HOUSE OF ASSEMBLY

Wednesday, March 26, 1975

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

SURVEYORS BILL

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

PETITION: ST. PETERS TRAFFIC

The Hon. D. A. DUNSTAN presented a petition signed by 404 residents of South Australia stating that the road closures in the municipality of St. Peters were against the wishes of most of the people, and praying that the House of Assembly would reject these and any other closures that were made against the will of the people of St. Peters.

Petition received.

PETITION: MEDIBANK SCHEME

Dr. EASTICK presented a petition signed by 19 residents of South Australia stating that the implementation of the Medibank scheme in South Australia would provide significantly lower health care standards, and praying that the House of Assembly would act to cause the Government to reject ,the proposal and urge the Commonwealth Government to enact provisions to include pensioners and people on low incomes in the present health scheme.

Dr. TONKIN presented a similar petition signed by 240 residents of South Australia.

Mr. BECKER presented a similar petition signed by 100 residents of South Australia.

Petitions received.

PETITION: WILLUNGA AIRPORT

Mr. CHAPMAN presented a petition signed by 1 134 residents and electors of South Australia stating that the establishment of an airport on the Willunga plains would be detrimental to the ecology, environment, and future rural production of the area, and praying that the House of Assembly would oppose the construction of such airport.

Petition received.

PETITION: FEMALE TITLE

Mr. BECKER presented a petition signed by 40 electors of South Australia stating that they took exception to the Government's decision to address all women as "Ms" without allowing them to choose to be addressed as Miss or Mrs. if they wished, and praying that the House of Assembly would ask the Government to rescind its decision and save taxpayers unnecessary expense in having departments change the present practice.

Petition received.

MINISTERIAL STATEMENT: NORTHERN ADELAIDE PLAINS WATER SUPPLY

The Hon. J. D. CORCORAN (Minister of Works): I seek leave to make a statement.

Leave granted.

The Hon. J. D. CORCORAN: This statement concerns the Northern Adelaide Plains water supply. As the problems facing the people of this area are well known and have concerned all members of the House for some years, it is therefore not necessary for me to go back over the history. The situation today is that the underground water of the area is being exploited to the extent of three times the annual intake of the basin, and water quotas have been introduced to limit the extraction of water to the present rate of usage. These waler quotas have remained unchanged for the past two years. This underground basin is an important State asset which will be wiped out if the rate of withdrawal is not controlled. Indeed, there are already signs of increasing ground-water salinity on the fringes of the basin as a result of overpumping.

On the other hand, the Government has been particularly anxious to ensure the future of these people, a future consistent with their present way of life and skills. The Government therefore initiated studies into the sociological, agricultural, economic and technical aspects of this very complex problem, and I am tabling the reports of those studies. At the same time the Government has examined the availability of alternative resources to supplement ground-water supplies. The important findings of the studies are as follows:

1. Further restrictions on ground-water use would have a serious sociological effect on the people of the area, particularly on the small market gardener.

2. The natural intake of the underground basins (7 400 megalitres a year) is only one-third of the metered usage from the basins (21 000 M*l* a year).

3. On present usage, the shallow aquifers will be depleted within 30 years but salinity problems, particularly in the fringe areas, will be severe within 10 years. Rapid deterioration of the deeper main aquifers will occur after 30 years.

4. At best, artificial recharge of the basin could only increase the intake to 10 500 M*l* a year or about half of current usage.

5. Existing surface water resources are already important in the natural recharge of the basin and their further development would not significantly increase water availability in the area.

6. The reclamation and reuse of Bolivar effluent offers the only realistic alternative to the water shortage problem in the Northern Adelaide Plains.

Agriculture Department studies have shown that Bolivar effluent can be used on well drained soils to irrigate certain salt-tolerant crops such as lucerne, potatoes, glasshouse tomatoes and cucumbers, onions and vines. Disinfection of the effluent is necessary for those crops that may be eaten raw. Two alternative schemes for using Bolivar effluent have been considered, as follows:

1. The reticulation of Bolivar effluent throughout the Northern Adelaide Plains.

2. The development of a compact effluent irrigation area.

Alternative I would be the most convenient scheme for growers but has serious disabilities, as follows:

(a) The reticulation system would be extremely expensive because of the scattered nature of irrigation in the area.

(b) Comprehensive drainage would not be feasible for the same reason, and there is the possibility that saline seepage from irrigating with effluent could increase the salinity of both the shallow and deep aquifers.

(c) Difficult management problems would exist to prevent cross connections with drinking water supplies and to ensure that the effluent is used only for approved salt-tolerant crops.

The preliminary estimate for this alternative scheme is $9 000 000, with annual costs of $2 000 000. Having regard to its inherent disabilities, the scheme seems unlikely to attract the necessary Australian Government financial assistance. A defined Government-owned irrigation area

incorporating comprehensive drainage as required overcomes the main problems associated with alternative No. 1 and is promising technically. This alternative involves the leasing of established irrigation and drainage works to individual growers to supplement their production from their own land where low salt-tolerant crops could be grown with ground-water limited to the safe yield of the basin.

The preliminary estimate for this second alternative is $7 600 000 (including land acquisition), with annual costs of $900 000. At this stage, the Government therefore has two alternative schemes, one promising and one not so promising, which could provide some relief to the water problems of the Northern Adelaide Plains. I have therefore instructed the Director and Engineer-in-Chief to prepare a comprehensive document covering the two alternative schemes, and including detailed designs, cost estimates, management procedures and environmental implications. This document will be made available to the public, and the people of the Northern Adelaide Plains, in particular, will be invited to express their views and actively contribute in the selection of the best alternative.

The Government then intends to make a detailed submission to the Australian Government for financial assistance to implement the project. This could be expected to be favourably received in the light of the national water policy adopted by the Australian and State Governments, which provides for "the development of waste water treatment facilities in conjunction with water supply systems and the encouragement of recycling and reuse where appropriate". These steps are expected to take about 12 months. In the meantime, it is necessary to reassure the people of the area regarding the availability of ground-water in the immediate future. The Government has therefore decided that the present level of ground-water quotas will be maintained at least until June 30, 1977.

Mr. Coumbe: When will the report be tabled?

The Hon. J. D. CORCORAN: I said that within 12 months these things should be completed and placed before the Australian Government.

PUBLIC ACCOUNTS COMMITTEE REPORT

The SPEAKER laid on the table the report by the Public Accounts Committee on Enfield General Cemetery Trust.

Ordered that report be printed.

QUESTIONS

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

PIG FEEDING

In reply to Mr. RUSSACK (March 5).

The Hon. J. D. CORCORAN: The Minister of Agriculture informs me that, following a decision by the Australian Agricultural Council, a nation-wide ban on the feeding of swill to pigs will be brought into effect on October 1, 1975. The purpose of the ban is to limit the spread of livestock diseases, and in particular prevent occurrences of certain exotic diseases, outbreaks of which would lead to the cessation of an oversea trade in meat and animal products now worth $800 000 000 a year. Under the proposed legislation, swill will only be acceptable as feed for pigs if it has been submitted to a dry-rendering process. The prohibition will apply to all food scraps or waste containing matter of animal origin, and may include slaughterhouse offal, although special conditions may apply to this material. Bakers' waste will not be classed as swill unless foodstuffs of animal origin, such as pies and sausage rolls, are produced in the same premises.

Controls over the disposal of swill are not included in the proposed legislation, as provision for this is already contained in the Health Act. However, it is considered that the landfill method of waste disposal could be satisfactorily applied to this material, especially as investigations have revealed that its inclusion in garbage disposed of by sanitary landfill should have no marked effect on the overall quantity of such waste. It is emphasised that the proposed legislation, is a further step in maintaining Australia's status as a country free of most animal plague diseases. This freedom from disease ensures access to many world markets, and the co-operation of all interested parties is necessary for this most desirable situation to continue.

GOVERNMENT PRODUCE DEPARTMENT

In reply to Mr. BLACKER (March 4).

The Hon. J. D. CORCORAN: The Minister of Agriculture informs me that it is the South Australian Meat Corporation's intention not only to maintain the Port Lincoln abattoir at an export standard but also to increase the volume and throughput of this works by developing new export markets. In the corporation's opinion the maintenance of an export licence would be vital to the efficient operation of these works.

VIETNAMESE CHILDREN

In reply to Mr. PAYNE' (March 5).

The Hon. L. J. KING: One of the problems that arose was in regard to the translation of documents from Vietnamese to English. Arrangements have now been made with the Department of Labor and Immigration to provide the Community Welfare Department with certified translations. The Community Welfare Department will ask adopting parents to forward documents in their possession. When translations have been obtained, the adoption applications will be set down for hearing by the Adoption Court. The situation has been discussed in general terms with the Senior Stipendiary Magistrate who sits in the Adoption Court, and it is not expected that there will be any major problems with regard to these applications. The information contained in the documents, including the order of adoption made by the court in Vietnam, is likely to constitute sufficient evidence for the Adoption Court to dispense with consent of the parents pursuant to section 27 of the Adoption of Children Act.

WELLINGTON CENTRE

In reply to Mr. WARDLE (March 6).

The Hon. L. J. KING: The South Australian Government has considered the report of the joint State Government/Australian Government study team and has accepted its recommendations in principle. In particular, a series of developments along the Murray, including a recreation centre at Wellington, have been proposed. Nevertheless, the Government has not closed its options on the use of the sites, and is willing to consider viable alternative uses. The latest developments concern the establishment of an implementation committee, which would study the proposals in more detail and co-ordinate development The Minister for Aboriginal Affairs has been informed that the Government wishes to expedite the project, and has been requested to nominate Australian Government representatives to the committee.

NATIONAL HEALTH SCHEME

In reply to Dr. TONKIN (March 4).

The Hon. L. J. KING: South Australia deems it desirable to accept the Australian Government's intended National Health Scheme in principle, even though psychiatric hospitals will be specifically excluded. As has previously been indicated, it is estimated that, by participating in the intended scheme,. South Australia would benefit to the extent of about $20 000 000, which would be available for use in other areas. However, South Australia has agreed to join with all other States in requesting the Australian Government to give consideration to enlarging the scheme to include psychiatric hospitals. Tn South Australia at present, the fees charged in psychiatric hospitals are more closely related to those in nursing homes rather than in hospitals. The Government intends that, at the time of introduction of Medibank, no charge will be made for short-term patients in psychiatric hospitals. It is intended that in-patients will be treated free of charge for up to 28 days, and that charges for long-term patients will also be reviewed.

