people, and some people will be affected by appeals, and the relevance of what the Minister has said may come to the fore. However, this legislation will affect the whole State and certain aspects of it disturb the Opposition. As the member for Bragg has said, in general we recognise the need for order in our development, but we are disturbed about parts of the Bill with which we disagree. In the final analysis, the right of appeal should be available for the people.

Mr. DEAN BROWN (Davenport): I support the Bill and endorse most of the remarks made by members on this side. As much of the hills face zone is in the District of Davenport, it is of particular interest there. The part in my district is the nearest part to Adelaide and, therefore, if that area is overdeveloped it is likely to reflect on Adelaide. I am concerned because in my opinion the area has overdeveloped and that has destroyed the environmental concept and beauty of the Adelaide Hills as they appear to people viewing them from the south-eastern plains.

I refer particularly to Skye and Teringie Heights. I do not criticise people for having built houses there, because, if I could buy land cheaply there and build on it, I would do so. However, the Government must ensure that land benefits not only a few people but also all the people who live on the Adelaide Plains. It has concerned me that there is a possibility of houses being built on subdivided land there, but the Bill will not solve that problem. That area has been subdivided, despite that it has not been built on, and there is a big potential for house building at Teringie Heights and Skye.

The Government cannot take retrospective action to prevent the building of houses on land that has been subdivided already, because to do so would financially embarrass those who had bought the land. However, I am pleased that further subdivision of the area will be prevented. I consider that the area should be left as it is, so that people on the Adelaide Plains can enjoy the beauty of it.

Mr. McAnaney: What would you do with it?

Mr. DEAN BROWN: The member for Heysen lives well back in the Hills but, if he lived in Rostrevor, Woodforde, or Magill, he would appreciate the need to preserve the original nature of that land. It is unfortunate that the area has been developed in the way that it has been, but that has happened partly because of the ability of builders to get a decision from the Planning Appeal Board. That statement is not a reflection on the board, because it did not have power to prevent the position.

I support the part of the Bill that provides that there will be no further subdivision of the hills face zone without specific approval by the Government. The other matter to which I wish to refer relates to subdivision generally in the metropolitan area. In this connection, I refer to the T. & G. estate, or Dr. Schneider's estate, at Stonyfell. This estate is large enough to provide 116 house sites. It has been purchased recently and is being subdivided.

At my request, the Minister of Development and Mines rejected the original application to the State Planning Authority. I considered that that subdivision would be involved in excessive noise and dust problems for potential residents. The developers did not consider the quality of life of people who would live in that potential area. Unfortunately, the subdivision is immediately below the large quarries at Stonyfell and, although the problem regarding dust from those quarries has been minimised, dust still tends to come down the hill. In addition, there is the problem of noise from the quarries.

The area was unique, with a creek running through it, and it should not have been developed so as to provide so many houses. I do not advocate that all bushland should not be developed and, if the city is to grow as population expands, new areas must be developed. However, I think the Minister would agree that 116 houses should not have been built in that area. When the authority rejected the application, the company appealed to the Planning Appeal Board and got the subdivision through because expert legal advice had been able to show loopholes in the Act.

Unfortunately, in the past few months developers have started cutting up this area. I should like to represent happy people, but I could not believe that the people there would be happy. They will have problems because of dust and strong winds coming down from the quarries. Whether we stop quarrying or not, the problem exists at present and cannot be solved. At the time, I pleaded that an adequate buffer zone of vegetation be provided to protect the residents, but unfortunately the developers would not implement such a plan.

I compliment the Burnside council on restricting the cutting down of trees. No trees more than 10 metres high can be removed without the specific permission of the council. I praise people who are subdividing the area for the way in which they have tried to observe that restriction. Much development has taken place (and I have referred to one case) in the metropolitan area that should never have been permitted to take place so extensively. I hope the legislation will help to prevent such developments in future. Under the present legislation, the only basis on which such a subdivision could be restricted was if the noise or dust became a health hazard. It is interesting to consider at what level noise and dust become a health hazard. At what level are noise and dust acceptable in normal residential conditions?

I believe people can suffer adverse effects from noise and dust, even though they may not theoretically be a health problem. People living in the Stonyfell area have complained about the lack of sleep because of the noise

level reached between 10 p.m. and 6 a.m. Therefore, this is starting to become a health hazard. Equally, if dust is so intense that it causes people with nasal complaints to have to move elsewhere (as it has at present at Stonyfell), I believe it is a health problem. I believe that the present development should have, been restricted on the grounds that it could cause a health hazard. I support the Bill and look forward to amendments to be moved by members on this side. As some of the provisions in the Bill are long overdue, I hope to see them implemented as soon as possible.

Mr. GOLDSWORTHY (Kavel): The Bill deals with three matters. One matter is the result of recommendations of the Roder committee, with the other two matters having been dreamed up from some other source. It is interesting that the Government intends to introduce another Bill to make many amendments to this legislation. I hope that, in that case, the Government will allow members more time to consider the Bill than is being allowed in respect of Bills introduced in the last week or two.

Mr. Keneally: We've heard that before.

Mr. GOLDSWORTHY: I work on the theory that if I say this often enough it might eventually sink in. I will continue to make this comment as long as the Government treats the Opposition as it is treating it at present. It is difficult to get through the armour the Government puts on when it deals with the Opposition. Opposition members like to know what legislation is being placed on the Statute Book but, as a result of the Government's present busy programme, it is difficult to find out what the legislation is all about.

I have already referred to the part of the Bill that results from a recommendation of the Roder committee. The second matter deals with the delegation of various aspects of interim control. The third part of the Bill has the effect of completely controlling the development of the hills face zone. I have no argument with the delegation of certain aspects of interim control. Although I have not heard all that has been said by members on this side, apparently there is some difference of opinion amongst them about what should happen with regard to the hills face zone. I am not terribly excited about what is proposed with regard to appeals. At present, appeals can be made to the Land and Valuation Court and also to the Supreme Court. The Bill seeks to take away those rights of appeal, leaving only the right of appeal to the Full Court on technical matters of law.

In his explanation, the Minister states that this procedure will make matters somewhat simpler and less expensive. I am not greatly impressed by the suggestion that the present Planning Appeal Board should be the final arbiter. It is a fairly basic principle that, if a person is unhappy with the judgment of one court, he normally has access to a higher court. Although that procedure is lengthy and may be expensive, it provides further opportunities for appeal.

The Hon. G. R. Broomhill: What about people who have to pay costs at that level?

Mr. GOLDSWORTHY: The Minister does not say enough in his explanation to convince me that this change is necessary. In fact, second reading explanations given by Ministers are generally far from adequate. Many conservationists and other people in the community get excited about matters such as the control of the hills face zone, seeming to think that anyone who holds a different view is a Philistine. Although such people want. new roads and buildings, they do not want quarries. They talk about carrying stone long distances, but they want cheap buildings. They want housing close to their point of employment, but they do not want any houses built on the hills face zone. Some of the most attractive suburbs that I have seen in Australia and overseas are located on. the side of hills. When such areas are developed, with water available and trees planted that effectively screen most of the housing development, the aspect is far more attractive than is the aspect of a bare paddock.

The Government tends to lean over backwards to accommodate people who want their own way but who, once having got their way, want to stop everyone else from getting what they want. I do not want to confront conservationists, although much nonsense is talked in the name of conservation. Some members recently visited Hobart. The housing developments on the heavily wooded hills around that city are its most attractive areas. These areas can be made to look attractive. As a result of picking up the drift of the interjections of the member for Heysen, I think I can say that I share his view on the matter. A heavily wooded area that is well laid out can be far more attractive than bare hills. I trust that the Government will not go to unreasonable lengths to accommodate the conservationists. I do not have any violent objections to the Bill, but I am disappointed that the Minister did not advance a very convincing case in his second reading explanation.

Mr. WARDLE (Murray): I do not believe that we should go into the future without proper town planning. However, I wonder whether the way the Government has gone about town planning has been the right way; certainly, it has not been wholly accepted. Many country councils have not accepted town planning, because they have not been educated as to what town planning means. The State Planning Authority may reply by saying that it has visited country areas and talked to various groups, but the problem is not as simple as that. Expert planners may know what they have in mind for an area, but that fairly firm line is not always accepted by country councils.

I believe that the State Planning Authority could have done more to educate local government in town planning. Earlier today, the Minister, by interjection, asked what use councils had made of their powers. It is all very well to say that, because councils have done nothing, their powers are to be usurped and given to the State Planning Authority. However, [point out that the State Planning Authority has become a bureaucratic organisation that seeks to dictate to councils what they should do. Letters, deputations, comments, conversations, and meetings indicate that there is inadequate communication between the State Planning Authority and councils. Comments made in this House today about the bureaucracy of the State Planning Authority result from a failure to educate councils in town planning. In connection with clause 18, the Minister's second reading explanation states:

> This will enable the authority to delegate power in respect of particular kinds of applications and to retain power in relation to other applications.

That is a most unhelpful statement. I wonder whether the Minister, in Committee, will enumerate the kinds of application that councils will have the power to approve or disapprove. If clause 18 turns out to do what it appears to do on the surface, it will be welcome, but we shall have to wait and see. The State Planning Authority takes a long time to decide whether applications will be granted, and I am not sure whether the delay is caused by a shortage of skilled staff or whether the authority simply

cannot make up its mind. It is incredible that the authority can take a couple of years to decide on an application in connection with two 2 ha lots. Then, when one thinks that the deal is almost clinched, the authority asks for proof that the unit will be viable for primary production. It is fairly obvious that a man will not run 1 000 head of sheep or 150 head of cattle on 2 ha; further, the application says that it is for glasshouse culture.

Such a request for information by the authority further delays the application. Also, the owner may be asked to provide the names and addresses of the people who will be interested in the units if they are subdivided. Most land agents have been caught on this issue before; most have gone to much trouble to make all the arrangements, and they may then find that the application is refused.

Mr. Evans: You are asking for more common sense to be shown.

Mr. WARDLE: Yes. When an area has been divided into two parts for glasshouse culture, surely an application in connection with another five or six lots ought to follow fairly automatically, but the same procedure is followed again and again, and it takes a long time. Basically, I support the Bill.

Mr. VENNING (Rocky River): I, too, support the Bill. Although I have not had much to do with the State Planning Authority, problems associated with town planning have come to my notice in connection with areas in my electoral district and in the metropolitan area. Unfortunately, as with similar matters in respect of which we have planning control, there is a delay. A progressive person becomes frustrated, and it is essential that those associated with this sort of administration should be competent, efficient, and able to handle their responsibilities expeditiously. I am associated with the co-operative bulk handling company, which has been prevented from demolishing a building, the site of which would be used to complete a parking area for people who have business in the company's headquarters on South Terrace. The company waited many years for the old lady who owned the building to sell it to the company. It is an old building and not worth restoring at any price. The dear old soul has decided to sell the building to the company, which is not allowed now to demolish the building. The company has appealed against the decision, and the provision in the Bill dealing with appeals is one aspect that I support, because it is significant.

In some areas of the State this legislation may have no significance. However, I refer to the Clare area which is most picturesque but which has many development problems. Although the Housing Trust wishes to build houses for people, it has encountered problems of planning and development. In supporting the Bill I hope that the Government will take further action to improve the situation of town planning in areas throughout the State, so that the activities of the planning authority will be accepted with co-operation by people of this State who wish to preserve things that they think should be preserved. Many people today are becoming more conscious of what should be preserved, whether it be old machinery, buildings, or tractors. I support the Bill, and hope that what is contemplated by its provisions will be effective, and will assist in many areas in which many problems have been created.

Mr. CHAPMAN (Alexandra): I find myself having to support the Bill. Much concern has been expressed about clause 18, which refers to interim development control and which will now incorporate in the Act the power for the authority to grant to district councils interim development powers, in part. As a member of a council that has expressed concern to the Minister several times and as I also represent a district that involves other council authorities that have continually sought the inclusion of such a provision, I have no alternative but to support the Minister's action. This comment refers to clause 18 only.

I refer now to the principle of limiting further development in the hills face zone. This area, as prescribed in the metropolitan development plan, covers a wide variety of lands, from the north near Gawler to Sellick Hill in the south. Some areas are well covered and attractive in their natural state. I support the concept of preserving those areas and agree that they should not be developed for housing and other purposes, but should be preserved and protected in their natural forms. However, other parts of the hills face zone are unattractive and as bald as the head of one member opposite, neither those parts nor that head contributing to the aesthetics of the area that they overlook. I refer specifically to that part of the zone that stretches to the south through the District of Alexandra. After leaving the area south of Clarendon and travelling along the range through the prescribed hills face zone area to Sellick beach, one finds little natural growth of any significance, as these bald hills are most unattractive. This is the area that should be developed for housing. It should be terraced and lived on, and it should be developed and made more attractive, so that it enhances the back-drop behind the Willunga plains.