STATE FINANCES

Dr. EASTICK: My question relates to the challenge the Treasurer made yesterday regarding State finances. I ask the Treasurer whether, as a means of effectively reducing Government expenditure, the Government has taken positive steps either to place bar equipment on all subscriber trunk dialling equipment in Government departments or to direct that economy class be the class of air transport used by all Ministers and Government officers? It is apparent from yesterday's statement by the Treasurer, indicating that the raising of revenue is still a major problem affecting the future employment of many people in this State, that every measure that can be taken to reduce expenditure is important. I submit to the Treasurer that the elimination of the wanton waste of funds associated with S.T.D. dialling, as well as the excessive costs associated with air . travel whereby Ministers and departmental officers are allowed to travel first-class when economy class travel would get them to their destination just as quickly, would be an effective means of the Government showing it was willing to put its own house in order.

The Hon. D. A. DUNSTAN: The taxation we were discussing yesterday involves $20 000 000 a year. The Leader is now asking whether a reduction in costs could be made by Ministers and departmental officers travelling to other States by economy class air travel, and by an S.T.D. bar being put on the telephones as a means of saving that would reduce Government expenditure in South Australia sufficiently for me to remove petrol and cigarette taxes.

Mr. Evans: Victoria does it.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The Leader said his question was supplementary to the question he asked yesterday about the removal of petrol and cigarette taxes, which return to this State $20 000 000 a year. Most of the officers of the State Government travelling by air now travel economy class to other States. Ministers travel , first class, as do certain departmental officers accompanying Ministers. I do not know whether the Leader is proposing that, on the trip that we have given him and on official trips that other members opposite make to other countries, those members shall travel economy class.

Mr. Millhouse: There's no reason why they shouldn't travel economy class—absolutely no reason at all!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: If that is the Leader's suggestion we shall consider it, but to suggest that this would appreciably affect the revenues of this State in a way that would enable us to remove the petrol and cigarette taxes is ludicrous.

Mr. Venning: It's where you start.

The SPEAKER: Order! Standing Orders start from now and apply to all members. The honourable Treasurer.

The Hon. D. A. DUNSTAN-: I suggest to the Leader that, if he is serious about this matter, he should exercise a sense of proportion. What I. suggested to the Leader yesterday was that, if he was saying we should immediately remove cigarette and petrol taxes, he should show us an area from which we could get that sum. To suggest that we should get that sum by making Ministers and departmental officers accompanying them travel economy class to other States, and that we should save money by putting a bar on S.T.D. calls, is really not being serious.

Dr. Eastick: Very serious.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Then that is a reflection on the Leader and on his understanding of the finances of the State. It is absurd; it is ridiculous. Regarding S.T.D. calls, the Government already has a monitoring system. We looked at a bar system, but that was not recommended.

Mr. Coumbe: A second monitoring system?

The Hon. D. A. DUNSTAN: We monitor S.T.D. calls so that anyone misusing S.T.D. in the Public Service can be monitored and will be homed in on when we find any department—

Mr. Coumbe: Big Brother!

The Hon. D. A. DUNSTAN: The honourable member says "Big Brother". One minute Opposition members want a form of control yet, when we say we have put in a form of control, they say "Big Brother". It is about time members opposite stood up to the business of being serious members of Parliament.

The Hon. J. D. CORCORAN: I seek leave to make a personal explanation.

Leave granted.

The Hon. J. D. CORCORAN: As the Minister responsible for the telephone accounts of the Government, I want to make perfectly clear to the Deputy Leader that there is no Big Brother by way of monitoring telephones in this State. The monitoring system identifies the source of the call and notes to whom the call is going and the duration of the call. It does nothing else. The system could be applied to Parliament House as well as to anywhere else. We have had a detailed report—

The SPEAKER: Order! Did the honourable Minister seek leave to make a personal explanation or a Ministerial statement?

The Hon. J. D. CORCORAN: I will make both, if you like!

The SPEAKER: The honourable Minister seeks leave to make, a Ministerial statement?

The Hon. J. D. CORCORAN: I meant that. I seek leave to make a Ministerial statement.

Leave granted.

The Hon. J. D. CORCORAN: I did say that, as Minister responsible for telephone accounts, I wanted to explain the situation and to say that a Big Brother monitoring system does not exist. The system was installed after a detailed study had been made by our officers in conjunction with the Postmaster-General's Department. I heard the member for Fisher say that Victoria does this—

Mr. Evans: They bar them all.

The Hon. J. D. CORCORAN: If the honourable member wants me to, I shall be happy to give him the report I received on this matter, because that report will show conclusively that it would cost the Government far more in efficiency and other aspects if the Government barred S.T.D. calls than does the present system. I accepted that advice, otherwise the Government would not have acted as it has. I agree with the Treasurer that the Leader of the Opposition is snatching at I do not know what, because his suggestion would mean no saving at all according to the advice I have received in connection with S.T.D. calls. If there had been a saving, the Government would have adopted his suggestion.

WHYALLA ROAD

Mr. MAX BROWN: Can the Minister of Development and Mines say whether negotiations between himself and Broken Hill Proprietary Company Limited have been finalised on the possibility of constructing an access road through the company's property from the new industrial area north of Whyalla to the company's works? If the negotiations have been completed, when is it expected that construction of the road will be commenced? I have raised this matter before. Employers generally have used the lack of this access road as an excuse for not developing in that area. Little development has taken place on this site and I believe that, if the access road were constructed more development would take place.

The Hon. D. J. HOPGOOD: I am aware of the honourable member's interest in this matter because it was he who introduced me to the management of the B.H.P. Company in relation to this matter last year. Since that fruitful meeting the B.H.P. management at Whyalla and officers of the Development Division of the Premier's Department have continued to negotiate. The B.H.P. Company has made an offer to sell to the Government sufficient land to enable an access road to be constructed across its property from the new industrial estate at Cultana to the shipyard. The company has also provided me with a map showing the route that would be acceptable to it. Final approval will be needed from the head office of the B.H.P. Company in Melbourne to this offer of land from the South Australian management.

The proposed route will have to cross railway tracks and reserves owned by the Commonwealth Railways, and I have written to the Australian Minister for Transport suggesting that he consider nominating senior officers to discuss this route, and the problem of heavy loads being transported through the streets of Whyalla, with officers of Development Division. I have received an acknowledgment to my letter informing me that the Commonwealth Minister is examining the proposal. I hope that final agreement on the route can be achieved within the next few months and that detailed consideration will then be given to the means of financing the construction and maintenance of the roadway. Finally, I express my appreciation for the co-operative spirit that has made it possible to conduct these negotiations with the management of the B.H.P. Company at Whyalla.

GAS

Mr. COUMBE: Can the Premier say whether it is foreseen that the natural gas pipeline to be built as a spur from the Moomba-Adelaide pipeline to Port Pirie will be used to supply fuel to the Redcliff petro-chemical plant, should that project eventuate? I understand that yesterday Cabinet approved a start on the construction of a $2 500 000 natural gas pipeline to provide natural gas within a year to Port Pirie. A report in today's newspaper states that the pipeline will have sufficient capacity to meet projected loads to Broken Hill Associated Smelters Proprietary Limited and the South Australian Gas Company's reticulation system. However, will the pipeline be of sufficient diameter and capacity to meet the demands that would be created by the petro-chemical plant at Redcliff, if that project came to fruition (as I hope it will) despite some of the difficulties placed in its way by the Commonwealth Government?

The Hon. D. A. DUNSTAN: The difficulties have not been placed in the way by the Commonwealth Government. The answer to the honourable member's question is "No". Originally it was intended that there be a liquids line and gas line to the Redcliff plant that could then have an extension to Port Pirie. Since the time table for the Redcliff plant has been set back, it is now intended to build a spur line directly to Port Pirie. That unit will not provide for the Redcliff plant, which will have a separate spur line. This means that we shall not have to build a connecting line for the not inconsiderable distance between Port Pirie and Redcliff.

HALLETT COVE SUBDIVISION

Mr.. MATHWIN: Does the Minister of Development and Mines approve of the area in Hallett Cove that borders the so-called buffer zone (which is totally inadequate) being subdivided for housing development? Is it a fact that this development could be prevented? A report in today's *Advertiser* under the heading "Hallett Cove subdivision approved" states that 161 allotments have been approved on this site. The Minister will be well aware of the importance of this area, both for its historical value and its unique features.. He will also know that unless something is done immediately to preserve this area it will be lost for all time to Australia in general and to South Australia in particular. The following letter dated October 3, 1974, which was sent by the Commonwealth Minister for Urban and Regional Development (Mr. Uren) to Mrs. Minards, states in part:

I appreciate your good wishes and assure you that I deplore the subdivision which is already taking place in the area despite the number of pleas for the preservation of the unique features of Hallett Cove. In the circumstances the Australian Government would regard it as a matter of some urgency that any further disruption of the area should be prevented. Officers of my department have investigated the possibility of acquiring areas of land adjacent to the conservation park and, as a result, I have asked my department to discuss the matter with the South Australian Government.

The Hon. D. J. HOPGOOD: Members may recall that some time last year it was necessary for me to make a Ministerial statement to clear up confusion about the various areas that were committed to my portfolio. Members of the public and, indeed, members of this House were assuming that any aspect of development could be referred to me as Minister of Development and Mines.

Mr. Mathwin: It's in your area.

The SPEAKER: Order!

The Hon. D. J. HOPGOOD: The honourable member did not address his question to me as the local member: he addressed it to me as the relevant Minister. The confusion arose because some people thought that, as Minister of Development and Mines, I had the administration of the Planning and Development Act, whereas the administration of that Act was (and is) in the hands of the Minister of Environment and Conservation. Therefore, it is not possible for me to speak authoritatively about this development. All I can tell the honourable member is what I know because of the interest I have taken in the matter as the

local member. What I can say is that the only way in which it would be possible for the subdivision to be stopped at this stage would be for further acquisition of that area, or of at least a part of it. The honourable member will be aware that some time during the past 12 months (one is never absolutely sure at what point public acquisitions are concluded) this Government acquired an additional buffer zone in the area at, I understand, a cost of about $400 000. In terms of what members such as the Leader of the Opposition have been saying in the House over the past few days, the Government will be greatly stretched to find an additional $400 000 to acquire a further area such as that. That is really what the question boils down to. If it is not possible to acquire a further area, there is no means by which the State Planning Authority, which is the arm of of Government in this area of responsibility, can stand in the way of an application for subdivision. For example, one could not regard it as an application for what might be considered to be a premature subdivision, because there are already other areas nearby in respect of which subdivisions have been approved. It may be regarded as a compact extension of the existing area that has been approved for subdivision. I remind the honourable member that I am not really talking in an area of my responsibility, but as far as I am aware as a layman and as a member of this House there is no power in the Act to prevent subdivision from proceeding. The only way subdivision can be prevented is by way of acquisition. If the honourable member believes that the Government should find perhaps another $500 000, let him say so; that is a matter on which the honourable member should commit himself.