The long-term effect of implementing a plan and proceeding with the preservation of the hills face zone in that area will be opposite to that which is desirable and in the interests of the State generally. Let me consider the land directly to the west of the hills face zone to which I have already referred. In that area, the Willunga. plains, we find some of the richest land in the south. The development of. those unique plains is continuing despite efforts by various authorities to confine that development to townships already surveyed. Areas are continually being cut up, subdivided, and resubdivided, thereby allowing some of the richest soil in the State (maybe some of the richest in Australia) to be covered with concrete and bitumen.

I believe that, in the interests of South Australia, it is wrong to preserve these useless, bald hills at the back of Willunga and at the same time allow the ruination of the rich Willunga plains. The situation should be reversed and the emphasis should be placed on the development of the hills.

Mr. Millhouse: You're not serious!

Mr. CHAPMAN: I am serious, irrespective of the comments of the member for Mitcham, who so rudely interjects. I believe that section of the hills face zone is of no aesthetic value at all in its present form. It is of lower productive rural value and unattractive. I do not believe the area lends itself to tree-planting without providing some sort of protection. Indeed, to plant trees in the area and for them to survive would be as difficult as trying to grow bananas at the South Pole. The prevailing winds coming off the sea and through Aldinga and beyond make it extremely difficult to visualise those hills existing in any other state than that in which they now exist.

Mr. Millhouse: They're most attractive.

Mr. CHAPMAN: I disagree. In the interests of preserving the valuable, productive land on the plains, I believe the overflow of housing development should be directed to the bald sections of the hills face zone in this

area instead of that part of the zone being prescribed for preservation. I am not surprised at the reaction of one or two members to my comments, because we in this country happen to be living in a period when conservation is the in thing: everyone is talking conservation and preservation. Theoretically, it sounds good, and, in certain areas, it is good. However, it is high time we got our priorities right. The need for production should be brought into reasonable perspective: it should be brought into line with the need to preserve other parts of the area.

I believe we have been carried away and completely misled by this attitude to preservation and conservation; we have gone too far in that direction. It is time that a balance was introduced into our thinking on State development, especially regarding the areas that are limited to the sort of production level of the plains to which I have referred. I have risen on this occasion to make clear my attitude to the wrongly based emphasis on preservation, especially of that part of the hills face zone that extends into my district.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): This Bill is primarily a Committee Bill. It seems from what has been said by members opposite that only two or three issues are really in dispute. The first relates to the removal of the obligation to pay a $2 fee when lodging an objection. The other issue relates to the provision that appeals to the Full Court are to be restricted to matters of law. I point out to the member for Bragg, who referred to this matter, that Supreme Court judges indicated that they did not wish to be involved in planning aspects of matters: they believed they could be better dealt with by an expert body, which obviously is the Planning Appeal Board. I thought they had made that clear to the community and to this House.

Dr, Tonkin: What the judges really want are firm guidelines on which to work.

The Hon. G. R. BROOMHILL: I do not intend to canvass the matter, because it can be canvassed in some detail in Committee. I was somewhat surprised to hear objections raised to those two proposals, because organisations and groups that appear before the Planning Appeal Board have all indicated to me that they support them both. I am uncertain whether members opposite have sought advice from outside or whether they are making their own bad judgment on the matter. I was disturbed by one or two comments raised during the course of the debate. The first point relates to the parrot-like complaints we get from the member for Kavel that he has had insufficient time to consider the legislation. The second reading of this Bill was moved on March 6, and it is now March 19. I suppose the member for Kavel is not too bright and needs an exceptionally long time to look at legislation before the House. Members will agree, I believe, that it is unfair to make that sort of criticism about legislation that has been before the House for that period.

I am disgusted at what both the member for Heysen and the member for Eyre said when they attacked members of the State Planning Office for decisions they have made. Instead of providing me with any details, both members made ridiculous claims that they said involved planning processes.

Mr. McAnaney: What I said was genuine: it actually happened.

The Hon. G. R. BROOMHILL: After receiving an interjection from this side of the House, the member for Heysen at least admitted that what he said originally was incorrect.

Mr. McAnaney: Bunkum! What are you talking about?

The Hon. G. R. BROOMHILL: The member for Heysen spoke about a fence which someone wished to erect but approval for which was not granted. After the interjection was made, however, he said that the fence was constructed in a satisfactory way and met the conditions laid down by the State Planning Office. The application had not been refused. The member for Eyre made all sorts of charge about what unnamed people had been told by unnamed others. I suggest that the honourable member provide me with full details of his charges so that I can give the officers under attack a chance to defend themselves and so that I can put the true facts before Parliament.

Another matter that has drawn comment relates to the hills face zone proposal. Clearly, a majority of members opposite intends to vote for that proposal. However, it has been enlightening (indeed, amazing) to hear some members opposite announce that they would prefer to see the hills face zone covered with houses. It is to their discredit that they should say such a thing, and I hope that their attitude to this matter is widely reported outside the House.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Constitution of the board when hearing appeals."

Mr. EVANS: I realise that, if the applicant disagrees with the decision given by the Chairman or Associate Chairman, he will have a right of appeal. However, I ask the Minister whether it would be better to have an opinion given by. someone outside the board. It seems to me that, on a specific point of law, the Chairman or Associate Chairman would be the sole authority.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): We are trying to speed up and simplify the machinery as far as possible, and I see no threat to that in this provision. I do not understand, from the honourable member's explanation, what threat he may imagine there is in this clause.

Mr. EVANS: The Chairman will help make a decision on an appeal, and a matter of law may be raised by one advocate. Under the clause, the Chairman will make the final decision on the point of law, but I should have thought it would be better to obtain an opinion from outside the board.

The Hon. G. R. BROOMHILL: The principle in the clause has always applied in the courts. We have a Chairman who is a judge, and naturally he is the proper person to make a decision on a point of law.

Clause passed.

Clauses 5 to 8 passed.

Clause 9—"Costs."

Mr. EVANS: Has the Minister an idea of the scale of costs that will be prescribed, or must we agree to the clause without knowing what the scale will be?

The Hon. G. R. BROOMHILL: This matter is best left to the judgment of the board. Most likely the costs awarded would be awarded on the basis of the material before the board.

Clause passed.

Clause 10—"Determination and order on appeal to be communicated to parties."

Mr. EVANS: I do not support this clause, and an appeal to the Land and Valuation Court should remain if a person wishes to appeal. The Minister is trying to exclude the right to that appeal, and I ask the Committee to vote against the clause.

The Hon. G. R. BROOMHILL: ,We must bear in mind that persons appealing against decisions of the authority are in two categories. First, there is the developer who seeks to develop blocks of flats or large holdings of land in such a way that members of the community object to that form of development. A council may have zoned an area in which flats can be constructed by consent. If an application is made by a developer to construct a block of flats of two or three storeys, a neighbour or several residents may object because of the effect the building will have on their properties and their way of life. If the person involved in a substantial development is financially able to take the matter from the Planning Appeal Board as far as the Full Court, the member of the community concerned is faced with great legal costs. Therefore, the present situation favours the party with the most finance.

When we first established the Planning Appeal Board, we wanted to ensure that people's rights were not infringed by councils or by the State Planning Authority. We wanted people to be able to take matters to the board, which could decide whether injustice had occurred. We never expected to see the monstrous legal machinery that has now developed. Under the present legislation, people can appeal a decision of the board to the Land and Valuation Court and then to the Full Court. Therefore, people without much financial backing face great expense in defending their rights. I believe that all appeals should stop once the Planning Appeal Board has dealt with the matter.

Mr. Millhouse: I don't agree with that.

The Hon. G. R. BROOMHILL: That is my view.

Dr. Eastick: We don't believe in dictatorship.

The Hon. G. R. BROOMHILL: I am pointing out that people without much money have difficulty in affording the costs of successive steps of litigation ending in the Full Court. We believe that the appeal to the Land and Valuation Court should be removed, with only points of law being able to be referred to the Full Court.

Although I am not sure of this, I believe that there has actually never been an appeal from the Planning Appeal Board to the Land and Valuation Court, with the only appeals made to the Full Court being on points of law. Therefore, the changes proposed are really insignificant. We hope that, by restricting appeals to the Planning Appeal Board, and to the Full Court only on points of law, we will in some small way reduce the number of appeals resulting from decisions of the Planning Appeal Board. We have deliberately appointed to the board as commissioners people outside the legal profession who have a wide knowledge of planning and local government. This was done deliberately to ensure that the board would have expertise in looking at questions of planning, as well as matters of law. Accordingly, matters other than points of law (which can be referred to the Full Court) should be dealt with by the board.

Mr. MILLHOUSE: This is one of the few occasions when, having heard a Minister argue one way, I am convinced the other way. I listened to the member for Fisher with only half an ear, as I was inclined to be against him because of the garbage that I had heard from the member for Alexandra during the second reading debate. I totally disagreed with what he said and took that to be the outlook of his Party. I decided that I should listen carefully to the Minister's explanation and oppose the clause, but I changed my mind during his speech. He is apparently arguing to cut out rights of appeal, and I strongly disagree with that. This complicated legislation needs a complex system of adjudication. When we have a *quasi* judicial body on which there are lay members as well as members of the legal profession, we should carefully preserve rights of appeal. The Minister used words such as "monstrous", as though it were monstrous to appeal a decision of the Planning Appeal Board to the Full Court.

I point out that, in one matter, leave is being sought to appeal to the Privy Council, so that course of appeal is also open. The provision in the Bill is designed to cut out appeals, except on questions of law. There may be a legitimate worry about the difficulties, because of the cost involved, of private persons in prosecuting successive steps of litigation. However, it is not difficult to provide financial assistance for the prosecution of appeals. That is the way to deal with the matter; we should not deal with it by cutting out appeals altogether. If the Minister proposed some form of financial assistance in the case of appeals, I would support that. In legislation such as this, a person believing he is acting in the public interest may be out of pocket. However, the way to solve the problem is not to cut out rights of appeal. As I cannot agree with the Minister's reasons for the provision, I oppose the clause.

Mr. EVANS: I do not always tend to lean in the direction of lawyers, but in certain areas they have a necessary function. I believe that in this case there should be a right of appeal to the Full Court, whether or not the matter concerns a point of law. If, as the Minister has said, there have been few appeals, the present provision has not caused any problems. Therefore, why not leave it as it is?

Mr. GUNN: I am concerned that the Minister is considering taking away a fundamental right of every citizen. Many people on Eyre Peninsula will be seriously affected by the proposals of the Eyre Peninsula planning report, but it seems that they will be denied the right to take this matter to court. It seems to me that the personnel of the board have had no experience in matters affecting rural areas, and, in saying that, I do not reflect on them at all. This right of the citizens should not be denied to anyone in this State.

The Committee divided on the clause:

Ayes (21)—Messrs. Broomhill (teller) and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Jennings, Keneally, King, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, and Wright.

Noes (18)—Messrs. Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Evans (teller), Goldsworthy, Gunn, McAnaney, Millhouse, Rodda, Russack, Tonkin, Venning, and Wardle.

Pairs—Ayes—Messrs. Hudson, McRae, and Wells. Noes—Messrs. Allen, Mathwin, and Nankivell.

Majority of 3 for the Ayes.

Clause thus passed.

Clause 11—"Board to hear appeals, etc."

Mr. EVANS: Can the Minister say how often the Planning Appeal Board has been in the position that it would wish to vary a decision rather than reverse or

confirm it? Some variation may be necessary. Can the Minister say whether it has happened often or whether it occurs irregularly?

The Hon. G. R. BROOMHILL: It does not occur frequently; nevertheless, there are many occasions where a minor variation could well be considered. From my understanding of the position, it is on rare occasions that this matter arises.

Clause passed.

Clauses 12 and 13 passed.

Clause 14—"Power of the Crown to intervene in proceedings before the Planning Appeal Board."

Mr. EVANS: Does the Minister know of any case where the Crown would have wished to intervene or where it found it could not intervene, or is this a provision to cover the situation if it arises in future?

The Hon. G. R. BROOMHILL: I cannot reply to the honourable member, because that matter involves the Crown Law Department, which believes a situation might exist in future. It could well be that there were cases in the past where the Crown might have submitted arguments on a matter of law that was of public importance.

Clause passed.

Clause 15 passed.

Clause 16—"Appeal to board against certain acts done pursuant to planning regulations."

Mr. EVANS: Although I do not intend to move an amendment to this clause, I am not happy that the fee should be struck out. Perhaps the Minister has a reason for not striking out the fee. I believe the fee was introduced as a necessary evil, if one can call it that, so that people had to pay something to show they had a legitimate reason to object, even though it might have been a minor objection. It is not the sort of fee that would cause real hardship to anyone in the community today, because $1 today is really worth about 20c. I oppose the clause, because the fee is desirable and should be included. I therefore ask the Minister whether he is willing to retain the fee.

The Hon. G. R. BROOMHILL: I seek to delete the fee for good reason. The $2 fee was never intended to restrict frivolous objections coming before council. In 1972 (I think it was) it would certainly not have acted as a deterrent to people lodging objections: it was never intended to be a deterrent.

Dr. Eastick: Who inserted it?

The Hon. G. R. BROOMHILL: It was inserted as a result of a conference between the Houses: it was not a Government proposal at the time.

Dr. Eastick: But the Government accepted it.

The Hon. G. R. BROOMHILL: It was never intended that the fee act as a deterrent. It was argued by some members that councils, having received objections, were required to take action that was likely to be costly. The fee was designed to help councils recover some of their costs of advertisements and other bookwork involved. It seems clear that the provision of a fee to meet this objective does not warrant the time spent by council officers in issuing receipts and informing applicants of objections. It seems to me we are requiring people to pay a contribution for the purpose of doing something that is merely their right in our community. They should not have to pay for doing something that is provided in the laws of this State. For that reason I believe we should not prevent people from lodging objections by charging a fee.

The member for Glenelg indicated that even pensioners could find $2 to lodge objections. That could well be the case, but I ask the Committee to reject the $2 fee because it is not serving, nor is it likely to serve, any useful purpose other than to provide a way of offsetting costs for providing a service that people should get from councils, anyway.

Dr. EASTICK: The fee was inserted for a real purpose. The Government was trying to off-load to councils a potentially considerable volume of work that would directly be charged to ratepayers in providing details and information that the council had to distribute in the event of an appeal being lodged. It was considered that the fee should be less than $2. In other quarters, however, it was considered that the fee was too low. After the matter had been discussed and considered in Committee, it was agreed that the local government should not have to outlay any money, especially where that cost would be caused by frivolous actions. A distinct opportunity existed for groups or individuals to lodge frivolous appeals, so the fee was inserted as a deterrent and a recompense to council.

When the fee was inserted I believed such action was justified. I am now just as convinced that it is necessary as far as councils are concerned. It would serve no useful purpose to eliminate the fee, so I ask the Minister to reconsider his position and to forget for a moment that we are interested only in aspects of the Planning and Development Act and recognise that we are helping local government, which needs all the financial help it can get. The cost involved in processing an appeal are a potential drain on council funds. The Minister would do well to reconsider his position and not delete the fee.

Mr. PAYNE: I support the clause and oppose continuing the fee, because it is a fee and nothing else. On three recent occasions constituents in my district have approached me seeking to lodge objections in the form of an appeal against their own councils. Each of those persons referred to the principle involved and, in effect, said they did not ask that anything occur in the area; they did not originate the action, they paid their rates, and yet they were asked to pay a fee to express their opinion about something that would affect them. It is all very well to suggest that councils are in dire straits financially. The Minister has said that $2 would not cover the costs involved. Pensioners in my district do not find it easy to pay $2 in the circumstances that I have explained.

Mr. GUNN: I support the Leader. Many frivolous appeals are lodged with councils.

Mr. Payne: You must have some funny people in your area.

Mr. GUNN: If no persons other than ratepayers were involved, that would be a different matter. Many other groups having no relationship with the area lodge objections for peculiar reasons. I would not oppose providing one fee for non-ratepayers and adopting a different attitude to ratepayers. Councils are far more competent than the State Planning Authority in fulfilling many functions under the Planning and Development Act.

Mr. EVANS moved:

To strike out paragraph (*a*).

The Committee divided on the amendment:

Ayes (17)—Messrs. Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Evans (teller), Gunn, McAnaney, Millhouse, Rodda, Russack, Tonkin, Venning, and Wardle.

Noes (21)—Messrs. Broomhill (teller) and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Jennings, Keneally, King, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, and Wright.

Pairs—Ayes—Messrs. Allen, Goldsworthy, and Mathwin. Noes—Messrs. Hudson, McRae, and Wells.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed.

Clause 17 passed.

Clause 18—"Where land is declared to be subject to interim development control."

Mr. WARDLE: Some councils have felt frustrated by the limitations of their powers. The Minister knows that two councils in my district have presented deputations to him about these limitations. Monarto is apparently involved in the delegation of authority by the State Planning Authority under this clause. What does the Minister mean by his reference to "particular kinds of applications" in his second reading explanation?

The Hon. G. R. BROOMHILL: I cannot say in detail what we may do in the Murray Bridge and Monarto area. However, one of the reasons why we sought interim development control was connected with developments such as those at Monarto, along the Murray River, and on Kangaroo Island. We can only provide for interim development control in total. In some large developments it is felt that, in the general community interest, control is necessary. Obviously it is necessary in the case of local developments that power should be delegated to councils. Therefore, we are interested in handing over control to councils, with the State Planning Authority simply retaining general power over development of significant parts of an area.

Mr. WARDLE: Will councils be consulted about the delegation of these powers?

The Hon. G. R. BROOMHILL: I do not know how the machinery will work. However, I shall be disappointed if councils are not consulted about the splitting up of interim control.

Clause passed.

Clauses 19 and 20 passed.

Clause 21—"Appeals under this Part."

Mr. EVANS: What is meant by "*mutatis mutandis*"? How does this expression relate to the City of Adelaide Development Committee? Will the Planning Appeal Board consider appeals against decisions made by that committee?

The Hon. G. R. BROOMHILL: The committee is referred to in the principal Act. Some doubt has been expressed whether appeals against decisions of the committee should follow the same pattern as is followed by other appeals. Clause 21 is designed to see that this happens. I understand that the expression "*mutatis mutandis*" means "with the same attention to detail". Therefore, the rules and other machinery matters applying to other appeals to be dealt with will also apply to appeals against decisions of this committee.

Mr. COUMBE: The City of Adelaide Development Committee has rejected applications involving large projects, such as development at the Adelaide Children's Hospital. Recently, this committee was the subject of another Bill, which extended its term of operation. Clause 29 of this Bill inserts new section 82 (3), which provides that "planning authority" means "the City of Adelaide Development Committee". Are we providing that appeals against decisions of this committee will be dealt with in the same way as other appeals are dealt with under this legislation? Part VA of the principal Act refers to this committee, and deals with interim development control in the city of Adelaide. I seek an assurance that appeals against the decision of the committee will be dealt with in the same way as other appeals are dealt with.

The Hon. G. R. BROOMHILL: The situation is as I outlined earlier.

Mr. COUMBE: Then is the reference in clause 29 designed to clarify the position?

Clause passed.

Clauses 22 and 23 passed.

Clause 24—"Land within the hills face zone."

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

(4a) This section shall not apply to a plan of resubdivision that purports to create a number of allotments from land that is already subdivided into an equal or greater number of allotments.

The purpose of my amendment is to allow a variation in boundaries of allotments that already exist in the hills face zone, without creating more allotments. This will give an opportunity for the creation of better allotments if the owner so wishes or if it is necessary to do so to improve the environment.

The Hon. G. R. BROOMHILL: Having considered the amendment, I accept it,

Amendment carried; clause as amended passed.

Clause 25 passed.

New clause 25a—"Transfer of rights."

Mr. EVANS: I move to insert the following new clause:

25a. The following section is enacted and inserted in the principal Act after section 59:

59a. Where a person has applied for approval of a plan of subdivision or resubdivision under this Part he may, by instrument in writing, transfer his interest in the application to some other person and that other person shall then be subrogated to the rights of the original applicant in respect of the application.

My amendment clarifies an area in which doubts have arisen. I think the Minister intended to deal with this matter in legislation yet to be introduced. My amendment will help the decision-making process.

The Hon. G. R. BROOMHILL: We had been looking at this matter. It would have come up later in connection with subdivisional aspects. I accept the amendment.

New clause inserted.

Clauses 26 and 27 passed.

Clause 28—"Penalty for continuing offences."

Mr. COUMBE: Why have the penalties in section 80 of the principal Act been doubled?

The Hon. G. R. BROOMHILL: The penalties have been increased to bring them into line with current money values. I stress that the penalties relate to continuing offences.

Clause passed.

Clause 29—"Law governing proceedings under this Act."

Mr. COUMBE: Can the Minister elucidate the point I made earlier about the City of Adelaide Development Committee?

The Hon. G. R. BROOMHILL: We have included the City of Adelaide Development Committee in new section 82 because that committee is a recognised planning authority for the purposes of the provision.

Mr. COUMBE: Can the Minister give further information on new section 82 (3) (*e*)? What type of person or body does the Minister have in mind?

The Hon. G. R. BROOMHILL: Paragraph (*e*) was included to avoid in future the need for the sort of amendment we require in this case; the City of Adelaide Development Committee has appeared on the scene as an additional planning body. We are trying to avoid unnecessary amendments to the legislation.

Clause passed.

Clause 24—"Land within the hills face zone"—reconsidered.

Mr. CHAPMAN: I move:

In new section 45b (1), after "within", to insert "a prescribed part of"; and to strike out subsections (2) and (3) and insert the following new subsection:

(2) The Governor may, by regulation, provide any part of the hills face zone as a part of the hills face zone to which this section shall apply.

This matter has been canvassed previously, when I referred to the part of the hills face zone at the southern end of the Adelaide Hills extending to Sellick Hill. An area on the western side of the range should be used for housing development, at least on the lower hills part of it. This would make good use of an area, allow the sort of development that would be desirable, and relieve pressure on recent development south of Christies Beach. By developing an area, we could make it just as attractive as by leaving it undeveloped. I illustrate this argument by referring to the concentrated development in the Barossa Valley that has beautified an area that otherwise would be relatively unattractive. The area to which I refer is reasonably adjacent to the metropolitan centre, and is available for the development I have suggested.

Mr. McANANEY: I support these amendments, although I realise that many areas of the hills face zone should not be built on. However, the area to which the honourable member has referred could be used for such development, despite opposition from people who, whilst doing what they want to do, will not allow someone else to do something that will benefit many people. It amazes me how illogical some people can be. I support the amendments, because they are a positive step. We must have a definite plan to beautify areas, and equally we must have the right in some cases to say that areas shall remain the way they are. I strongly support the member for Alexandra and congratulate him on his foresight and commonsense attitude.

Mr. DEAN BROWN: I oppose the amendments. I believe we are taking a negative attitude if we adopt it, because we are setting out in this clause of the Bill to say that development of the hills face zone shall not proceed except in certain circumstances. However, the member for Alexandra is saying the reverse, and I believe that is contrary to our planning concepts. It will be a retrograde step if we twist the provisions of this Bill so that the development of the hills face zone shall proceed unless there are exceptional circumstances. I therefore strongly oppose the amendments.

Mr. RODDA: I commend the member for Alexandra for his farsightedness and perspicacity in moving these positive amendments, which I support.

The Hon. G. R. BROOMHILL: I strongly oppose the amendments. I am shocked that any member would move such amendments, let alone support them. The honourable member's amendments are completely contrary not only to what is intended by the spirit of the clause but also to section 45b of the principal Act, which is to be struck out in order to insert the provision contained in the Bill. Section 45b provided a safeguard that any block to be subdivided in the hills face zone had to be of a minimum size of about 4 ha, with a minimum frontage of about 91 m. Under the amendments, a future Governor of this State, perhaps when a Liberal Government is in office, may prescribe that certain areas of the hills face zone can be subdivided into allotments.

The Hon. L. J. King: That would depend on which faction of the Liberals got the upper hand.

The Hon. G. R. BROOMHILL: *I am* surprised members opposite would want to put these amendments on our Statutes.

Mr. Goldsworthy: No, you're shocked.

The Hon. G. R. BROOMHILL: I shall be surprised if the member for Kavel has the guts to say what he thinks about the matter.

Mr. CHAPMAN: I am indeed surprised that the Minister, in declaring his opposition to the amendments, has gone so far as to refer to a future Liberal Government or to say that he will be surprised if the member for Kavel has the guts to say what he thinks about the matter. If there is anyone here who has something to fear it is the Minister, from the reports that are emerging from his area.

The CHAIRMAN: Order! I ask the honourable member to confine his remarks to the amendment.

Mr. CHAPMAN: I will certainly do that but, without dwelling on the Minister's comments unnecessarily or unfairly, I understand that Dr. Rogers is right on the Minister's hammer, so his allegations and accusations may be ill-founded on this occasion. I support planning development in a proper way, and the amendments would do that. There is no reason why areas that it is desirable to preserve should not be preserved, but there is no need to fear what the Minister has referred to as destruction of the areas. Other members, including the member for Kavel, who represents an area that has been developed, will support the amendments.

The CHAIRMAN : Order! The honourable member for Kavel is not mentioned in the amendments.

Mr. CHAPMAN: I am sure that, in his comments, he will mention the desirable part of the amendments. He is the only representative of a district that has made the best use of its area. The Barossa Valley has been developed with beautiful vineyards extending from the hills to the roadside, and the Willunga plains may even be a slightly better grapegrowing area than the Barossa Valley. We do not have to go far into the foothills to find where nine-tenths of Australia's almonds are produced.