MOTION FOR ADJOURNMENT: HALLETT COVE SUBDIVISION

The SPEAKER: I have received from the honourable member for Mitcham the following letter dated March 26, 1974:

I hereby notify you that it is my intention this afternoon to move that the House at its rising do adjourn until tomorrow at 1 o'clock for the purpose of discussing the following matter, namely, that the Government take immediate action to purchase the land bordering the buffer zone safeguarding the area of scientific interest at Hallett Cove as otherwise it is about to be sold for subdivision.

In accordance with Standing Order 59, I call on those honourable members who approve of the motion to rise in their places.

Several members having risen:

Mr. MILLHOUSE (Mitcham): I move:

That the House at its rising do adjourn until tomorrow at 1 o'clock,

for the purpose of discussing the following matter, namely, that the Government take immediate action to purchase the land bordering the buffer zone safeguarding the area of scientific interest at Hallett Cove as otherwise it is about to be sold for subdivision.

I appreciate the support I have received from most members on this side to allow me to move this motion. I was pleased to hear the question asked by the member for Glenelg earlier, as this indicated that he personally supported the action that I am sure he knew, because of the new Standing Orders, I was about to take this afternoon. The reason that has prompted me to take this action and to notify you, Mr. Speaker, of my intention to move this motion is the report on page 8 of this morning's newspaper to which the member for Glenelg referred in explaining his question. Part of that report states:

A housing subdivision bordering the buffer zone safeguarding the area of scientific interest at Hallett Cove was given final approval yesterday. The approval was given by the Director of Planning (Mr. S. B. Hart) following fulfilment of certain conditions. The subdivision, containing 161 allotments and four hectares (10 acres) of reserves, is well south of the Sandison Reserve, the area of prime scientific interest.

The boundaries are then set out, and the report continues:

Allotments may be offered for sale soon.

On that point (and this is what gives the matter its intense urgency) I have to tell the House that this morning I arranged for a telephone call to Davis and Company, the agents for the subdivision, asking when the blocks would be ready for subdivision. Mr. Rod Adam, Liberal Movement candidate for Mawson at the next election, made the telephone call and was told that even today officers of the Land Commission, set up by this Government, were down on the site pricing the blocks because that was necessary before the sale could go ahead.

Mr. Mathwin: It's a Government instrumentality.

Mr. MILLHOUSE: Yes, and the officers are facilitating the sale.

Mr. Evans: Complete co-operation!

Mr. MILLHOUSE: Yes. They are down there pricing the blocks today. Davis and Company does not expect that the blocks will be ready, because of this procedure, before this weekend, but that they should be available for sale and purchase on the following weekend, namely, the first weekend after Easter. So, there is a tremendous urgency about this matter.

There is not much need, I think, for me to say anything about the importance of this area. Because it has already been bulldozed and because its geological significance has been destroyed by the development that has already taken place, the area concerned is not now of prime geological interest, but it would act (and this is why it should be saved and not subdivided and built on) as a buffer to areas of prime scientific interest. As is said, subdivisional development should not be allowed to overshadow areas of scientific interest, but that is exactly what will happen if this land is subdivided. Physical as well as aesthetic damage may be caused by run-off into areas of prime scientific interest, and that is why the land should be saved. I need say little to stress the importance of Hallett Cove, except to refer briefly to an article written by a committed conservationist and Labor Party supporter (Mr. Ron Caldicott) in conjunction with Adrian Geering.

Mr. Mathwin: Was he a candidate at the 1973 election?

Mr. MILLHOUSE: Yes, in Fisher, for the Government Party. The article appears in *Habitat,* the journal of the Australian Conservation Foundation, of which many of us are members. . Having regard to the sorry history (and I am not blinking at the fact that it is only this Government which has been at fault, but it is this Government that can now do something to rectify in part at least the damage of the past), this is what the writers say:

So the acres designated as a reserve were minimal; no real protection was given to the area as a whole; and subsequent development has destroyed the whole character of Hallett Cove.

Having commented on the plans for a marina, which were promoted industriously by this Government for a while, the article continues:

It is interesting to note that the Minister of Conservation had not even been consulted. Yet the Minister of Works had given approval in direct conflict with the proper management of an area of enormous scientific and educational value. . . . The Conservation Council already had taken the proposition being canvassed by these bodies to the Minister of Conservation—the proposition that a major

district open space should be declared in the Hallett Cove area, bounded by the railway on the east, the Hallett Cove road on the south, and the existing development at the northern edge.

The writers then set out the purposes of such a declaration and go on to refer to the open spaces designated in the 1962 plan. The article continues:

The missing piece in this mosaic obviously is Hallett Cove. All that was needed was common sense, exercise of social responsibility, and for the Government to introduce a supplementary plan and rezone the area as a major district open space. Then its value would have been far less, and the land could have been acquired at a reduced assessment.

I need quote no more from the article. I have quoted it merely to show that even the most dedicated supporters of the Government are critical of the way this matter has been handled. I was fascinated to hear the reply of the Minister earlier this afternoon in regard to this matter, when he tried to shuffle off his responsibility by saying that, although he was the local member for this area, the matter did not come within his Ministerial responsibility, and that he was speaking only as a layman. The Minister of Development and Mines has been in Parliament long enough, is a deep enough student of political science, and has been a Minister long enough to know of the doctrine of collective Ministerial responsibility: what is done by Cabinet is done by all members of Cabinet. He cannot, as he tried to do earlier, shuffle off his responsibility by saying, "Oh, well, I don't know anything about this. This is not under my Ministerial jurisdiction, so I speak only as a layman."

The Hon. D. J. Hopgood: You'd better ask me questions about education in future, because that is the logical conclusion from what you are saying.

Mr. MILLHOUSE: I am surprised at the Minister, and even more so as a result of that interjection. I will now say what I forbore to say a moment ago: the reply given by the Minister was cowardly, because he was trying to hide behind his colleague with whom he must share responsibility in this matter, and even more cowardly as the area is in his own district and he must therefore know all about it. It is only two days since he wrote a letter about this very matter. I thought that the member for Glenelg, who has a copy of it, would quote from it when he asked his question but, as he did not quote from it, I shall do so. The letter shows how much the Minister knows about the matter and what he thinks could be done. The letter, dated March 24, was written by Don Hopgood, member for Mawson and Minister of Development and Mines. (The Minister did not make the distinction between the two titles when he wrote the letter two days ago.) He signed the letter in both capacities, and it is addressed from his office at Morphett Vale to Mr. Taubert (Acting Honorary Secretary of the Hallett Cove Beach Progress Association). The letter, which has been given to me by the President of that association, states:

Dear Mr. Taubert: Thank you for your letter of March 10, 1975, concerning the area of land west of the Port Stanvac railway line at Hallett Cove. You will be aware that some time ago the State Government purchased additional land in this area but the cost of purchase was somewhere in the $400 000 area. It was agreed that this was so great that any further purchase would have to be funded by the Australian Government.

The Government did not think this way when it wanted to give $200 000 to its friends at the Trades Hall. We did not hear anything then about how difficult it would be to raise that money. It shows that when things are different they are not the same. The letter continues:

The submission was actually referred to the National Estate for funds for an additional purchase in the 1974-75 financial year. Officers from the Department of Urban and Regional Development visited the site but following consideration of their report the National Estate Advisory Committee recommended that no further land be purchased, consequently no funds were allocated in the 1974-75 programme.

Mr. Mathwin: Who recommended that?

Mr. MILLHOUSE: I wonder. Now, I come to the most significant part of the letter, because it holds out some hope that something will be done to save this area. The letter, written two days ago, continues:

However, an approach is to be made for inclusion in the 1975-76 programme. While all this was going on the State Planning Office was informed that it was legally obliged to grant form A approval. This is not final approval—

the Minister said that, or is he the member for Mawson? I do not know in which capacity he prefers to be known.

Mr. Mathwin: It's different today.

Mr. MILLHOUSE: Yes, as the member for Glenelg so rightly interjects. This is not final approval for subdivision, but it does allow certain earthworks and other preliminary work to proceed.

Mr. Venning: For what purpose?

Mr. MILLHOUSE: The Minister then says that the land ought to be saved, and that that can be done only by purchase. He continues:

Final approval must be applied for within 12 months of granting form A.

We now know that final approval was granted by a senior officer of the Government the day after the Minister wrote this letter. The letter continues:

This could be prevented—

and note these words well—

either by a Government decision to purchase additional land—

which is what I am urging in this motion—

or by a third party appeal to the Planning Appeal Board against the granting of approval.

The Minister concludes the letter as follows:

I would be happy to provide you with whatever further details you require. I remain, yours sincerely . . .

I wonder how sincere he is when he can get up in this House only two days after writing this letter and say what he said this afternoon. If this is the way the Minister wants to represent the people in his district he will not last long, and he does not deserve to last long, either. The position is crystal clear; the only way subdivision of this land can now be stopped is by its purchase. It is desirable to purchase the land, and it must be purchased within the next few days or it will be too late. Why? It is because of the action of the Director of Planning yesterday in granting the final approval. This land is to be subdivided following the fixation of the prices of the blocks by a Government instrumentality (the Land Commission). If any member on the other side is genuine in his desire to conserve this area of Hallett Cove, we will get action today on this matter and we will not have the sham and hypocrisy that we have seen from the Minister of Development and Mines towards his constituents in the letter written two days ago.

Finally, just to complete this matter, in my opinion it is wrong to say that there could be a third party appeal under the Act. I do not believe that is possible. The only thing that will save this area is the purchase of land by this Government; the land should be purchased, and I hope it will be.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I am somewhat at a loss to find that,

on virtually the last day of this session, the member for Mitcham has to move an urgency motion on this matter. I should have thought that, if he had been aware of what was happening around him in the State in the last three years, he would know that it was. about three years ago that the Government announced what it intended to do in this area. I would have thought the honourable member could use his own judgment to determine what would happen from that time.

I thought it was a little significant that he needed to refer to an unknown L.M. candidate for the seat of Mawson. I just wonder whether or not there is any real need for him to promote the individual concerned, because I can certainly see no other urgency about this matter. From the time the Government made its decision almost three years ago on this matter it was clearly understood by everyone in this Parliament and in South Australia that houses would be built on the land concerned.

If the honourable member did not know that, he was busier three years ago than I imagined him to be, because that situation should have been understood by all members of Parliament. There was no way they could have been confused on this matter. It could have been, however, that the honourable member was intent on attacking other people at that time rather than members of the Government, so I think it is necessary for me to trace the history of what has happened since that time.

Mr. Millhouse: Are you going to say something about Hopgood's letter?

The Hon. G. R. BROOMHILL: Certainly, if the honourable member does not interject and reduce the time for my reply. Originally, the land was all zoned as being suitable for building development with the exception of about 5 ha along the cliff face that was known as Sandison Reserve, which was handed over to the National Trust some years ago for its care. When the zoning for this area was considered in detail the Government concluded, quite properly, that to allow houses to be built on the site of scientific interest would be wrong and accordingly took steps to acquire and to identify the site before acquisition. The Government called on experts in the field from geological and other organisations, and then defined about 21 ha as the site of scientific interest. That, coupled with the scientific reserve, made the total area that had to be purchased and protected by the Government about 21 ha. The Government then determined that simply to buy the 21 ha (as it was to adjoin Sandison Reserve) would mean that houses could be built right to the edge of that 21 ha site, which would be undesirable and would create a situation where the site could not be protected, even though (as the honourable member may well know if he ever goes down to Hallett Cove and looks at the scientific interest site) it is, because of the rock formations in the area, not easily subjected to damage.

The Government then sought the advice of other people and, because of the funds that would be required for the total acquisition of the area, determined that a safe buffer zone of open space was needed to protect the site of scientific interest. The honourable member may recall that the Government added an additional 24 ha as a buffer zone. If the honourable member goes to the area, looks at the site of scientific interest, and considers especially the area of about 24. ha, which provides at least 270 metres to encircle completely the rear of the site of scientific interest (bearing in mind that the Government is to fence the boundary, that it intends to appoint a permanent caretaker for the area and provide him with an information booth, and that it has been decided that in addition to the buffer zone the Government will require any future development to adjoin immediately the outskirts of the buffer zone with a road to provide an additional area of land), he will accept that, at the time the decision was made, it met with the overwhelming support of South Australians.

Mr. Millhouse: Are you saying that—

The Hon. G. R. BROOMHILL: If the honourable member will bear with me for a moment I will continue. True, the site of scientific interest is properly protected, but many people in the community (and I presume that the member for Mitcham is one of them) believe that at the time the decision was made the Government should have made two decisions: first, to purchase the land it has purchased to preserve the scientific interest area; and secondly, to retain all other land within the site of scientific interest in order to preserve the remoteness of the area. I realise that a tremendous number of people in the community hold that view and, frankly, I am not unsympathetic to their view. I believe, however, that to stand on the site of scientific interest, as one used to be able to do, and to see nothing for kilometres except rolling hills was useful. I would rate it no higher than that.

The Government is now spending about $400 000 to preserve the area, and we are faced with the possible decision that the member for Mitcham would like us to make: that is, to buy additional land. The honourable member said that the area was of geological interest and had been bulldozed for roads, but no-one except the honourable member has suggested that that area, which is outside the site of scientific interest, has any geological value, and I am sure the honourable member cannot support his statement. The suggestion now being promoted is for us to buy additional land at an estimated cost of over $1 000 000, purely for aesthetic reasons.

Mr. Mathwin: That's right.

The Hon. G. R. BROOMHILL: There would be no logical reason for us to buy the land other than for its aesthetic value. Frankly, I have been pressing the Commonwealth Government, through the Minister for Urban and Regional Development and the Minister for the Environment and Conservation, to provide additional funds for national parks and National Trust proposals for recreation areas, and to provide camp reserves and the like, because for over two years we have had a Commonwealth Labor Government sympathetic towards these aims.

Mr. Millhouse: It's a matter of priorities, isn't it?

The Hon. G. R. BROOMHILL: It is, and the honourable member should have made that point, because then he would not have got up and said—

Mr. Mathwin: What about priorities at West Lakes?

The Hon. G. R. BROOMHILL: The honourable member knows our priorities. Recently, I announced that the purchase of Deep Creek was critical from the national parks point of view, not merely from an aesthetic point of view. I am surprised that the member for Mitcham, who has been so outspoken, should not have made that judgment. If he had any responsibility toward the spending of State Government funds, he would make the same judgment as I have made.

In addition, we have placed many proposals before the Australian Government for the purchase of wet lands along the Murray River, and the House carried a motion supporting that action. Ministers of the Australian Government have expressed in correspondence (and this was referred to earlier by the member for Glenelg) a view identical to mine: that it would be useful if this land could be made available to the community, not because of its scientific value but because of its aesthetic aspects. So

I have told the Commonwealth Minister for Urban and Regional Development that funds from the National Estate—

Mr. Millhouse: They aren't going to be much use, are they?

The Hon. G. R. BROOMHILL: When we ask for funds from the National Estate budget, naturally the Minister will be advised by a committee that comprises people (not Ministers of the South Australian Government or of the Australian Government) throughout the length and breadth of Australia with knowledge of the importance of matters affecting our National Estate.

Mr. Millhouse: When do you think you'll get the advice?

The Hon. G. R. BROOMHILL: I am telling the honourable member (if he will let me finish) that, even though we have made those submissions, other areas have been recommended to the Minister by the National Estate committee as having a higher priority.

Mr. Mathwin: Such as West Lakes!

The Hon. G. R. BROOMHILL: If the member for Glenelg or the member for Mitcham were on that committee, I should be surprised if they did not reach the same conclusion, because the National Estate committee is desperately trying to save the National Estate, after years of Commonwealth and State Liberal rule has caused us to lose most of it. .

Mr. Coumbe: You haven't done much.

The Hon. G. R. BROOMHILL: I remind the honourable member that we have received substantial sums from the National Estate committee for use in South Australia, and next week we will hear from the Commonwealth Department of the Environment and Conservation of a programme which will cost over $1 000 000 and which will help our national parks programme. I make the point that I do not disagree that, aesthetically, it would have been useful to have a wider buffer zone around the Hallett Cove site. However, one could put it no higher than that. If we are faced with having to decide to purchase areas such as Deep Creek when there is a likelihood of the bulldozer being used if there is not an immediate purchase, or of wet lands that are critical to our wild life and the general ecology of our river system, then, if the honourable member can sincerely say he would rate the purchase of land at Hallett Cove ahead of those to which I have just referred, let him say so, because I am sure that most of the community will not agree with his judgment.

Mr. Millhouse: Does all this mean that you will do nothing?

The SPEAKER: Order! The honourable member has spoken once, and he will not get a second chance.

The Hon. G. R. BROOMHILL: I assure the honourable member that, because of the $400 000 spent on the purchase and the cost of providing services to maintain that area, the State Government cannot provide additional funds on the basis of the argument, so readily agreed to by the member for Glenelg, that the purchase would be for aesthetic reasons only. The Commonwealth Government has been approached about these issues; it has been advised by the National Estate committee: and all one can assume is that, because funds have not been forthcoming for this project, priorities given to many other applications mean that the National Estate committee does not rate it the same as the member for Mitcham rates it. I am willing to listen to experts, but I do not think that the member for Mitcham is an expert.

The honourable member referred to a letter that had been forwarded to him by the Minister for Urban and Regional Development in which it was suggested that, even though no funds had been made available by the Commonwealth Government at this time, a further application should be made. I make clear that, if the Commonwealth Government had made funds available, I would have been amazed if it had done what is suggested in that correspondence: that is, that the whole area be purchased. I suggest that all the Commonwealth Government would have done would be to provide additional land in excess of the 270 metres of buffer zone that we have at present. Additional land is available to the south and, as a result of a further application, the Commonwealth Government may decide to provide additional funds for the purchase of that buffer area. Once the honourable member understands that aspect and reads it into the letter sent by the Commonwealth Minister, he may well apologise.

Mr. EVANS (Fisher): I support strongly the motion moved by the member for Mitcham, and I believe his words "it is crystal clear" should be used in the Government's approach to this matter. It is crystal clear that the Minister of Environment and Conservation and the Minister of Development and Mines support strongly the Government's inaction in this area. They seem to be satisfied that what has been done is all that can be and will be done by their departments. The Minister admitted, following an interjection from the member for Mitcham, that priorities were important. Let us consider some Government priorities in using monetary resources. The Government was willing to find $200 000 for the Trades Hall; and it found $90 000 to. mess around with Belair Recreation Park in trying to make a golf course which, started 18 months ago, is still being developed.

The Government has a piece of land in Victoria Square, and it has been trying for years to encourage people to build a hotel on that block. The land is a burden on our society and should be sold so that private enterprise can get on with the job. There would be enough money in that land to buy all the land at Hallett Cove. If the Minister wishes to talk about priorities, I remind him that the Government bought Marineland with money that could have been spent at Hallett Cove. I know what I would prefer to do. Both purchases may be required, but that at Hallett Cove should take first preference. Theatre 62 received a grant of $135 000 from the Government, and that money went down the drain. Other money was spent on upgrading Cleland wildlife reserve. Even though it has been classed in a television documentary as the best wildlife reserve in Australia, I consider that money is being wasted on it. The Government does not observe the right priorities. A letter to the *Advertiser,* dated December 2, 1974, states:

> We, the members of the staff of St. Mary's College, highly recommend you for highlighting Dr. Gun's statement about Hallett Cove (27/11/74) entitled "Exploitation at the Cove". Some teachers visited Hallett Cove last Friday and were shocked to find the inroads of the bulldozer so imminent. Its very vibrations could cause the amphitheatre to crumble.

That Commonwealth member knows what will happen if the area is not acquired; yet the State Minister says that it should be saved only for aesthetic reasons.

The Hon. G. R. Broomhill: The member for Glenelg said it.

Mr. EVANS: Regardless of who else may have interjected, the Minister claimed that. This area has historic significance in this State: it is widely known as the Lake Pedder of South Australia. The subject land can still be bought. If it was thought to be an area of interest and benefit to people closely associated with the Government, the Government could find the, $1 000 000 required. This

land can still be bought and it should be bought. In an article in the *Sunday Mail* of September 29, 1974, a representative of the Gem and Mineral Clubs Association of South Australia is reported as saying:

This would include the whole area of the area recently bulldozed and levelled and for which a subdivision plan is with the Director of Planning. We ask further that, once the area has been acquired, the area that has been bulldozed be replanted with natural vegetation.

That could still be done. If the Government believes it has made a bad decision, it should reverse the desision and buy the land. There is no doubt at all that, if the member representing the area could get praise from in his district for the Government's buying the land, he would ensure that the Government bought it. He would have stood up and praised the venture, but instead of that he has ducked and dodged—

The Hon. D. J. Hopgood: But I didn't have a chance.

Mr. EVANS: The Minister had the chance when answering the question asked by the member for Glenelg, but would not say whether it was a good or bad project or whether it would benefit the community.

The Hon. J. D. Corcoran: Sit down and give him a chance.

Mr. EVANS: Whether the Minister of Works likes it or not, the member for the district had a chance before this debate started, but he would not commit himself, because he knew the people in his district are against the proposal he has supported in Cabinet. He knows he can gain no credit from his inaction in this area. The member for Mitcham rightly raised the subject he knew the Liberal Party, through the member for Glenelg, was going to raise. Mr. Neil Bannister (Liberal candidate for Mawson) telephoned me last week, asked me about the subject, and told me he would prepare a statement for the press. I told him I would not be involved in it but that he could go ahead. The statement has been given to the press but it has not been published. That man has shown an interest in the area and he is against the proposal. He would support this motion wholeheartedly.