Mr. EVANS: I do not support the amendments. The Minister and the Government, by the provisions of clause 24, have provided for what the member for Alexandra is seeking to do. Surely the Director must be the first person to be convinced in the departmental chain. I accept the concern expressed by the member for Alexandra, but I do not believe that he has read the Bill. I know that probably the best nuts in Australia are produced in his district, but I think the Bill covers his concern.

Mr. GOLDSWORTHY: It seems a tenuous suggestion to tie housing in the hills face zone in with growing vines on the roadside in the Barossa Valley, and I am still open to suggestions.

Mr. McANANEY: The amendments are little different from what the Minister wants to do. Under the amendments, the authority would have to survey the Hills, choose the areas that should be proclaimed, and leave the other areas. That survey should have been made a long time ago.

Mr. BLACKER: I support the amendments. If areas that are not of aesthetic value are available for productive purposes, why can they not be used for those purposes? The amendments serve a purpose, since they allow those areas to be used practically. However, the blanket approach of the Minister to the hills face zone is far more sweeping. To try to get areas exempted through the normal channels would be most difficult.

Amendments negatived; clause passed.

Title passed.

Bill read a third time and passed.

WARDANG ISLAND

Adjourned debate on motion of the Hon. L. J. King:

That this House resolve that pursuant to section 16 (1) of the Aboriginal Lands Trust Act, 1966-1973, a recommendation be made to the Governor that sections, 326, 691 and 692 north out of hundreds, county of Fergusson, known as Wardang Island, subject to rights of way acquired by the Commonwealth of Australia over the above land as appears in *Commonwealth Gazettes* dated November 12, 1959, at page 4002 and April 27, 1967, at page 2088, vide notification in Lands Titles Office dockets numbered 3041 of 1959 and 2528 of 1964, be vested in the Aboriginal Lands Trust; and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

(Continued from February 19. Page 2447.)

Mr. GOLDSWORTHY (Kavel): I support the motion. During the past few years, Wardang Island seems to have been surrounded by much controversy. In October, 1972, the island was apparently deserted. In November, 1972, State Cabinet approved a grant of $23 000 for its development. In August, 1973, the Premier sounded off in the House about a decision by a previous Government to grant a lease to Wardang Island. A newspaper headline on January 19, 1974, states "Business booms at Wardang: Aborigines doing well". Another report is headed "Wardang won't work, says Cavanagh". The Commonwealth Minister for Aboriginal Affairs is reported as saying that there appeared to be a feeling of resentment by some Aborigines against the Aboriginal Lands Trust, which managed the island. He welcomed the interest of the National Aboriginal Congress in the Wardang Island issue. The Minister of Community Welfare was not impressed. The report states:

The Minister of Community Welfare said yesterday the Aboriginal Lands Trust was not a "white" body and was composed entirely of Aborigines. He said published criticism of the trust appeared to include misconceptions as to its constitution.

I take it that the Minister was there gently rebuking Senator Cavanagh, saying that the Senator did not know what he was talking about.

The Hon. L. J. King: That's very much the way I deal with you.

. Mr. GOLDSWORTHY: Perhaps the most interesting feature of the history of Wardang Island is that the original lease was given to Stephen Goldsworthy. I was almost encouraged to go back into the family history to find out about him, but I had too much work to do. The original lease was then renewed to Stephen Goldsworthy. People interested in Aborigines have played a prominent part in the history of the island. In 1887 a proclamation notice was published in the *Government Gazette* reserving the whole of the island for the use and benefit of the Aboriginal inhabitants of the province.

This motion seems valuable, for it will reserve the title of Wardang Island, preventing the island from being disposed of or used by some people who have an axe to grind; this could be a group of Aborigines or anyone else. I do not think that the motion is in conflict with the policy of the Commonwealth Liberal Party. By having the island vested in it, the Aboriginal Lands Trust will own the island, so this will prevent its disposal by some other group.

Dr. EASTICK (Leader of the Opposition): Recently, I was given the opportunity to look at Wardang Island. I acknowledge the courtesy shown by Mr. Evans of the Aboriginal Lands Trust and the two members of the trust with whom I discussed various aspects of the island. I refer to Mr. Garney Wilson, a member of the trust from its inception, and Mr. Les Buckskin, a member of the Point Pearce community who represents that area on the trust. I support the motion wholeheartedly. By the motion, we seek to ensure that the title of the island is in the hands of the trust, so that the island cannot in any circumstances be sold off by any Aboriginal group or council. With other sites, this island is vested in the trust.

The future plans of the Australian Government and South Australian Government for Wardang Island are uncertain. Major problems are associated with its development. This will no longer be a matter to be dealt with by the Aboriginal Lands Trust; the matter will have to be dealt with in another area altogether. I was told by the Chairman of the Point Pearce Community Council (Mr. Ned Milera) that Aborigines would like to occupy all the island, because it was part of the land that they had held. It is their wish to use the island, but much money will need to be spent for any worthwhile project to proceed, or for the project, which had been commenced by private enterprise before it was taken over, to proceed. I trust that the passing of such a motion, whether it concerns land at Wardang Island, Point Pearce, or Colebrook Home will be the commencement of a worthwhile rehabilitation programme for the Aboriginal race.

Mr. BOUNDY (Goyder): I support the motion, which recognises the traditional right that Aboriginal people have had to Wardang Island. In explaining the motion the Minister said:

The lease in 1861 contained a covenant giving Aboriginal inhabitants of the province and their descendants full and free right of ingress, egress, and regress, into, upon and over the island.

Members must realise that Aboriginal people have always been considered to be the rightful owners of this land. This motion is another step towards recognising the status of the Aboriginal and his right to the full title of his land. It could be said that this is another step towards the assimilation of Aboriginal people into full membership of the community, because the effect of this motion is that the Point Pearce Community Council will have control of this island and will determine its future. If this is a step towards the total assimilation of Aboriginal people into the community, it is necessary to remember that all people have a dependence on and for one another, and this concept applies to communities. The Point Pearce community depends on Port Victoria for its welfare. Tourism is the major enterprise in Port Victoria, which has always been complementary to Wardang Island and which has depended on its trade to continue effectively as a tourist and business centre. I hope the Point Pearce Community Council will develop Wardang Island as a tourist venture or, alternatively, that it will capitalise on money already spent by leasing tourist facilities to a private entrepreneur, always with the proviso that the unique nature of the area and the cultural significance of the island to Aboriginal people are promoted and preserved.

Motion carried.

ROAD TRAFFIC ACT AMENDMENT BILL (MAJOR ROADS)

Adjourned debate on second reading.

(Continued from March 18. Page 2968.)

Mr. COUMBE (Torrens): I support this Bill wholeheartedly, provided certain things are done. The principle that we are to adopt has my support, but we are now discussing the major and minor roads system to be introduced in South Australia as it is used, in part, in other parts of Australia. This is a revolutionary change for both pedestrians and drivers of motor vehicles, and I believe it will take a considerable time for each person to adapt himself to the new system, as we are now to see introduced "give way" lines, broken white lines, "stop" lines, and continuous white lines, in addition to new signs erected at the side of roads. It will be a considerable time before these markings and signs are provided throughout the State, in the metropolitan area, and even in the city of Adelaide.

At Walkerville near the Highways Department building, at the intersection of Church Terrace and Smith Street, any honourable member can see on the roadway an example of the markings that will be used. Smith Street, to be designated a major road, has broken dotted white lines on either side, but Church Terrace, which intersects Smith Street, has continuous heavy white lines on the driver's side at each side of that intersection. We must consider several matters seriously: first, the research aspect of the system and, secondly, the question of publicity and educating the public. Our new system of "stop" signs has caused some confusion, and many people have found difficulty in negotiating intersections at which "stop" signs require them to stop their vehicles. I have found it impossible to drive my car across Main North Road, Prospect Road and North-East Road at some times during the day, because of the volume of traffic travelling from my right and from my left. To proceed, I have to wait for a gap in traffic on my right, turn left, travel for a short distance, veer to the right, and then turn to the right at a side street before proceeding in the direction in which I originally wished to travel.

Many drivers of motor vehicles are not aware of the new law, and hesitate to give way to a motor vehicle, thus creating a situation in which accidents can occur. Occasionally, one has almost to break the law to avert a pile-up of cars. Many people are detouring from a busy road so as to avoid having to stop at a "stop" sign. These people are inclined to travel down quiet streets, sometimes past schools, to avoid "stop" signs. I have received several complaints in the last few weeks about this aspect. Whether this system will solve the problem, we will have to wait and see. This problem is being experienced in Victoria, too, and if it can be solved there perhaps we can learn from the Victorian experience. In replying to a question I asked last week, the Minister said that not all States have adopted this system. He indicated that some had adopted it, others having partially adopted it.

I understand that the national body has agreed to this system being implemented in all States. It is absolutely vital, in my view that, throughout Australia, we should have uniform road signs, road codes, and road traffic laws. A person familiar with driving conditions in his own State or area may expect the same conditions to apply in other States or other areas. That could cause utter confusion and a serious accident or fatality could result. Let us not fool ourselves: it will take some time to implement this new system of major and minor roads. The Highways Department will have to be judicious in selecting and marking priority roads. The Minister did not indicate in his- second reading explanation how the priority will be decided but I am sure that, with the Minister's usual-perspicacity, aplomb—

The Hon. G. T. Virgo: I've none of that.

Mr. COUMBE: —-and native cunning he will solve this problem. We must consider road safety, and the public must be educated and made aware of the roads that will be declared in the first instance. A member of the public may. not be aware (he may come from a far-flung area) that a certain suburban or city street has been designated a major, road and is controlled by signs. As the Minister's second reading explanation is rather ambiguous, I will ask him later to reply to one or two matters that I will raise shortly. In this State we have become accustomed to "give way" signs. This Bill will not do away completely with the give way to the right rule, although the Bill provides that priority roads will have precedence in certain circumstances and there will still be an obligation on motorists to give way to the right in certain circumstances.

If members read the Bill carefully, they will see that, if a person on the right is held by a sign or line, anyone approaching does not give way to that person on the right. As that may sound a little confusing, I will refer to what the Minister said in introducing the Bill. Clause 3 provides that a driver coming to a "stop" sign, "give way" sign, "stop" line or "give way" line shall give way to all vehicles in the intersection, with one exception, which relates to a driver turning to the right at an intersection or junction. That driver must give way to oncoming traffic unless he is on a major road and the oncoming traffic is on a minor road. In other words, he must give way to all vehicles at the intersection, no matter which way they are travelling. However, a driver who is not governed by any such sign or line shall give way to his right unless the vehicle on his right is required by a sign or line to give way. I am trying to explain this matter lucidly because, unless members of the public are educated by a good campaign, they will be in trouble. Most people will observe the new laws, but a person who does not understand them can cause an accident.

Clause 4 removes any reference to right-hand turns at intersections and junctions. Clause 5 imposes obligations on a driver to stop his vehicle at a "stop" line. New subsection (3b) provides that the obligation to stop is not imposed where traffic lights are operating, or at a pedestrian crossing. For that reason, traffic lights will be even more important than they are now. Traffic lights-have solved many problems in the past, but people can get into all sorts of trouble when there is a plethora of traffic lights. I believe I live closer to Parliament House than does any other member, and it takes me six minutes to drive home, travelling through about 10 sets of traffic lights. Driving along O'Connell Street, North Adelaide, one can see the mess that can be encountered with traffic lights.

Mr. Payne: If traffic lights hadn't been installed, it would be a different story.

Mr. COUMBE: It takes me only six minutes when I have a clear run or when the traffic density is low. An interesting addition to the law is that in future a driver will be required to stop at an intersection where traffic lights have been installed but have failed to operate. I have known this to happen because of electrical fault, because the installations have been knocked down in an accident, or for some other reason. In those cases, traffic coming to the intersection is in difficulty and it is a hazard for drivers to get across the intersection. By this

provision, all vehicles will stop, regardless of the direction from which they come, but which vehicle will move off first?

I appreciate the Minister's giving me an advance copy of the Bill, but I regret that we must deal with amendments already. I ask how the Minister or his officers will decide which is to be a major road and which is to be a minor road. In many cases, it will be obvious but, when two major roads intersect, how will the department decide which is the priority road? I can give examples of such intersections, and I admit that most of them are controlled by traffic lights. At the Buckingham Arms Hotel corner, in my district, five streets converge. Two of them are major roads, being the continuation of the North-East Road and the Ring Route. The other roads involved are Main North Road, Fitzroy Terrace and LeFevre Terrace.

I refer now to roundabouts. The Minister has referred to them in his second reading explanation but I cannot find reference to them in the Bill. A roundabout has been provided at the intersection of Jerningham, Street and Stanley Street, North Adelaide, and one in Ward Street has been removed, traffic lights having been installed. When one is on a roundabout, one uses common sense and gives way to the right because not all roads nearby have "stop" signs and there are no traffic lights. The roundabout near the Britannia Hotel is an example of an intersection where confusion arises, and I am not sure which is the priority road there. Traffic lights may have to be installed at some of these places, although I foresee difficulties for ambulance and other emergency services.