The Hon. D. J. Hopgood: We'll get—

Mr. EVANS: The Minister may laugh if he wishes, but here we have a man who belongs to my Party and there is nothing wrong in my mentioning his name here, because he is interested in what is going on in Mawson. Even though he may belong to a political Party he has a right to have his view expressed by a member of his Party in this place. He had the courtesy to telephone me because he knew I was the Liberal Party spokesman on the subject in this House.

The Commonwealth Minister (Mr. Tom Uren) has stated plainly in the letter he wrote to Mrs. Minards that he would like to see the area saved, and I believe that, if this Government had recommended the purchase of the total area as a matter of the highest priority, the Commonwealth Government would have supplied the necessary money. The member for Glenelg tells me that Dr. Cass has shown keen interest and enthusiasm to have the area retained for the benefit of the total society, and this is really why this Government should buy it. The Government is spending money on land in the water catchment area above Mount Bold reservoir, where it is willing to lease the land back to the farmers to continue their present activities. Indeed, $300 000 is being paid for one such property. The gladiolus bulb growers and the farmers were happy to carry on in the area, but the State moved in and bought the properties.

I believe that the Government has determined the wrong priorities in many cases, and that is proved by the example I have just given. The Minister of Environment and Conservation can get no consolation from sitting back and saying that the Government bought part of the Hallett Cove. area. The Government bought the land there after some people claimed that it was of geological significance; but the Government cannot be satisfied that it has bought all that should have been bought. The Minister knows that behind him sit many people who would help him buy that land. If they did not support him when he recommended that the whole area be bought, they stand condemned for their inaction.

I believe that the worst aspect of the whole affair is that the Minister of Development and Mines, as Minister in charge of housing, is in a conflicting situation. He is concerned with development and he is concerned with housing (rightly so), so he is not willing to go against those interests for the interests of the people he represents. That is what it boils down to. We all know that, and the Minister, as member for the district, also knows it. The member for Mitcham is to be praised for moving this motion today. The Liberal Party was going to attack this subject by another method.

At 3.15 *p.m., the bells having been rung:*

The SPEAKER: Call on the business of the day.

HEALTH ACT AMENDMENT BILL

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

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Health Act, 1935-1973. 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

This Bill makes amendments to the principal Act, the Health Act, 1935-1973, relating to a number of different matters. The Bill provides for a term of office of two years, with eligibility for reappointment, for members of the Central Board of Health other than the Chairman or the elected members. This term corresponds to the term of office of the elected members. In accordance with a recommendation from the central board, the Bill proposes amendments to bring the audit requirements of the principal Act into line with those in the Local Government Act.

The Bill provides greater powers to control pig-keeping by preventative means following requests from a number of local boards of health. Finally, the Bill makes provision for the licensing of pest control businesses and the certification of persons who act, as pest controllers. This proposal was prompted by the health risks associated with unregulated use of pesticides which are generally of a toxic nature and is supported by the industry.

Clause 1 is formal. Clause 2 provides that the Act come into operation on a day to be fixed by proclamation. Clause 3 amends section 3 of the principal Act which sets out the arrangement of the principal Act. The subheadings to "Part VIII—Sanitation" no longer accurately described the provisions subsumed under them. Clause 4 inserts new sections 14a and 14b which fix a term of office for appointed members of the Central Board of Health and provide for vacation of office.

Clauses 5 and 6 amend sections 33 and 34 of the principal Act to provide for one auditor to audit the accounts of

local boards of health only once in each year. Clause 7 removes the first subheading to "Part VIII—Sanitation". Clause 8 provides a new section 88 of the principal Act and confers powers on local boards to enable them to more effectively control the health aspects of piggeries. Clauses 9 and 10 remove the second and third subheadings to Part VIII of the principal Act.

Clause 11 makes an amendment to section 129 of the principal Act which was overlooked in 1972 when provision was made for the fee payable by local boards to medical practitioners to be fixed by regulation. Clause 12 amends section 146q of the principal Act to put beyond doubt the power to require licences in respect of the import and , transport of radioactive substances. Clause 13 makes provision for the licensing of persons carrying on the business of pest controller, the certification of persons acting as pest controllers, and the regulation of the possession and use of pesticides. Clause 14 makes consequential amendments to section 147 of the principal Act relating to the making of regulations.

Dr. TONKIN secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (MAJOR ROADS)

Returned from the Legislative Council without amendment.

VERTEBRATE PESTS BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 3 (clause 5)—After line 45 insert "but does not include the carcass or part of the carcass of any such rabbit, dingo, fox or animal".

No. 2, Page 7 (clause 15)—After line 3 insert new subclause (2) as follows:

(2) Where the authority is exercising or discharging its powers, duties or functions under this Act in relation to the control of dingoes upon 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 Chairman of the Pastoral Board constituted under that Act.

No. 3. Page 14, line 28 (clause 44)—Leave out "proclamation" and insert "regulation".

No. 4. Page 14, line 34 (clause 44)—Leave out "proclamation" and insert "regulation".

No. 5. Page 14, line 36 (clause 44)—Leave out "in the proclamation" and insert "by regulation".

No. 6. Page 14, line 37 (clause 44)—Leave out "in the proclamation" and insert "by regulation".

No. 7. Page 14, line 38 (clause 44)—Leave out "by a proclamation made".

No. 8. Page 14, lines 40 and 41 (clause 44)—Leave out "in the proclamation" and insert "by regulation".

No. 9. Page 15. lines 1 to 7 (clause 44)—Leave out all words in these lines and insert new subclause (6) as follows:

(6) The Governor may, upon the recommendation of the authority, by regulation, amend, vary or revoke any regulations made pursuant to this section and may, by regulation made upon a like recommendation, dissolve a board established pursuant to this section and make provision for any matters relating to the dissolution of the board and the disposition of any property of the board.

Consideration in Committee.

Amendment No. 1:

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

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

Members will recall that when the Bill was last before the Chamber the member for Victoria asked me whether the passing of the Bill would prevent people from selling rabbit meat, and so on. The answer I gave was "No". However, the Legislative Council has seen fit to spell this out in its amendment. I have no objection to that.

Motion carried.

Amendment No. 2:

The Hon. J. D. CORCORAN: I move:

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

I think this amendment is self-explanatory. Although I do not think it is absolutely necessary, I have no real objection to it.

Mr. Goldsworthy: It was promoted here by the member for Frome.

The Hon. J. D. CORCORAN: Yes, and we assumed that there would be some communication between Opposition members of both Chambers; we expected that what has happened might happen. The member for Kavel seems to be well informed about the matter, so I assume that he realises that in the amendment suggested in this place not only the Pastoral Board but also the Dog Fence Board was referred to. I then posed the question what would happen if there was disagreement between those two boards. The Legislative Council's amendment deals only with the Pastoral Board, so there is a difference. I have no real objection to the amendment.

Mr. ALLEN: I am pleased that the Minister has seen fit to accept this amendment. Members will recall that I moved a similar amendment previously, but I included reference to the Chairman of the Dog Fence Board as well as to the Chairman of the Pastoral Board. The Minister pointed out then that there could be a conflict of opinion between the two boards that might make the position difficult. Although it had been agreed that the Chairman of the Pastoral Board would sit in at meetings of the authority, nothing had been spelt out in that regard. The insertion of this amendment will ensure that the advice of the Chairman of the Pastoral Board will be obtained before any questions are raised regarding matters affecting dingoes.

Motion carried.

Amendments Nos. 3 *to* 9:

The Hon. J. D. CORCORAN: I move:

That the Legislative Council's amendments Nos. 3 to 9 be agreed to.

These amendments alter clause 44 to provide that boards consisting of two or more councils will be constituted by regulation rather than by proclamation. Amendment No. 9 spells out the normal procedure to be followed when regulations are involved. I do not disagree to these amendments.

Motion carried.

COMMUNITY WELFARE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

DOG FENCE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

WARDANG ISLAND

The Legislative Council intimated that it had agreed to the House of Assembly's resolution recommending that sections 326, 691 and 692 north out of hundreds, county of Fergusson, known as Wardang Island, be vested in the Aboriginal Lands Trust.

MARINE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

CONSTITUTION ACT AMENDMENT BILL (SALARY)

Returned from the Legislative Council without amendment.

IMPOUNDING ACT AMENDMENT BILL (FEES)

Returned from the Legislative Council without amendment.

HIGHWAYS ACT AMENDMENT BILL (PROPERTY)

Returned from the Legislative Council with the following amendments:

No. 1. Page 1, line 15 (clause 2)—Leave out "section" and insert "sections".

No. 2. Page 1, (clause 2)—After line 20 insert new subsection (4) as follows:

(4) As soon as practicable after the thirtieth day of June in each year the Minister shall cause to be laid on the table of each House of Parliament a report setting out with reasonable particularity details of all leases and licences granted by the Commissioner pursuant to subsection (3) of this section, during the twelve months immediately preceding that thirtieth day of June.

Consideration in Committee.

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

That the Legislative Council's amendments be agreed to.

The Government does not object to the amendments. As members will recall, they will enable the Commissioner, instead of going to the Governor with every lease or licence, to issue a lease or licence, provided that the period of the lease or licence does not exceed six years. Even in the case of the Pastoral Act and the Crown Lands Act, reports are made to Parliament each year with regard to what land has been leased. I see the procedure under this legislation as being no different from the procedure under those two Acts, and it will give Parliament the opportunity at any time to see the number of transactions that has taken place under the new scheme.

Mr. COUMBE: The Opposition agrees to the amendments, which deal with the general powers of the Commissioner and which were originally drawn up with the idea of removing the necessity for the consent of the Governor. In the second reading debate, I suggested to the Minister of Transport that he might like to change the provision so that it referred not to the Governor but to the Minister. This is a new concept, and I believe it important, because Parliament will now be able to scrutinise some of the Commissioner's transactions in relation to leases and licences and other matters dealing with land or property he may acquire or have vested in him.

Motion carried.

WILLS ACT AMENDMENT BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

LAND TAX ACT AMENDMENT BILL (EQUALISATION)

Returned from the Legislative Council with the following suggested amendment:

Page 1, line 22 (clause 2)—After "used" insert "and the land is used to a significant extent for the purposes of that business".

Consideration in Committee.

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

That the Legislative Council's suggested amendment be agreed to.

The suggested amendment, which merely clarifies the position, needs no further explanation by me.

Mr. COUMBE: The suggested amendment is reasonable, as it will eliminate ambiguity by clarifying the position. I support the motion.

Mr. RUSSACK: I, too, support the motion. I understand that in the Victorian Act land in the metropolitan planning area is subject to land tax, or the designation is determined not by the type of land but by the purpose for which it is used. I believe that the suggested amendment conforms to the Victorian legislation and definitely spells out the purpose for which the land is used. If the land is used for agricultural or primary-producing purposes, it is not subject to the same rate of land tax but enjoys the exemption applying to land used for primary production. However, if the land is not used to a significant extent for agricultural or primary-producing purposes, it is subject to the normal rate of land tax.