I support the system that is being introduced. It had to come sooner or later. Whilst Australians have been accustomed to the give way to the right rule, a controversy has been raging about the roads system. Many of us have seen vehicles being driven on the left side of the road overseas and we have seen priority roads in operation. It is important that we make the system operate properly: a half-baked scheme would be worse than having no scheme at all. I should appreciate the Minister's explaining the programming, how he will identify major and minor roads, and the procedure that will be adopted at roundabouts.

Mr. BECKER (Hanson): I support the Bill. The member for Torrens has covered the matter adequately, and we on this side recognise the need for the priority system and for conformity throughout Australia. I was fortunate enough to see a trial scheme in operation in Sydney, and I think Victoria is taking similar action. The Minister will be criticised initially and it will take time and patience before motorists will be able to use the new system. However, it will benefit them. The whole matter boils down to recognition of our major arterial roads. I do not think anyone wants the city to be carved up with freeways, and why should we not use the best engineering brains in the Highways Department and the best technology available to adopt, Australia-wide, a system that will save us from having huge concrete corridors? In his second reading explanation, the Minister stated:

> Whilst the Bill imposes a clear and stringent obligation on a driver on a minor road to give way to a vehicle on a major road, it cannot be emphasised too carefully that the driver on the major road is still obliged, by virtue of sections 45, 45a and 46 of the principal Act, to drive carefully and with due consideration for other persons on the road.

This is the crux of the reason for introducing the Bill. We need to get more courtesy on our highways, and our road traffic experts have had to consider aspects of the road rules because a few motorists have lacked consideration for the majority of road users. After proper research has been done and the major and minor roads have been announced, we should undertake a campaign designed to produce courtesy and common sense on the road. For some time, the impatience of drivers has contributed to a lack of courtesy on the road. Throughout this country, motoring is becoming complicated. Traffic laws are being constantly changed, with new signs of various types and new road markings being introduced. More and more vehicles of all types are being used.

It is important that the right type of paint be used for road markings, with consideration being given to the amount of wear and tear those markings will receive, especially having regard to weather conditions in certain areas of the State. Motorists will have to be more careful than they have ever been before. The member for Torrens has referred to the matter of which roads in an area should be major roads and which roads should be minor roads. All members will receive complaints about the various declarations of roads. However, motorists should heed the various warnings that are given. Above all, they should exercise common sense and be patient during the period in which the new system is introduced, thus giving it a chance to work.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Interpretation."

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

> In the definition of "give way line", in paragraph (*a*), to strike out "broken white" and, after "marked", to insert "in the prescribed manner".

The purpose of the amendment is to provide more latitude in implementing the major and minor roads system. As I have indicated, it will be necessary to mark clearly the major and minor road junctions, so that motorists about to enter a major road will know, without any misgivings, that it is a major road. Similarly, a motorist travelling along a major road will know at a road junction that he is about to pass a minor road. To achieve this, it is absolutely essential that the road markings should be clear and distinctive.

Although a broken white line may be distinctive, I am not sure that this will be the most desirable marking, as a pedestrian crossing is now marked with two broken white lines. As a result of the amendment, the Road Traffic Board will be able freely to research the matter with its counterparts in other States, and we will, hopefully, achieve uniform markings. I understand that in Victoria a double white line is used, but there is some doubt about the use of this marking. The amendment will allow the greatest possible latitude while we try to determine a marking, which can then be designated by regulation.

Mr. COUMBE: I support the amendment. I have already referred to some of the problems being faced in Victoria. Much research must be undertaken in this area, so that when a decision is made it is the right decision, and hopefully there will be uniformity. The amendment enables the marking to be determined following that research. Possibly the type of sign will be altered. Will the Minister explain how he intends to implement the new scheme? What type of education programme will be undertaken?

The Hon. G. T. VIRGO: I would not like what I will now say to be used against me later, because at this stage the matter has not been considered in detail. However,

I make clear that I regard an introductory campaign as being of the greatest importance. We had an introductory campaign before the function of a "stop" sign was changed. We will also undertake such a campaign relating to the major and minor roads system, but I expect that this campaign will be of greater magnitude and cover a much wider field. The major and minor roads system will be introduced gradually, whereas the "stop" sign change was achieved overnight. I will look to the Road Safety Council to mount the necessary campaign, as I believe it can do the job well. I would hope that the first implementation of major roads and minor roads will operate within five or six weeks; at any rate, as soon as the details have been worked out. Obviously, we will be starting with the clearways.

Of course, problems will arise; the intersection at the Buckingham Arms Hotel is a classic case. This kind of problem can be solved by the judicious use of. traffic lights, "stop" signs, or "give way" signs. Decisions will have to be made as to which roads are major and which are minor, which roads should have a "stop" sign, and which roads should provide a straight run for traffic. I expect that initially there will be complaints about some decisions. At present, if people complain about a dangerous intersection, the matter is referred to the Road Traffic Board and, after investigation, the board's experts recommend that there ought to be a "stop" sign in a certain location. The decision as to which road will be a major road- and which road will be a minor road will be made along these lines.

Dr. EASTICK (Leader of the Opposition): It would be far better to delay the commencement of the programme to ensure that it is properly understood and properly promoted, so that it is effective from the outset. I believe that I speak for all my colleagues when I say that it would be disastrous if the programme was commenced at a time when all conditions necessary for best results could not be met. It will not be held against the Minister if he finds it necessary to delay the commencement date of the programme so that it can be properly implemented and promoted, but it will certainly be held against him if disasters and problems occur as a result of the unduly hasty introduction of the programme. The Opposition will be co-operative wherever possible.

Mr. BECKER: Can the Minister say whether there will be a meeting of the Australian Transport Advisory Council to consider which type of standard marking should be adopted throughout Australia? We should ensure that there will be no confusion when motorists from other States come to South Australia.

The Hon. G. T. VIRGO: It is not intended to hold a meeting of the council for that purpose. The next meeting is due to be held in the second week in July in Perth. These matters are covered by what is called the national code. So, one would expect that we could simply go to the textbook and do what is provided there. Unfortunately, some States do not obey what is in the textbook: they do what suits them. For example, although the council agreed unanimously that there should be a maximum speed limit of 110 km/h throughout Australia, only three States have observed that agreement, while the others have done what suits them. I believe that uniformity is important.

Amendment carried; clause as amended passed.

Clause 3—"Giving way at intersections and junctions."

The Hon. G. T. VIRGO: I move to insert the following paragraph:

(*e*) by striking out subsection (4) and inserting in lieu thereof the following subsections:

(4) This section does not apply in. relation to an intersection, or junction at which traffic is being controlled by a member of the Police Force, or some other person authorised by law to control traffic.

(4a) Subsections (1) and (2) of this section do not apply in relation to an intersection or junction at which traffic lights are operating.

As the member for Torrens said earlier, it is very difficult to cover all aspects of the matter. New subsections (4) and (4a) make the situation clearer.

Amendment carried.

Mr. COUMBE: Earlier today I referred to the problem of a driver coming to an intersection or junction controlled by a "stop" sign and being unable to get on to a certain road because at present he has to give way to traffic on his left and on his right. The same kind of situation could occur in the future where a minor road meets a major road. Is there any way of solving this problem under the new legislation? Minor roads that were once quiet side streets are being used more frequently by people who wish to avoid "stop" signs, but this practice is unsafe.

The Hon. G. T. VIRGO: There is no doubt that the effect of the new legislation will be, in reasonably busy periods, to channel vehicles into controlled intersections. So, if the honourable member wanted to get on to the Main North Road, he would have to wind his way through to the most suitable set of traffic lights. If this practice is undesirable, we will have to allow vehicles to interrupt a steady flow of traffic on the main roads, thus creating serious dangers. Suburban streets may have to carry heavy traffic, but that is a price we will have to pay.

Mr. COUMBE: This matter requires much research. What is to happen at roundabouts, at which the present custom is to give way to traffic on the right?

Dr. TONKIN: South Australian drivers will have to develop a habit of courtesy to a high degree, and more traffic control will be necessary. Does the Minister expect that, as a result of this new system, the system of road closures now being introduced in Unley and to apply to Rose Park and Toorak Gardens will be continued?

The Hon. G. T. VIRGO: Again I hope the things that I say will not be taken down and used in evidence against me, because roundabouts and road closures are matters on which the Road Traffic Board will have to advise me. I have seen roundabouts operating in the London area, and I suspect that there would be a lower accident rate there than in Adelaide. The system we are introducing may cause more road closures than we expect. I cite the road from Heathrow Airport to the city of London as an example: many streets are closed at their junction with this road.

Clause as amended passed.

Remaining clauses (4 to 6) and title passed.

Bill read a third time and passed.

STATUTES AMENDMENT (JUDGES' SALARIES) BILL

Returned from the Legislative Council without amendment.

STATUTES AMENDMENT (PUBLIC SALARIES) BILL

Returned from the Legislative Council without amendment.

MANUFACTURERS WARRANTIES BILL

Returned from the Legislative Council with amendments.

VERTEBRATE PESTS BILL

Adjourned debate on second reading.

(Continued from March 11. Page 2778.)

Mr. ALLEN (Frome): I support the Bill, which sets up an authority to be known as the Vertebrate Pests Control Authority. However, I should like to protest about the speed with which this Bill is being put through the House. This Bill, which is of concern to many people in the outer areas of South Australia, was introduced on Tuesday of last week, thus giving the member for Eyre and me little time in which to communicate with the people the Bill so vitally affects. I posted a copy of the Minister's second reading explanation to a member of the Vermin Control Board. On receiving that explanation, he told me it was the first indication he had had that the authority was to be set up. It was a complete surprise to him. I understand that councils have had the Bill for some time so that they could investigate it.

The time factor involved has not given us sufficient time in which to communicate with people concerned with the measure. I believe this is our role in this place, and. we should tell such people when Bills of this nature are to be debated. In previous years we have finished the session by considering legislation by exhaustion; this year, however, we are finishing with legislation by speed. This Bill repeals the Vermin Act, 1931-1967, an Act that comprises 98 pages and 275 clauses. It also repeals the Wild Dogs Act, 1931-1970, which deals with wild dogs in the northern parts of the State. The Bill also amends the Statute Law Revision Acts of 1935 and 1936; the Loans for Fencing and Water Piping Act, 1938-1973; and the Statutes Amendments (Dog Fence and Vermin) Act, 1964.

The Bill therefore covers a wide range and will simplify operations in that regard. In explaining the Bill, the Minister said that it was intended to provide a more effective scheme for the control of vermin, referred to as vertebrate pests, and also a modern legislative expression of that purpose. It certainly is a modern legislative expression, because "vertebrate" is not used commonly and is a difficult word to remember and to pronounce. The Oxford dictionary defines as "vertebrate" animals having a spinal column or notochord. I have checked with the member for Bragg, and he informs me that these days the term "notochord" is not often used by the medical profession. That term is defined as being a simple cellular rod foreshadowing the spinal column including mammals, birds, reptiles, amphibians and fish.

It can be seen that the Bill covers a wide range of pests that were never covered by the old Vermin Act. I foresee that this legislation will be referred to as the Pests Act for short. Pests will be declared by proclamation from time to time. I hope that, when the authority sees fit to declare pests by proclamation, it will consider declaring wild cats as pests, because they are causing problems at present. Landholders usually kill foxes because they are instrumental in killing lambs, but they take no notice of wild cats. I maintain that wild cats are responsible for the destruction of many of our native birds. Many people, instead of destroying cats, take them into the country and turn them loose in open spaces. The cats, which live for years in rabbit warrens, kill native birds for food. This is one matter the authority must consider.

The authority will also administer the Dingo Control Fund, which was previously administered under the provisions of the Wild Dogs Act. The authority has wide powers and can conduct research as well as control, maintain records of the numbers of pests and the distribution of pests. The authority can, in addition, fix bounties on dingo scalps and strike rates and collect revenue. Landholders in the North have expressed concern that the previous Act was called the Wild Dogs Act and that this Bill refers to wild dogs as being dingoes. However, the definition of "dingo" refers to any cross with a dingo. People in the North commonly refer to pure-bred dingoes. Some people believe that the pure-bred dingo is a native of Australia, whereas others claim that it was introduced in the early days. The dingo has cross bred with every other breed of dog in the North, so that we have wild dogs of all colours and sizes. The Bill refers to a wild dog as being any cross with a dingo, so I believe that matter is covered by the Bill.

The Bill provides that the Treasurer shall pay an equal subsidy on the rates collected in respect of dingoes. The rate is to apply to all areas over 10 square kilometres and will not exceed 10c for each square kilometre. A minimum rate will also apply because collection costs are high. If a person owns a property of about 10 square kilometres and receives the maximum rate, he will receive $1, and that will be about how much it would cost him to send out a notice to recover that amount. Members of the authority are to be the Director of Lands (who will be Chairman), a vermin control officer from the Lands Department, a representative from the Environment and Conservation Department and four other members, no fewer than three of whom will be landholders or occupiers. These personnel will be appointed by the Governor.

If councils wish, they may appoint a local officer to deal with vertebrate pests or they may co-operate with other councils and set up a vertebrate pests board. I foresee that a vertebrate pests officer will also be the weeds officer at present employed by some councils. It is not unusual for about four councils to employ a weeds officer, and it would be easy for that officer to inspect vertebrate pests as he travels around in various council areas. The authority will also pay a 50 per cent subsidy towards the salary of the pests officer.

The authority is given wide powers. Landholders will be responsible for half the roads or drains, as they are under the Weeds Act. Councils can give only one notice to landholders regarding pests and, if no results are obtained, the councils must then pass the report on to the authority, which will prosecute if necessary. There is merit in this because over the years enforcement of the old Vermin Act was difficult. Often a district council, comprising members living in the area, would have to serve a notice on the neighbour of a council member. Sometimes it is embarrassing to have to prosecute a neighbour in relation to vermin, weeds or anything of that kind.

Councils may declare a special rate or take money out of revenue without the consent of the ratepayers. I have received no suggestions or complaints from any council about the measure, and I understand they have known about it for several months. Apparently they are satisfied with it. Further, I have not received submissions from the Local Government Association. As I see it, most of the authority's work will be outside council boundaries. As member's know, there are pests, especially rabbits, in the outer areas of the State. Many rabbits have been killed by hot weather and myxomatosis, but next year rabbit numbers could increase. There may be objections to. the Bill, but the shortage of time in which to research the matter has been a problem.

Mr. GOLDSWORTHY (Kavel): I, like the member for Frome, have been trying to find out the opinions of councils on the Bill, but they do not seem to know much about it.

Mr. Venning: How could they?

Mr. GOLDSWORTHY: That is a good question. Councils have been absorbed in considering other local government legislation and most of them have breathed a sigh of relief, thinking that they are out of the woods. However, this Bill has been introduced now and the Government has not consulted them about it. The councils won one battle, but minor skirmishes are going on all the time. Today I telephoned the Local Government Association, which apparently will meet tomorrow morning to consider the Bill, but it will be too late then for it to communicate with us.

The major vertebrate pest has been the rabbit, but rabbit numbers have decreased because of the effect of myxomatosis. Despite that, numbers are increasing in some areas and doubtless that will revive interest in this legislation. One council in my district that has examined the Bill is not pleased about some aspects. I welcome the provisions of clause 14 (1), but subclause (2) gives a way out for the Crown. If the people next door are not doing the job, the Crown will not be concerned in the matter. Most of the present trouble with weeds—

The Hon. J. D. Corcoran: We're not dealing with weeds.

Mr. GOLDSWORTHY: I am making a comparison. The problem in my district is that the Crown will not do the job. There is much Government forestry in the Hills part of my district, and the worst infestations of African daisy are in the newly acquired forest land that has been prepared for planting. The Gumeracha council is trying to enforce the law, but a farce is made of law enforcement when the Crown is not the slightest bit interested in looking after its property. It is interesting to note that the Crown can act to control vertebrate pests but that by clause 15 the authority clearly will be under the Minister's thumb. If cost will be involved, the Minister can tell the authority to lay off.

Mr. McAnaney: He used to do that under the Weeds Act.

Mr. GOLDSWORTHY: Yes. If something does not suit the Minister, he can say, "This is the way it will be." It seems to me that the Government has set up an authority that does not have much authority. Under clause 35, there is an obligation on the council to appoint an officer, whereas there is not an obligation on the authority. It may appoint an officer, but it is not required to. The officer of the council will have no power to enforce an order that he serves on a landowner and must go to the State officer. The council shall appoint an authorised officer, but all he can do is serve a notice on a landholder. To enforce that notice, an officer who may be appointed must be used. It seems to me that the priorities are a little back to front. Under clause 28, all that a local authorised officer may do is warn a person who he considers has not adequately complied with the provisions of subclause (1). Under subclause (4), a State authorised officer may, by notice, require a person to get rid of pests, and so on. Yet this is the officer that does not have to be appointed. Although the local council must appoint an officer, that officer has no power except to warn people. The State authority may appoint an officer; it is not compelled to do so. These provisions are completely farcical. If a State officer is not appointed, the Bill will not make sense. Perhaps in Committee something can be done to tidy up these provisions.

Clause 28 (7) provides that a Minister may, on application, confirm, vary or set aside a notice. Once again, the Minister is able to interfere with the process. The Bill seems to make the authority subservient to the Minister. If the authority says that a person must get rid of rabbits, the Minister can rescind that order. Too much power is vested in the Minister. Under clause 41, the authority may require the council to make inspections. The authority is authorised to enforce this action, and the council has no option but to make an inspection so required; it is not empowered to do anything else.

The Hon. J. D. Corcoran: They never want to.

Mr. GOLDSWORTHY: There are some things that the Minister has not done. This problem arises when one deals directly with a local council.

The Hon. J. D. Corcoran: Negotiations with councils have led to this.

Mr. GOLDSWORTHY: The fact is that some councils are willing to accept their responsibility. In cases where they are not willing to accept responsibility, the Minister is not willing to accept his responsibility.

The Hon. J. D. Corcoran: He will accept it; he has to answer to others.

Mr. GOLDSWORTHY: I can think of other Acts.

Dr. Eastick: Are you thinking of the Weeds Act?

Mr. GOLDSWORTHY: Yes, there is a second string to the bow. If councils do not do their job, the power resides in the Minister to see that they do their job. Perhaps the Minister is frightened to push people around. This is a buck-passing exercise. It is all very well for the Minister to say that councils do not do their job; it has been found that succeeding Ministers have not done the job.

The Hon. J. D. Corcoran: They haven't asked for this.

Mr. GOLDSWORTHY: The Local Government Association has not met to consider this Bill.

The Hon. J. D. Corcoran: They don't want it.

Mr. GOLDSWORTHY: I am putting the view of one of the few councils in my district that have studied the Bill. This, council is seriously concerned about the erosion of its powers.

Mr. Coumbe: Is Chain of Ponds in this council's area?

Mr. GOLDSWORTHY: In its area are Government lands that have many weeds.

The Hon. J. D. Corcoran: We're talking about vermin and not weeds.

Mr. GOLDSWORTHY: I am drawing a comparison. Not all councils are happy to hand over their powers. This Bill seeks to force councils into boards. If one council is not doing its job, the legislation ensures that it will be swallowed up in a board, pressure being brought by neighbouring councils to make sure that it does the job. Similar provisions are made in relation to weeds. The position is that the Minister will not do his job, seeing to it that councils assume their responsibility. Under clause 45, if the authority considers that a council is not adequately discharging its duties under the Act it can order that the job be done by the authority, with the council being charged for the work.

The Hon. J. D. Corcoran: Is that all right?

Mr. GOLDSWORTHY: I think it is better than the other provisions. I am sorry that the Minister is upset when I raise these points that have been raised by a

council which is interested in its responsibilities and which is frustrated from time to time by the operations of the Crown in its area. If the Minister says that councils do not want this power, let us wait until tomorrow when the Local Government Association will consider the matter. I hope the Government will listen to what the association decides at its meeting.

[*Midnight*]

Mr. GUNN (Eyre): I commend the member for Frome for his pertinent comments on this Bill. Many members have, not had the chance to receive replies from their constituents and councils concerning the provisions of this Bill. I accept the Minister's assurance that councils favour this legislation, but I know that some of its contents have caused concern. How is the Government to carry out some of the functions prescribed in the Bill, especially in relation to powers of inspectors? What action will the authority take in relation to the wombat problem? In parts of my district they are a real problem to landholders, because they damage the dog fence and do much other harm. I am concerned that powers will be taken from councils.

In my experience people have accepted their responsibility, and few landholders will allow vermin to destroy crops. Obviously, if the authority wants to assist with these problems there should be co-operation with landholders, and I hope that the Minister will be guided by the opinions of the Local Government Association and amend the Bill in another place, if necessary. Many councils have not had sufficient time to consider adequately the provisions of this Bill and, if the legislation does not operate efficiently, councils and other organisations should be allowed to make suggestions to the Government so that further amendments can be introduced.

Mr. RODDA (Victoria): Councils in my district have expressed concern about some aspects of this Bill, which replaces the Vermin Act, so that control of- vertebrate pests embraces the whole of the State. The provisions of clause 28 have caused some concern to a council in my district with regard to the duplication of the authority. There is a large trade in rabbits in this State, and I should like the Minister to clarify the provisions of clauses 30 and 31, because there is a possibility that they may be misinterpreted. Granting subsidies to councils, as provided for in clause 33, is a matter about which some councils have expressed concern, because of the wording of the clause. Despite the provisions contained in clause 44, I realise that there may be a, need in some council areas for a merging of two councils. However, as the matters to which I have referred have caused concern to councils, they have asked- me to draw the Minister's attention to them. I hope that the Minister will take note of the areas to which I have referred.

Bill read a second time.

In Committee.

Clauses 1 to 13 passed.

Clause 14—"Functions of the authority."

Mr. GOLDSWORTHY: Why is it considered necessary for the Crown not to have to eradicate pests on its property if its neighbours are not doing so?

The Hon. J. D. CORCORAN (Minister of Works): I do not fully understand the honourable member's question.

Mr. GOLDSWORTHY: I am referring to clause 14 (2).

Mr. Gunn: There's a contradiction.

The Hon. J. D. CORCORAN: I cannot see a contradiction. It is clear that the Crown will take action to eradicate vermin on land under its control. If a council is neglecting its duty the regional board can make the council comply.

Mr. GOLDSWORTHY: It is unsatisfactory that, if neighbours are not controlling pests, the Crown is relieved of its obligation. However, I will not pursue the matter.

Clause passed.

Clause 15—"Authority subject to general control and direction of the Minister."

Mr. GOLDSWORTHY: I cannot understand why this clause is included. Is it expected that the authority will not have any autonomy?

The Hon. J. D. CORCORAN: It is not an unusual provision.

Mr. Goldsworthy: I query it every time.

The Hon. J. D. CORCORAN: The honourable member can query it again, but it is included in Acts introduced not only by this Government but by other Governments, too.

Mr. ALLEN: I move to insert the following new subclause:

(2) Where the authority is exercising or discharging its powers, duties or functions under this Act in relation to lands that are lands within the meaning of the Pastoral Act, 1936-1974, the authority shall consult with, and have regard to the advice of the Pastoral Board constituted under that Act and the Dog Fence Board constituted under the Dog Fence Act, 1946-1969.

The amendment arises from submissions made to me by landowners in the North and representatives of the Stockowners Association who originally asked that the Chairman of the Pastoral Board be a member of the Vertebrate Pests Control Authority. However, it was pointed out that, if the Chairman of the Pastoral Board were on the authority, there would be four departmental officers on it and only three landowners. I understand it was not the Government's wish to have more departmental officers than landowners. It was suggested, therefore, that the Chairman of the Pastoral Board sit in at all meetings of the authority. Landowners and the Stockowners Association agreed to that, but it was believed that many hours could be spent discussing, say, starlings in the Adelaide Hills, a matter that would have no connection with matters concerning the Pastoral Board. The landowners considered that this matter should be provided for in the Bill so that the Pastoral Board and the Dog Fence Board would be referred to when matters that concerned them were discussed.

The Hon. J. D. CORCORAN: I cannot accept the amendment. Indeed, in explaining his amendment the honourable member defeated it by saying that representations had been made to him and that, after they had been considered, it was decided that it was undesirable to make it a statutory requirement but that the Chairman of the Pastoral Board could sit in at authority meetings. What would happen if there was a difference of opinion between the two boards? I have complete confidence in the authority and, although representations were made, there was no unanimity, so the provision was not included in the Bill. However, I believe the authority will consider and have due regard to matters concerning the Pastoral Board and the Dog Fence Board. If both those boards are to be represented, why should not the Chairman of the Land Board be a member, too? I understand what the honourable member is getting at, but I do not believe that the amendment is necessary.

Amendment negatived; claused passed.

Clauses 16 to 23 passed.

Clause 24—"State authorised officers."

Mr. GOLDSWORTHY: I move:

To strike out "may" and insert "shall".

I am not pleased about the provision that the authority may appoint an officer, when another clause provides that a council shall appoint an officer. It would be nonsensical if the authority did not have to appoint the officer. If there is not a State authorised officer, action cannot be taken, anyway.

The Hon. J. D. CORCORAN: My advice is that the honourable member need not worry about whether the authority will appoint the officer. That is what the authority is all about, but I do not want to get into an academic argument with him.

Amendment carried; clause as amended passed.

Clauses 25 to 27 passed.

Clause 28—"Owner or occupier of land to control vertebrate pests upon land."

Mr. GOLDSWORTHY: I wonder whether the power given in subclause (7) should reside in the Minister.

The Hon. J. D. CORCORAN: I do not think there is anything unusual about the power given to the Minister. Does the honourable member suggest that there is?

Mr. GOLDSWORTHY: Another clause provides that the authority must do what the Minister tells it to do.