Motion carried.

FRIENDLY SOCIETIES ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Friendly Societies Act, 1919-19'68. Read a first time.

The Hon. J. D. CORCORAN: 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

The Bill is to some extent consequential upon the new provisions relating to the formation and regulation of building societies. The Bill provides that where a friendly society, or a number of friendly societies, have formed a building society in accordance with the provisions of the principal Act, and the society so formed has paid-up share capital in excess of $500 000, the Public Actuary may permit the building society to offer its shares for public subscription. At present the membership of any such building society is confined to the friendly societies that contribute to its formation, and the members of those friendly societies. Clauses 1 and 2 are formal. Clause 3 enacts new provisions in section 12 of the principal Act. By virtue of these new provisions the Registrar is empowered to exempt a building society that has been formed by friendly societies from the restrictions upon its membership contained in that section.

Dr. EASTICK (Leader of the Opposition): I support the Bill, which is consequential on alterations effected to the building societies legislation. It breaks new ground in allowing friendly societies to join with other people in the community, permitting them to be party to building societies' functions within and under the guise of a friendly society. Clause 3 amends section 12 of the principal Act, by inserting new subsection (6), paragraph (6) of which provides:

that the rules of the building society afford adequate protection for the interests of a member of the public who may become a member of the society,

Section 8a (1) of the principal Act provides:

Every society may, subject to the general laws or rules of the society, admit persons to the membership of the society upon condition that the persons so admitted shall have the right to contribute only to any specified fund or funds of the society.

I have no difficulty in accepting that people from outside the society can be brought in to make available moneys for a specified fund which, under this section, is a building fund. Section 8a (2) provides:

Notwithstanding anything in the general laws or rules of the society, any person admitted to membership upon a condition such as is referred to in subsection (1) shall have the same rights as other members of the society to vote at meetings of the society on any question relating to the fund or funds to which the person so admitted to membership contributes.

I believe this provision will limit the opportunity for people who enter the society by way of a building fund to a vote only on that issue. I know that the rules are to be scrutinised. From inquiries I have made I have no doubt that that scrutiny will make clear that people who are invited to contribute to the fund will have no influence whatever on the other undertakings of the friendly society. Having had that assurance and having had discussions with members of several friendly societies, I accept that measure as being a consequence of the changes made to another Act in this House yesterday. I fully support the Bill and hope that it will be passed without further delay.

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

Later:

Bill returned from the Legislative Council without amendment.

FENCES BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 3, line 36 (clause 6)—Leave out "twenty-one" and insert "thirty".

No. 2. Page 4, line 5 (clause 6)—Leave out "twenty-one" and insert "thirty".

No. 3. Page 4, line 21 (clause 8)—Leave out "twenty-one" and insert "thirty".

No. 4. Page 6, line 25 (clause 12)—After "under this Act" insert "(including an agreement that is, by virtue of a provision of this Act, presumed to have been made)".

No. 5. Pages 11 and 12 (The schedule)— Leave out "twenty-one" wherever it occurs and insert, in each case, "thirty".

Consideration in Committee.

Amendments Nos. 1 *to* 3:

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

That the Legislative Council's amendments Nos. 1 to 3 be agreed to.

These amendments extend the time the adjoining owner has for objecting to a proposal made for the erection of an adjoining fence. When the matter was debated in this place, some members considered that there was a danger that notice given might not come to the notice of the adjoining owner and that he might be deemed to have agreed to the proposal under section 7 without its really ever having come to his notice. I think that, when one considers all the circumstances, the danger is not as real as some members believed it was. The provision in the Bill is that the notice must be served either personally or by registered mail. Therefore, there can be no question of just posting a notice at a time when the occupier or the adjoining owner is absent. In addition, an ordinary rule of law would apply if the person sending the notice knew that it would not come to the notice of the person to whom it was addressed. In that instance it would not have been proper service anyway. When these two provisions are combined, I believe the danger is minimised considerably. Nevertheless, I accept the point that, nowadays, with four weeks annual leave being commonplace—

Mr. Coumbe: And fewer mail deliveries.

The Hon. L. J. KING: —the period of 21 days, which perhaps we regarded as being adequate in the past, might have to be extended in this and other instances and that perhaps 30 days is more appropriate. This amendment does something to solve the problem. Further steps are to be taken in later amendments. Extending the time to 30 days was suggested by either the member for Fisher or the member for Davenport. At least something might be achieved by extending the time; therefore, this step was taken in the other place.

Mr. EVANS: I am pleased to support the motion, because it appears to solve the problem that was raised. When discussing this matter with a group of lawyers, I was advised that my concern for this matter should not perhaps be so great for the very reasons the Attorney has just given regarding service by registered mail. An objection cannot be avoided by sending a notice to a person whom it was known was in England for six months. I am willing to accept that the period of 30 days is a compromise. There will still be an occasional case when the situation is not covered, but I realise we cannot cover every conceivable situation.

Motion carried.

Amendment No. 4:

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

That the Legislative Council's amendment No. 4 be amended by striking out "a provision of this Act, presumed" and inserting "section 7 of this Act, deemed".

The relevant provision of clause 12 provides:

(2) Upon the hearing of an application under subsection (1) of this section the court may determine the matter in such manner as it considers just and may—

and the relevant paragraph is *(d)*—

re-open and correct or vary any agreement arrived at under this Act upon such terms as the court considers just:

The amendment inserted by the Legislative Council seeks to ensure that that provision covers not only actual agreements entered into but also agreements deemed to be entered into by section 7 as a result of default in making objections. Again, that was done because of the points that were raised in the debates in this place, where it was indicated that, if for any reason the adjoining owner did not become aware of the giving of notice and therefore did not lodge an objection, he might be regarded as being conclusively bound by the proposal. The member for Davenport, in particular, stressed the situation that would arise if a developer, determined to have his way about a dividing fence, used persuasion or in some way or other prevailed on the "dear old lady" (I think that was the term used) who lived next door not to object to a proposal for the erection of a dividing fence until it was too late.

It may be that clause 12 (2) *(d)* covers that situation in any event. It is important, however, to make clear that paragraph *(d)* applies not only to an actual agreement entered into but also to a deemed agreement by virtue of section 7. The Legislative Council's amendment seeks to do that, but I am not completely happy with it: it is open to confusion that it may refer only to a presumed actual agreement: in other words, presumption created that an actual agreement has been entered into.

What I am concerned about relates to the situation where no agreement has been entered into. Section 7, however, provides that, although no agreement has been entered into, the fault in lodging the objection results in the law treating it as though it were entered into: in other words, it is a deemed agreement.

My amendment makes clear that the power of the court to re-open the matter applies not only to an actual situation but also to the situation where the adjoining owner fails to object within the specified time to a proposal that has been put to him. It is another step in overcoming the fears that some members had that a

situation might arise where an adjoining owner might not object and then find himself bound by a proposal to which he had a just objection.

Mr. COUMBE: I believe that the Attorney-General's amendment ties back this part directly to clause 7 and, therefore, I support it.

Amendment carried; Legislative Council's amendment, as amended, agreed to.

Amendment No. 5:

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

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

This is a consequential amendment.

Motion carried.

Later:

The Legislative Council intimated that it had agreed to the House of Assembly's amendment to the Legislative Council's amendment No. 4.

CONSUMER CREDIT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 25. Page 3178.)

Mr. BECKER (Hanson): In opposing the legislation, the Leader of the Opposition made a detailed explanation of the attitude of the Opposition. The second reading explanation by the Attorney-General states:

> 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.

Again, we have not received any information about what the regulations concerning this legislation will contain, and it seems that we are comparing credit card facilities to facilities operated by retail stores. The definition of revolving charge account is another matter. The person include an account to which amounts due under consumer contracts of credit are deposited. I find this interpretation strange and somewhat confusing. The Bill hinges on the expanded description of revolving charge accounts that incorporates all accounts under the control of credit suppliers, and will now include banks. I do not know whether the Attorney is aware of the method of operation of a bank, but the method of providing credit by a bank operates in several ways. The most popular form is an overdraft limit, and there are two types of limit. The first is the fixed limit arrangement, and the second is a reducing arrangement.

The fixed overdraft limit is an arrangement by which the customer asks the bank for a loan for a year of $1 000. The amount would fluctuate from day to day, and from month to month, and could be continued for an indefinite period. Whether this transaction should be called a revolving charge account is another matter. The person to whom the money has been lent can draw up to that amount; he can deposit funds that would bring the account into credit; or he could withdraw and take the account to the full debit. This sort of arrangement should not be termed a revolving charge account, because it is a fixed arrangement made between the credit provider (in this case the bank) and the customer, and operates after a thorough investigation and with the utmost responsibility and confidentiality. The other overdraft arrangement is familiar to most people. After a person obtains finance, the debt is reduced by regular payments at regular intervals. These loans are usually used for house purchase as well as for normal credit arrangements. By including banks in the provisions of this legislation the Government is reflecting on their credibility, and I see no reason why the definition of revolving charge account should be expanded to include banks. This aspect is the dangerous part of this Bill. I cannot see how the State Government can legislate to impose controls and charges on banks operating in this State, when Commonwealth Acts control all operations of the banking industry, which has always been regarded as a Commonwealth-wide function.

I see dangers in this measure, and also difficulties in the functioning of this legislation. The Bill has been introduced to affect credit cards, but I believe the main reason for its introduction was the use of the bank card system in the Eastern States. This system is an extension of normal banking, services in Australia, and all members would be aware that today banks provide a far greater range of services than they have ever before provided.

The banks in the past were known mainly for the operations of cheque accounts, and the Savings Bank of South Australia was known as a savings account bank. Since then, all banks have become involved in cheque accounts, savings accounts, Christmas club accounts, trustee and children's accounts, investment and special purpose accounts, safe custody facilities, interest-bearing deposits, international transactions, personal loans, housing loans, nominee service, migrants information service, leasing of equipment and machinery, and fully accredited travel services. The bank card is simply an extension of those services. Banks have served the country well in the past. We know there are some in the Government who do not like the free enterprise banking system but that is another argument.

Mr. Max Brown: Back-door hire-purchase.

Mr. BECKER: That is a silly attitude to adopt. If the honourable member knew anything about the workings of banks, he would know it cannot be done under the Reserve Bank legislation. I see a constitutional conflict in this Bill, and I fail to see how the State Government can control the banks in this State when, as the Attorney should realise, some of the banks have their central offices in Melbourne or Sydney and for bookkeeping purposes keep the records of their accounts there. With modern computer systems it is possible to centralise the whole banking operation in one capital city. If this Bill is passed, I believe it will discriminate against those banks based in South Australia (the Bank of Adelaide, the Savings Bank of South Australia, and the State Bank of South Australia) because the other banks would operate their accounts in other States.