The Hon. J. D. CORCORAN: I think the honourable member is being facetious. The look on his face confirms that.

Clause passed.

Clauses 29 and 30 passed.

Clause 31—"Offence to sell vertebrate pests."

Mr. RODDA: The point has been made to me that a big industry has been built around rabbits, and I ask whether rabbits will be covered by this clause.

The Hon. J. D. CORCORAN: I think the honourable member is referring to an important industry in the South-East in which people trap and kill rabbits. When the vertebrate is dead, it is not a pest, and there is nothing to prevent a person from selling it then.

Clause passed.

Clauses 32 to 40 passed.

Clause 41—"Notices to councils relating to inspections and certain information."

Mr. GOLDSWORTHY: A council can be forced to do the leg work, yet it really has no power. The Minister stated earlier that that was what the Bill was all about, and the Government did not want the council to do the dirty work.

The Hon. J. D. CORCORAN: The honourable member probably has explained the matter well. The authority can ask the council to do the leg work, and the power of prosecution that may follow is with the authority. Probably, sometimes this is distasteful to councils. It is probably far more effective and much easier for the authority to do it, even though the council co-operates in the matter; that is its whole purpose.

Clause passed.

Clauses 42 and 43 passed.

Clause 44—"Authority may recommend establishment of boards."

Mr. GOLDSWORTHY: This provision forces some councils to take under their wing a neighbouring council that is not willing to do its job. In the next clause, the authority is given power to take action in these matters, yet this provision forces councils into these pest control boards. I believe that the responsibility in this regard could well reside in the authority, as provided later in the Bill. At least one council in my district objects to this provision.

Clause passed.

Remaining clauses (45 to 52), schedules and title passed.

Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL (AMALGAMATIONS)

Returned from the Legislative Council with amendments.

CONTROL OF WATERS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

FENCES BILL

Adjourned debate on second reading.

(Continued from March 6. Page 2737.)

Mr. CHAPMAN (Alexandra): The Opposition accepts this Bill. Although the Minister, in his second reading explanation, describes clauses 1 to 4 as formal, clause 4 calls for comment, as it includes definitions of terms used in this legislation. Unlike the Act the Bill repeals, the new. legislation defines clearly the various terms. The definition of "cost" in relation to fencing work includes the cost of any survey that is reasonably required for the purposes of fencing work. It is essential that this definition be provided, because the cost of surveying a common boundary or dividing fence has been an area of dispute in the past. This definition also includes the cost of any work reasonably required to facilitate the performance of the fencing work.

In addition, where an adjoining owner has done, or intends to do, any of the work personally, the cost includes a reasonable allowance for his labour. That provision should clarify the situation in future, reducing the areas of dispute that have arisen in the past. The definition of "council" is fairly self-explanatory, referring to municipal and district councils, and local government authorities. "Court" in relation to any proceedings relating to a fence or fencing work is defined as the local court nearest to the location or intended location of the fence to which the proceedings relate. Therefore, the parties concerned may attend the most convenient court to settle matters of dispute that may arise in determining the costs of a fence. It is important to define this matter. The definition of "Crown lands" is self-explanatory, as is the definition of "dividing fence". The other definitions clearly outline what is meant by the terms used in the Bill.

Clause 5 deals with the notice of intention to perform fencing work. The previous legislation was fairly sketchy in this regard. A person intending to perform fencing work had to notify his neighbour of his intention, but the provisions regarding notification were not nearly as well laid down as they are in this Bill. The notice forms, which are set out in the schedule to the Bill, provide people wanting to perform fencing work with an easy method of complying with the legislation. In this way irregular practices will be prevented. Clause 5 (2) provides:

The notice must be in the Form No. 1 in the schedule to this Act and must state—

(*a*) the length and position of the proposed fence;
(*b*) the nature of the proposed fence;
(*c*) an estimate of the cost of the erection of the proposed fence;
(*d*) the amount that the proponent seeks to recover from the adjoining owner towards the cost of the proposed fence;

(*e*) where the proposed line of the fence encroaches into the land of the adjoining owner, whether the proponent proposes to pay compensation to the adjoining owner for loss of occupation, and, if so, the amount of that compensation;

(*f*) the name and address of any contractor or other person by whom the proposed fence is to be erected.

The notice must be forwarded by the person wanting to perform fencing work to his neighbour. Clause 5 further provides:

(3) Where the owner of any land proposes to perform any replacement, repair or maintenance work in relation to a fence dividing his land from the land of an adjoining owner, he may serve notice of that intention upon the adjoining owner.

(4) The notice must be in the Form No. 2 in the schedule to this Act and must state—

(*a*) the nature and location of the proposed work;

(*b*) the cost of the proposed work;

(*c*) the amount that the proponent seeks to recover from the adjoining owner towards the cost of the proposed work;

and

(*d*) the name and address of any contractor or other person by whom the proposed work is to be performed.

This Bill goes a long way toward providing easily understood procedures for people who want to fence the boundaries of their properties. Clause 6 provides for a cross-notice; that is, a counter-notice sent by the property owner who has been asked to contribute toward the cost of fencing work. Tt is fair and reasonable that an opportunity should be given to such a person to seek a compromise or to make a counter-proposal. Clause 6 (2) provides:

The cross-notice must be in the Form No. 3 in the schedule to this Act and—

(*a*) must state to which of the proposals the adjoining owner objects;

and

(*b*) may contain counter-proposals in relation to the proposed erection of a fence or the proposed performance of replacement, repair or maintenance work.

Where a person wanting to perform fencing work objects to a counter-proposal he may, within 21 days after the service of the counter-proposal, serve notice of his objection in writing upon the adjoining owners. Clause 6 (4) provides:

An objection may be made to a proposal or counter-proposal either because the objector obj:cts generally to the proposals or counter-proposals or because of some specific objection to the proposal or counter-proposal but it shall not be necessary to assign any reason for an objection in a notice under this Act.

So, both parties are protected. Clause 7, dealing with an agreement upon the basis of proposals and counter-proposals, provides:

Where a person to whom a proposal or counter-proposal has been made under this Act does not serve notice of his objection to the proposal or counter-proposal in accordance with this Act, he shall be deemed to have agreed to the proposal or counter-proposal.

Clause 8, dealing with the performance of fencing work, provides:

(1) Where notice of the proposed erection of a fence, or the proposed performance of replacement, repair or maintenance work in relation to a fence has been served in accordance with this Act, the proponent may proceed with the fencing work—

(a) after the expiration of 21 days from the date of service of the notice, if he is not served with a cross-notice during that period;

Clause 8 properly protects both parties. Clause 9 sets out the procedure that must be followed where a person wanting to perform fencing work does not know the identity or whereabouts of the adjoining owner.

The wording of clause 10 seems to be somewhat confusing. In relation to clause 11, where a property owner on one side of the road has chosen to fence his boundary and the owner on the other side, by using the fence or road grid, has not fenced his roadside boundary, if it can be claimed and upheld that the property owner without the fence on his side of the road is making use of the fence of his neighbour on the other side of the road he may be called on to make a contribution for its erection and maintenance. That is a fair and reasonable clause, and protects the interests of both parties. Clause 12 refers to the powers of the court and is reinforced by about 15 subclauses in explanation. However, these provisions do not alter the fact that the person who uses the court is usually on a winner, because the person who usually chooses to go to court has a significant head start on the person not able to go to court.

Reference to court proceedings can be frightening to those not in a financial position to settle the difference of opinion. Usually, when court action is threatened, the person in the financial position that prevents his going to court gives in because of the element of fear about the interrogation involved and the financial embarrassment. Perhaps we should include in our legislation some further protection for such a person. This clause also refers to the type of fence that will be acceptable for equal contribution by neighbours, and an adequate fence is defined. In rural communities, cyclone and one or two strands of barbed wire provide a standard fence, and it would be unreasonable for a property owner to claim from his neighbour half the cost of any fence that was not of similar standard.

Mr. Venning: What is the position regarding the high fence at the lion park near Two Wells?

Mr. CHAPMAN: This park has a high mesh-type fence in order to contain camels and other animals, and I should imagine that, within the terms of this Bill, if the proprietors were now negotiating with their neighbours to build a fence of that type, they could not reasonably uphold their case for the neighbours to pay half the cost of such a fence. It would be outrageous and would set a precedent if they were allowed to do so. It is my interpretation that the lion park proprietors could recover half the cost of a standard stock fence. That indicates that fences, over and above the prevailing standard, do not attract a 50-50 contribution from the neighbours concerned. Clause 13 deals with the jurisdiction of the court, and is a reasonable provision. I believe that metropolitan fencing projects and fencing programmes proposed for outer metropolitan, country areas and the outer fringes of country areas all come within the ambit of the $2 500 limit. Many cases involving common boundary fences and the maintenance of those fences would fall into that category. Accordingly, most members of the community who are property owners would have the right under this Bill to have disputes handled in a local court.

Occasions will arise where common boundary fences between rural properties will exceed the $2 500 limit but, when the limited number of disputes is considered, I do not believe there will be many problems in that regard. Clause 14 refers to that situation that exists between landlord and tenant, and another Opposition member will consider it. Clause 15 deals with contributions between life tenants and the remainderman. Clause 16 relates to damage or destruction of dividing fences, and is a realistic and proper approach to such urgent work. I can see no reason why there should be disputes in this regard, because provision

must be made for immediate repairs to common boundary fences, which applies especially to the rural community where the risk of boxing stock is ever present. The situation could arise on a stud stock property where it is important that such stock does not wander into a neighbour's property. If someone were to plough through a fence with a tractor (as the member for Eyre could do from time to time when cultivating his land late in the evening) he would have no right to ask his neighbour to contribute to the repair costs involved.

Section 18 deals with power of entry. I have always been concerned about a person's entering a property. This clause has been carefully phrased and provides reasonable access and entry to a party concerned directly with a neighbour's fence. I can see no reason why inspections relating to temporary or urgent repairs should not be done by vehicular entry on the property owner's own side of the fence. In this case I do not believe the powers of entry can be exploited by either or both parties. The only entry that will be tolerated in these circumstances is by parties directly involved in fence repair. Therefore, I believe there will be no infringement of ordinary entry courtesies. Clause 19 refers to the way notice is to be given, and this is an example of how carefully this Bill has been prepared.

Mr. Langley: Why don't you keep going for a little longer?

Mr. CHAPMAN: I could keep going for the benefit of the Government Whip if that is what he genuinely wishes but, in order to have recorded my various opinions and views, I have chosen to go through each clause carefully and to stick rigidly to the Bill. If I can be criticised for doing that, I will accept such criticism from the Chair, but I take no notice of the Government Whip.

Mr. Langley: Don't you think you're wasting the time of the House?

Mr. CHAPMAN: The honourable member may please himself what he thinks. I have been given the responsibility for this Bill, and it is not unreasonable to speak on it for about 25 minutes. The Bill involves neighbourly responsibilities. I hope that the Government Whip will take notice of the remarks that the member for Eyre—

The CHAIRMAN: Will the honourable member please get back to the Bill?

Mr. CHAPMAN: Clause 22, which deals with the clearing of scrub in certain areas, will be referred to by one of my colleagues. Concern has been expressed about the width of clearing on either side of a boundary fence. I am not concerned about this, because, whilst it may not be applicable in the metropolitan area, it is extremely important that rural property owners have a provision written into the legislation to allow them to clear for a reasonable distance on either side of a fence.

Fencing is an extremely expensive part of farming, and it is not unreasonable to retain the opportunity to have two metres of land cleared of flammable growth from the fencing line. I would accept an even greater distance. Whilst a distance of 2 m may be adequate in some cases, galvanising on fencing can be destroyed if scrub alongside catches alight and the fire jumps from one side of the fence line to the other. A distance of 2 m is an awkward distance because, unless the clearing is done before the fence is erected, it is difficult to take an implement down to cultivate a width of only 2 m. If the distance was about 3 m, a person could do the work comfortably with a wheel tractor or small bulldozer. This matter is important in areas where fences are subject to destruction.

Other clauses deal with departures from requirements of the Act, rules of court, and the fact that the Act is not to derogate from powers conferred by other legislation. I know that the member for Unley is getting more and more disturbed and I realise that he would not be the slightest bit interested in whether fencing costs were shared, or otherwise. I do not know whether he has ever built a fence or whether he would be tall enough to look over one. His sarcastic remarks show that he has little interest in the subject and I take his comments with a grain of salt. My constituents and the other people of South Australia want to have an Act that is easily understood. The Fences Act, 1924-1926, is outdated and cumbersome, and I welcome the amendments now being made.

Mr. Langley: What a nation-rocking speech!

Mr. CHAPMAN: I am not rocked by the remarks made by the member for Unley. I support the Bill and I do not intend to move any amendments to it.

Mrs. BYRNE (Tea Tree Gully): Despite the hour, I welcome this Bill and am pleased that the Opposition supports it in principle. I have been advocating the introduction of this legislation for some years, particularly in Address in Reply speeches. As the representative of a developing urban area where house building is continuing, I know that disputes about fencing are frequent. The present legislation is inadequate in some circumstances, especially as it came into operation in 1924.

Replacement, repair and maintenance of existing fences also cause arguments, and these matters are not defined in the present Act. Unfortunately, some disputes lead to consultations with solicitors, the receipt of letters from them, and even to redress being sought in the court. The effect of such actions is lasting and sometimes the animosity caused between neighbours is never overcome. Disputes occur between developers and landowners, and I suspect that some developers have bluffed landowners out of their rights. This Bill is necessary and, therefore, has my support. It seems to have been drafted well and I trust that it covers all the inadequacies of the previous legislation.

Mr. EVANS (Fisher): I am not as thrilled as some other members are about the Bill, and I am concerned about clause 7, which provides:

> Where a person to whom a proposal or counter-proposal has been made under this Act does not serve notice of his objection to the proposal or counter-proposal in accordance with this Act, he shall be deemed to have agreed to the proposal or counter-proposal.

I hope that the Attorney will deal with this matter when he replies to the debate. If a person does not object within 21 days, he is deemed to have agreed. An affluent property owner, realising that his neighbour is not affluent, can propose the erection of an elaborate boundary fence. This could happen in a rural or urban community. If a person waited until his neighbour went away for a month's holiday and then served a notice on the neighbour on the day after he went away, when the neighbour returned he would be deemed to have agreed to the proposal made. He would be able to appeal to the court in those circumstances, but he would have to take the initiative, so that he would immediately be on the defensive. People could exploit this possibility. I point out that in the rural community fences can involve sums of $10 000. In the urban community, substantial sums can be involved, with the person affected already having trouble meeting his mortgage payments. This is a serious weakness in the Bill.

We all know that arguments about fencing are common and cause ill feeling between neighbours, I do not know that the Bill goes far towards solving these problems. I am also a little concerned about the provision relating to the clearing of scrub up to a width of 1.8 metres on each side of the line of a fence or proposed fence. Whatever the area prescribed to be cleared, the landholder could remove large trees 30 m high and nearly 1.5 m in diameter. If native plants were involved, this could also cause problems in relation to the National Parks and Wildlife Act, which provides a penalty of $200 in the case of any person who destroys a tree, shrub or smaller plant on any property of which he is not the owner if he does not have the permission of the owner of the property to remove that plant. Is there a conflict between the provisions in these two pieces of legislation? Although I know there is a need to try to improve the position relating to fencing disputes, I am not greatly enthusiastic about this Bill.

Mr. DEAN BROWN (Davenport): I support the Bill. I wish to refer briefly to the matter of urban fences. During my two years in Parliament, I have found that fencing disputes are a common complaint, with people expecting their local member of Parliament to be the arbitrator. This is a difficult matter for a member. Under the old legislation, there was no simple procedure that the member could recommend, except to tell the people to go to court; they did not like that advice. The Bill will greatly simplify the procedure. At least now we can tell people to fill out a form, so that they will be able to take positive action. When they come back to us having failed to reach agreement, we can tell them to go to the local court. People will not be so frightened of going to the local court as they were of going to the court of summary jurisdiction under the old Act, and the procedure will be simpler.

The most common complaint in relation to fencing in my area comes from older women who may be living on their life's savings or a pension. A land developer may build a large block of flats or home units next to a woman's house. Having put up the home units, the developer may decide that the old wooden paling fence dividing his property from that of the woman is unsuitable. However, she finds it suitable, as it keeps her dog in the garden (and chickens have to be in cages in my area, anyway). The land developer, believing that the paling fence will affect the possible sale of his home units, may decide to erect an asbestos fence, cap it and paint it. He will then try to get the woman to pay half the cost of the fence. Unfortunately, developers tend to use their knowledge of the position these women are in to force them into a corner in which they will sign an agreement or at least agree verbally to pay half the cost of the fence.

These women do not have enough money to employ a solicitor, and they do not wish to subject themselves to the psychological stress of going to a solicitor and then taking the matter before the court. They would like a simple procedure that they could follow. Unfortunately, I do not think the Bill goes far enough. As the sum involved in this case is only $100 or $200, the matter could be settled outside the local court, provided someone other than a member of Parliament could act as arbitrator. I should have liked to see the Bill amended in that way, but I accept that it would be difficult to draft such a provision. Therefore, we must put up with what we have.

Although I am slightly concerned about the definition of what is an adequate fence, the Parliamentary Counsel assures me that a great legal history is associated with the matter, and that therefore precedent covers this description. There is also improvement in the provision relating to the relationship between councils and the Crown and private property owners. Now, the Crown or a council can be asked to pay half the cost of a fence. One problem is that it is important that all the fences around a reserve should be the same, as metal fences alongside asbestos fences would look strange to people in the reserve. Perhaps this situation may be covered by a council by-law. I support this Bill, which is a great improvement, and I look forward to settling all my fencing problems much more quickly and more simply than I have in the past.

Dr. TONKIN (Bragg): I support this admirable legislation, because it sets down a standard procedure. The fence around my joint district office has caused many problems, and last year the agents managing the property and the proprietor of the shopping centre tried to prevail on the elderly lady living next door to meet the cost of repairs. Under the provisions of clause 7, how will notice be served? Will it be served by certified mail, registered post, or personally, and what will happen if a person absent on holidays arrives back at the end of 21 days to find a notice at his house? No doubt this point has been considered. Do the provisions of clause 21 have any relation to the legislation that requires swimming pools to be fenced?

The Hon. L. J. King: It would not be a dividing fence.

Dr. TONKIN: What is the situation in which permission has been given for a fence to be erected on the boundary and it complies with the Act?

The Hon. L. J. KING (Attorney-General): In this interesting debate several useful points have been raised. This Bill, like the existing Act, adjusts the civil rights of neighbours as between themselves in relation to a dividing fence. It does not give authorisation to do things that otherwise would not be allowed by law, nor does it prohibit doing things that would otherwise be allowed by law. It is merely a question of adjusting the civil rights of neighbours. If another Act requires the provision of a certain type of fence for a swimming pool, that provision will remain. If the pool is on the boundary, so that the dividing fence forms part of the fence required by law to surround a swimming pool, that part of the fence has to comply with the swimming pool legislation, and any other sort of fence would not be an adequate dividing fence for that part of the boundary.

Dr. Tonkin: It must be a charge on the person with the swimming pool.

The Hon. L. I. KING: Yes. In reply to the member for Davenport, there is nothing in this Act that regulates the type of fence to surround a reserve. The Bill provides that, if a dividing fence is adequate, both parties contribute. The question of what sort of fence is necessary in a specific area would have to be regulated by council by-laws or in some other way, as is done under the existing Act. Nothing in this Bill changes the situation. The only change would be that the council would be required to contribute. If at present a council has by-laws requiring a specific type of fence in an area, that provision will still apply in this Bill. The other matter raised by the honourable member is more important. I agree with him that there are many types of small fence disputes which it would be desirable to settle by means of some form of arbitration without the need for a court hearing and which would satisfy the parties. However, there is no machinery for such a procedure. This would be outside the jurisdiction of the

Commissioner for Prices and Consumer Affairs, and he is already overloaded with responsibilities imposed on him by legislation.

Also, the Builders Licensing Board has its own problems, and I am unable to do anything there. We must bear this matter in mind for the future. The small claims tribunal is designed to achieve an easy settlement of such matters, but it may be that the experience of the working of this Bill will lead us to devise some other form of arbitration. It is difficult to see what form it could take or how it could be given legal force, and the drafting would be difficult. At present, we have not arrived at a better procedure than that suggested in the Bill. In reply to the member for Fisher, there is nothing in the Bill that gives permission to remove anything (and his comments concerned protected plants) that a person would otherwise not be permitted to remove. All this Bill provides is that, if in a prescribed area a person clears a certain area near a fence to erect a dividing fence, he can claim that cost as part of the cost of the dividing fence, unless the area cannot be cleared because of the provision in some other law.

The definition of "prescribed area" referred to is designed to enable the Government to prescribe an area in which it would be reasonable to allow some clearing cost as part of the cost of fencing. This area obviously will not be located in the metropolitan area: it is designed for country areas, where a reasonable incident of the cost of fencing is the cost of clearing land immediately adjacent to the fence. The other point raised by the member for Fisher I find most difficult, and it has worried me a great deal. I am not convinced that we have the ideal solution, although I do not know what the ideal solution is. He pointed out that a person may by default find himself bound to a certain type of dividing fence. He may not have received the notice, possibly because of a faulty service that has not come to the notice of the party. Service would be effected by a properly stamped and posted letter, and it would be deemed to be served in the time of the ordinary course of the post. If the person concerned went away, did not leave a forwarding address and did not make provision for that, it is possible that the 21 days could expire.

Dr. Eastick: Even delivery can often be fairly hazardous.

The Hon. L. I. KING: Yes. The ordinary course of the post does not have the degree of certainty it used to have when these rules were framed. The difficulty about this matter is that, under the present law, a person gives the notice and, if there is no response, he still does not know what will finally be regarded as an adequate dividing fence. That person has to make a judgment, go ahead and erect the fence, and prove it when he goes to court. The magistrate might take a completely different view, and the person could not recover his half cost of the fence. This procedure was designed to solve that real problem.

The person proposing to erect the fence has to set out his proposal, and the other party has 21 days, in which to object. If he does not object, he is bound by it, so that the party erecting the fence can go ahead, and he will be able to recover his half of the cost. The certainty thereby obtained carries with it the consequence to which the honourable member has referred. I will think further about it. Having considered it thoroughly, I do not know whether there is any real answer. We could put in a clause giving a sort of final dispensing power to the court to say, "Even though he didn't reply, we still think in all the circumstances that it would be unreasonable." That might get us somewhere, but it again introduces the uncertainty into the situation. I will consider it, as I appreciate the point.

Dr. Tonkin: This situation probably won't arise until there's been a dispute, anyway.

The Hon. L. J. KING: That is so. A person could be confronted by a developer who wanted to get his own way and who might take advantage of the old lady to whom the member for Davenport referred. This is a real problem for the person who does not have the means, who is probably confused by the whole business, anyway, and who is dealing with a businesslike developer who is anxious to get his own way. I will think about it further before the Bill reaches another place to see whether I can think of any solution to it, but at the moment I do not know how it can be solved.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—"Performance of fencing work."

Mr. DEAN BROWN: The lime limit concerns me, because I believe that, if a person knew that his neighbour did not want a fence, he would wait until the neighbour's annual leave came around and he went away with his family, and he could post the neighbour a letter the day after he had left. Neighbours would likely know when each other would be away on holidays. Can the Attorney think of an alternative, because I would not like to see the Bill passed in its present form? I think that the time limit should be extended to a period exceeding 30 days, because many people nowadays go away on holidays for at least four weeks.

Dr. Tonkin: Nurses get six weeks now.

Mr. DEAN BROWN: Yes; but generally, annual leave is four weeks. Will the Attorney report progress after we have considered the remaining clauses so that we may reconsider this clause later?

The Hon. L. J. KING (Attorney-General): I will not undertake to do that, but I will undertake that, before the Bill goes to another place, I will reconsider this provision. So much attention has been given to this provision that I am not optimistic that I can improve it. I do not know whether an extension to 30 days would be an improvement. The problem that the honourable member poses is there, as it is with other types of legal proceeding. The only real protection is to ensure that someone is responsible for opening a person's mail and attending to his affairs in his absence.

Clause passed.

Clauses 9 to 21 passed.

Clause 22—"Clearing of scrub in certain areas."

Mr. DEAN BROWN: I move:

In subclause (1) to strike out "within a prescribed area"; and to strike out subclause (2) and insert the following new subclause:

(2) The Governor may, by regulation, declare that this section shall not apply in respect of fencing work upon land, or land of a kind, specified in the regulation and the application of this section shall be modified accordingly.

For the information of members, I point out that these amendments were to be moved by my colleague the member for Mallee. The whole purpose is to reverse the procedures laid down in the Bill. I think it would

be better to prescribe the areas that cannot be cleared up to two metres either side of the fence.

The Hon. L. J. KING: As the amendments achieve the same thing by another route, I do not oppose them.

Amendments carried; clause as amended passed.

Remaining clauses (23 to 25), schedule and title passed.

Bill read a third time and passed.

WEIGHTS AND MEASURES ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

LIBRARIES AND INSTITUTES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

DOG FENCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 18. Page 2970.)

Mr. GUNN (Eyre): This Bill is supported by the Opposition and is really consequential on the Vertebrate Pests Bill dealt with earlier this evening. I have not had an opportunity to check the measure with the Vermin Board in my area, because the matter was introduced only last evening. However, having considered it, I can see nothing wrong with it, and, as no useful purpose will be served by my holding up the business of the House, I support the Bill.

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

ADJOURNMENT

At 1.59 a.m. the House adjourned until Thursday, March 20, at 2 p.m.