Mr. Simmons: Do any of them do it now?

Mr. BECKER: Some of them are doing it now. As a computer expert, the member for Peake knows that it can be done easily. Although the arrangements might be made here, the main part of the transaction, even the money operation, can be in another State and that would be discrimination. Why select the banking system or any other financial organisation such as a building society for inclusion in the definition of "revolving charge account"? We believe that is not necessary in the definition and, if the definition is amended satisfactorily so as to leave the banking system alone, the Opposition may be willing to reconsider the Bill. For that reason, I oppose the Bill.

The Hon. L. J. KING (Attorney-General): I listened with surprise to the Leader of the Opposition and to the member for Hanson. My surprise at the Leader's attitude and the way he presented his case was great indeed. His

request amounted to no more than simply retailing uncritically to this House the submissions made on behalf of the banks to me and, it would appear, also to him. Apparently, he approached them quite uncritically and accepted them completely at face value.

To be perfectly blunt, it does not seem to me that any real contribution is made to a debate simply by coming into the House and retailing the submissions made by a specific interest affected by a Bill that is before this House. Although it is something we often hear, it seems to me that a member of the House and one who aspires to be the future Premier of this State should at least try to evaluate independently and critically the submissions made to him.

Dr. Eastick: Did you look at them?

The Hon. L. J. KING: Yes, and I studied them carefully. Had the Leader done that, he would have discovered that they related in the main to several matters not covered by the Bill at all.

Dr. Eastick: That's a matter of opinion.

The Hon. L. J. KING: The submissions made by the banks were made in response to an invitation to make submissions on the general question of whether and to what extent the banks would be affected by the provisions of the Consumer Credit Act other than the licensing provisions. The banks have made detailed and valuable submissions that are at present being considered, Those submissions are directed for the most part, although not entirely, towards questions that will be dealt with in a Bill to be introduced later, I hope next session, designed to overhaul the consumer credit legislation in the light of our experience since 1972, when it began to operate.

The Leader read to the House a letter I wrote to the banks inviting their attention to certain matters I was considering in the preparation of that legislation. Their submissions are very much under consideration in relation to that legislation.

At the same time the banks made submissions related to bank credit cards and the associated matter of the application of the provisions of the Consumer Credit Act concerning the relation of revolving charge accounts to bank credit card accounts. I want to dispose at the outset of one point made by the Leader and also by the member for Hanson when they said the banks should not be touched by any consumer credit legislation. I want to make clear that I disagree with that argument completely. It does not follow from that that all consumer credit legislation should necessarily be applied to banking transactions. That is another question, but to suggest that the need for banks, like other organisations in the field, to be subject to rules involves the inference that the banks are guilty of some sort of malpractice is just absurd. If that process of reasoning were valid, the fact that the Opposition passed the 1972 Act and agreed to the provisions on revolving charge accounts in retail stores would imply that the retail stores were guilty of some malpractice, and that is nonsense.

All sections of the community are subject to rules. Every transaction we enter into in the community is subject to some rule of law or other, but that does not mean that those who enter into those transactions are rogues or potential rogues: it does mean that business transactions in a community must be subject to law; they must be subject to rules, and our business is to see to it that the rules of law applying to transactions are fair and reasonable rules that protect all parties to the transactions. I simply do not accept the proposition that any section of the community, whether the banking section or any other, can be regarded as free of any rules. Having said that, I hasten to add that that does not preclude a discussion of the question of what the rules ought to be.

A further point was raised- (and here we are on ground of more substance) by the member for. Hanson, who, raised the constitutional question. This is a matter of some difficulty. The Commonwealth Parliament has power to make laws with respect to banking, and it exercised that power in the Commonwealth Banking Act of 1945. There is no doubt that a State la\y with respect to banking would fail if it were in conflict with the Commonwealth law on the same subject. The object of this Bill is not to make laws with respect to banking but to make laws with respect to revolving charge accounts, which are used by many people in the community who engage in such transactions, whether the transactions are with banks', finance companies, retail stores, or anyone else. So, we do not seek to make laws with respect to banks or banking: we seek to make laws with respect to certain types of consumer credit transaction that will be binding on everyone. I believe that laws of that kind are constitutionally valid.

The member for Hanson suggested that the Bill in some way discriminated against South Australian banks or South Australian branches of banks in relation to transactions in this State, but it does nothing of the sort. This Bill applies to South Australian transactions, and transactions taking place in South Australia are subject to South Australian law. It does not matter whether the parties to those transactions have their head offices in another State or in this State: when engaging in transactions in South Australia, they are subject to the law of South Australia. This applies in other fields of law, but the immediate legislation we are concerned about here, the Consumer Credit Act, is binding on all companies operating in South Australia, wherever their head offices might be located. So, no discrimination is involved.

There are very good reasons why revolving charge accounts should be subject to proper regulations; they are a special type of consumer credit arrangement requiring special attention. Of course, they have been the subject of special attention with regard to credit providers, who are currently subject to the Consumer Credit Act. The Credit Tribunal has authorised revolving charge accounts subject to conditions. The tribunal has worked out a fairly well defined set of conditions, although they are tailored to meet specific circumstances.

Among the things that are very... important is the need to ensure truth in lending. The rate of interest applied to a revolving charge account is peculiarly calculated to mislead unless it is expressed as a true annual rate of interest; that has been insisted on by the Credit Tribunal. It is also very important to ensure that consumers entering into transactions of this kind are told clearly what are the conditions under which the account is operated; there are all sorts of provisions to ensure that that occurs.

It is also very important to see that any variations in the terms are communicated to the consumer in a way he clearly understands and in time to enable him to make alternative arrangements if he does not accept the variations. The stage has been reached where it is possible to see emerging a fairly defined set of conditions. So, we are now in a position to embody many of those conditions in regulations. It is no longer necessary simply to leave it to conditions imposed by the tribunal in relation to certain organisations in connection with revolving charge accounts; it is now possible to embody standard conditions in regulations. This Bill therefore authorises the making of regulations dealing with revolving charge accounts.

At present the Consumer Credit Act excludes from its operation certain credit providers, including banks, friendly societies and building societies. Such credit providers are enumerated in section 6 of the principal Act. Where those organisations operate revolving charge accounts, I believe that the consumer ought to have the advantage in those cases of the conditions that the tribunal has seen fit to lay down in relation to credit providers who are subject to the Act, because, the conditions are sensible and are reasonably designed to put the consumer in a fair position.

This has been highlighted by the banks' proposal to institute a credit card system. I am not critical of the principle of the credit card system to be operated by the banks, but this makes clear that the banks are in the consumer credit business in an extensive way that involves the revolving charge type of credit. If it was important for us to see to it that the revolving charge accounts operated by retail stores were subject to fair and reasonable conditions, it is equally incumbent on us to see to it that the revolving charge accounts operated by other organisations are also subject to fair and reasonable conditions.

Consequently, this Bill enlarges the definition of revolving charge accounts in a way that takes in not only revolving charge accounts arising out of consumer transactions but also revolving charge accounts arising out of credit transactions. That would involve, among other things, bank credit cards. I cannot at present say what the regulations will be. The position regarding bank credit cards is different. We are currently engaged in discussions with representatives of the banks as to the institution of the bank credit card system in South Australia. Some problems have been faced, discussed and resolved to a large extent, although some unresolved questions are still subject to negotiation. The final form of any regulations will depend on the resolution of those yet unresolved problems.

The sort of thing I have in mind is the truth-in-lending disclosure. Also, I have in mind the conditions under which the credit cards are issued, to ensure that those conditions are brought home to the public, so that any variations are communicated in a way that will be understood by the consumer, who can then decide whether he wants to proceed further. I also have in mind provisions regarding the consequences of any unauthorised use of the cards, the extent of the liability of the card holder in that situation, and the liability of the card holder if he exceeds the maximum sum laid down for the use of the credit card. There are other matters as well, but I have referred to some typical matters that would have to be covered by the regulations. All these matters are being discussed with the banks, the negotiations being in progress at present. The final form of the regulations will depend on the outcome of those discussions and, indeed, on the form of credit card operation in South Australia on which the banks finally decide.

Dr. Eastick: Their views will be considered?

The Hon. L. J. KING: Of course they will be; their views have been discussed and many of their submissions have already been accepted, while others are at present subject to negotiation. I have just completed the draft of a letter to the Executive Chairman of the Bank Card Management Committee (he is handling the matter for the banks) setting out some of the matters on which agreement has been reached and listing other matters on which further discussion will be needed.

Dr. Tonkin: Will you not only consider their views but also take some notice of them?

The Hon. L. J. KING: Of course. The banks are primarily concerned about this matter; they must run an efficient operation. Although their viewpoint is extremely important, it must be balanced against the public interest. As I have a responsibility to the consumers, I do not intend to follow the example of the Leader and simply accept uncritically everything put to me by an interested party in the transactions. Those submissions will be dealt with sympathetically, but critically.

Dr. Eastick: It was a very representative body.

The Hon, L. J. KING: Yes, but one unrepresented party was the consumer—the member of the public. I have a responsibility to the consumer; indeed, so has the Leader. Perhaps he should be a little more conscious of that responsibility before he begins to debate a matter in the way he debated this matter. I think it is worth reminding ourselves of what the Bill seeks to do. Most of the matters traversed by the Leader in his speech were irrelevant to what the Bill is about. The Bill simply extends the definition of "revolving charge account" to include not only trade revolving charge accounts but also revolving charge accounts based on credit transactions. Amongst other things, that would take in the bank credit card type of transaction.

The Bill empowers the Governor in Council to make regulations dealing with the operation of credit cards. It is necessary to do it in this way because revolving charge operations are varied in their type and the conditions under which they operate, as the Credit Tribunal has found. It would be impossible to embody in the Bill all the conditions applying to the various types of revolving charge account. There must be a degree of flexibility, and this can be obtained only by the present system of having the Credit Tribunal impose conditions on the various bodies conducting revolving charge accounts, or alternatively it can be done by regulation. It seems to me that we have now reached the stage where the use of regulations is the most satisfactory way to do this. I remind honourable members that, whereas, under the existing law, conditions imposed by the tribunal on those operating revolving charge accounts are not subject to any Parliamentary review, under this Bill the, regulations will be subject to Parliamentary scrutiny. Either House of Parliament will be able to disallow regulations made under the Bill. This is an important Parliamentary control on the conditions that may be imposed.

Mr. Millhouse: It may be up to six months later.

The Hon. L. J. KING: I know that that is always a problem with regard to regulations, and that it does not exist in the case of legislation. However, that does not alter the fact that, when one compares what is proposed with the situation at present (where there is no control whatever by this Parliament on the conditions under which revolving charge accounts are operated by those bound by the legislation), Parliament is put in a stronger position by the Bill. The Bill brings in certain . credit procedures not now subject to the legislation at all, and the banks are subject to these provisions. It is incumbent on this Parliament to make some provision to deal with the emergence of the credit card type of transaction in this State. It is absurd for us to pretend that we are protecting consumers in respect of transactions in this State if we make no rules at all on an important source of consumer credit. If we make rules on this source of consumer credit, they can be made adequately only by the regulation-making power sought in the Bill, which I commend to the House.

The House divided on the second reading:

Ayes (20)—Messrs. Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan,

Groth, Harrison, Hopgood, Hudson, Keneally, King (teller), Langley, McKee, Olson, Payne, Simmons, Slater, and Wright.

Noes (17)—Messrs. Allen, Arnold, Becker, Blacker, Boundy, Chapman, Coumbe, Eastick (teller), Evans, Goldsworthy, Mathwin, McAnaney, Millhouse, Nankivell, Rodda, Russack, and Tonkin.

Pairs—Ayes—Messrs. Dunstan, McRae, Virgo, and Wells. Noes—Messrs. Dean Brown, Gunn, Venning, and Wardle.

Majority of 3 for the Ayes.

Second reading thus carried.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

RUNDLE STREET MALL BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 6, line 1 (clause 16)—Leave out "six" and insert "seven".

No. 2. Page 6, line 3 (clause 16)—Leave out "two" and insert "one".

No. 3. Page 6, line 4 (clause 16)—Leave out "two" and insert "four".

No. 4. Page 6, line 5 (clause 16)—Leave out "one" and insert "three".

Consideration in Committee.

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

That the Legislative Council's amendments be disagreed to.

The amendments relate to the committee that is to be established in connection with the control of the mall. Under the Bill, the committee is to comprise two persons nominated by the Adelaide City Council, two nominated by the Minister of Local Government, and two nominated by the Rundle Street traders. The Legislative Council has seen fit to increase the total membership of the committee from six to seven members, and to provide that one, not two, shall be appointed on the nomination of the Minister and that three, not one, shall be nominated by the Retail Traders Association of South Australia Incorporated, in addition to which there is still to be on the committee one person who must be carrying on business or employed in a business carried on from ratable property.

These amendments are not acceptable to the Government. It has been made clear that the Government is most desirous of having this mall, as are the people of metropolitan Adelaide. The Government believes that the mall should be controlled in the way the Minister suggested initially, with the committee having a balanced control. The committee will have a large responsibility, as it will have to make decisions in relation to the mall. Three parties are involved, not just one party. The amendment will mean that the committee will be controlled effectively by ratepayers. The Government and the City Council must answer regularly to the people, and they will be responsible to ensure that the sort of decisions made are in the best interests of the people who will shop in and use the mall.

Mr. Nankivell: Who will pay for it?

The Hon. J. D. CORCORAN: I believe the Government has been fairly generous in this matter. Indeed, it has been criticised by certain people for providing too much.

Mr. Mathwin: It's a three-way split.

The Hon. J. D. CORCORAN: That is so, and the City Council will later be providing a car park. I make it clear that the Government will not in any circumstances accept these amendments and, if members of another place (who have obviously been subjected to fairly intense pressure on this matter) insist on these amendments, I am afraid that the Bill will not pass. I make it perfectly clear that, if the Bill does not pass, the Government still intends to proceed with the establishment of Rundle Street as a mall. The Government can do that under the Road Traffic Act, and it intends, if it is not successful in convincing the other place that it is wrong, to proceed in the other direction.

Mr. COUMBE: We have seen a first-rate threat by the Minister, because he cannot get his own way.

The Hon. J. D. Corcoran: It's a promise, not a threat.

Mr. COUMBE: it is a promise and a threat. We have seen this type of thing happen recently with other legislation. I agree with the Minister when he refers to matters being controlled by ratepayers. Only last week, the Minister of Transport and of Local Government said that certain matters should be controlled by ratepayers, yet today his colleague said exactly the opposite. The Minister has threatened that, if the Government cannot get its own way, he will ignore all the advice taken by the Select Committee, the debate that has ensued, and the work of the steering committee, and introduce a mall under the provisions of the Road Traffic Act. Why on earth did the Government not do that in the first place? Today, we are faced with an ultimatum that we will agree to the Government's proposal, or else. Unfortunately, that is so typical of some of the legislation we have debated lately. When we debated this matter earlier, I moved certain amendments somewhat different from those we are now considering.

In the Select Committee deliberations I moved, and was supported by the member for Glenelg, that the representation be altered. What was introduced in the House was a majority report, which now forms the basis of the Bill. I sought to increase the representation to seven, to consist of two from the City Council, two from the Government, and three ratepayer representatives, instead of four as proposed in the Bill (two to be nominated by the Retail Traders Association and one to be a person carrying on business or employed in a business carried on from ratable property).

I support the amendments because I believe them to be a distinct improvement on the Bill. Of the witnesses who appeared before the Select Committee, five supported an increase in ratepayer representation; those who did not support the increase were not asked about it, because it was outside their sphere of representation. The Parliamentary Counsel, Dr. Scrafton (Director-General of Transport, who gave evidence on transport matters), and Mr. Thompson (State Planning Authority) dealt with other aspects entirely. The G. and R. Wills and Company Limited representatives were not directly involved in this matter, because, as that company conducts a certain type of business, it would not be directly involved. However, the Retail Traders Association representatives said that they wanted a greater representation.

Mr. Judell, who conducts a fashion business in Rundle Street, strongly supported increased trader representation. I draw the Committee's attention to the remarks of a person whom I regard as an independent witness in this regard, namely, Mr. Arland, the Town Clerk of the city of Adelaide, who represents an important participant both financially and physically on the operation of the mall and who would not necessarily have any special case to plead on behalf of the ratepayers. The city of Adelaide will have

two representatives on the committee, and Mr. Arland said that the City Council would support an increased number of trader representatives.

Mr. Arland also said that, if the mall was to be a success, there must be a major involvement by the traders. For the mall to work successfully, it must first of all be a market place. I support the council and Government representation and, at the same time, believe that the traders should have an increased representation, because, if the mall fails, it will be the traders who will suffer the most. The traders will have imposed on them a special differential rate of up to 5c in the $1 over and above the 19c they pay now. Therefore, in all equity, I ask the Committee to support the amendments.

Dr. TONKIN: I, too, support the amendments. One of the things that came out clearly in the Select Committee's report was the genuine opinion that there be a greater representation of the traders who would be most affected by the move. I may have been in error before, but it is apparently absolutely essential that, if the proposal is agreed to, it must proceed with the greatest expedition and in the way in which the traders wish it to proceed first, in the. way in which the city council desires as a second consideration, and the Government's opinions come last. I think it essential that the traders be able to take an active interest not only in being able to say what should be done but also in lending their enthusiasm for the project to the committee.

Essentially, they should be allowed to put forward their proposals and ideas and ensure that their normal trading is dislocated as little as possible while the transformation is being carried out. I believe that this could be achieved by having a greater trader and ratepayer representation, because it will only be by allowing them to express their opinions and exert their pressures that we will get the mall project off the ground in the way in which it ought to be done. Who has the most to lose? The project will be a big experiment, and the traders will have the most to lose, if it goes astray.

Mr. MATHWIN: I support the amendments. Although no minority report was issued, the only matter on which members of the Select Committee differed related to clause 16. The financial situation of the mall will be a three-way split between the Government, the Adelaide City Council, and the retailers. Surely, the traders must have adequate representation on the committee, because if the mall fails they will suffer. The member for Torrens referred to the evidence given by the Town Clerk (Mr. Arland), who stated that he. had no opposition to there being greater representation on the committee from the traders. The Minister of Transport has not given much thought to the matter if he thinks the traders could have too much representation. The council representatives on the committee would be responsible to the council, not to the traders.

The Committee divided on the motion:

Ayes (19)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran (teller), Crimes, Duncan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, Olson, Payne, Simmons, Slater, and Wright.

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

Pairs—Ayes—Messrs. Dunstan, McRae, Virgo, and Wells. Noes—Messrs. Allen, Becker, Chapman, and Goldsworthy.

Majority of 2 for the Ayes.

Motion thus carried.

The following reason for disagreement was adopted:

Because the amendments destroy the intention of the legislation.

Later:

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

Consideration in Committee.

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

That the House of Assembly insist on its disagreement to the Legislative Council's amendments.

Motion carried.

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

Later:

A message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room at 8.15 p.m.

At 8.11 p.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 10.24 p.m. The recommendations were as follows:

That the Legislative Council do not further insist on its amendments but make the following amendments in lieu thereof:

Clause 16. Page 6, after line 2—Insert new paragraph—*(aa)* one shall be a councillor representing the Hindmarsh Ward of the City of Adelaide;

Clause 18. Page 6, line 43—After "referred to in" insert "paragraph *(aa)* or"

and that the House of Assembly agree thereto.

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

In the Chamber this afternoon I made clear that the Government would not accept the Legislative Council's amendments to this Bill and, as a result, we eventually arrived at the conference. I made clear to the Legislative Council's managers that we were not willing to accept a compromise, because we believed the committee was balanced, that it would serve the purpose for which it was designed, and that there was little point, if any, in making alterations. However, after some discussion it was agreed that, in order to ensure that representatives of the Adelaide City Council were considered and as the mall was to be situated in the Hindmarsh Ward, of representatives appointed by the City Council at least one would be a representative of that ward. The Legislative Council managers accepted that point of view and reported back to the Upper House. From the Government's point of view it was a successful conference, and I am certain that, as a result, the Bill will work and we will see in Adelaide a very successful venture in the Rundle Street mall. I am certain that the action we have taken this evening in insisting on a balanced representation will not affect at all, but will enhance, the operation of this Bill.

Mr. COUMBE: First, I must say that I am wearing two hats, the first one as a manager for this Chamber. I suppose the result of the conference is that a majority vote of our managers has been agreed to. In other words, the Bill is to operate. Putting on my other hat, as a member of the Opposition and as one who spoke vehemently to

have some alteration made, I can only express grave disappointment at the result. Since I have been a member of this Parliament, I have attended many conferences, some long and some short: it could well be that I have attended too many conferences. However, this is the first conference that I have attended in those years at which the Minister in charge has stated frankly that there would be no compromise.

The Hon. Hugh Hudson: What about the times when someone from the Upper House says that?

Mr. COUMBE: The Chairman of the conference said that there would be no compromise and no chance of one.

The Hon. J. D. Corcoran: He meant it, too.

Mr. COUMBE: I am having my say now, and I am entitled to say that this is the first time this has happened, and I was disgusted.

Members interjecting:

The CHAIRMAN: Order!

Mr. COUMBE: In fairness to the Chairman, he was not the Minister in charge of the Bill, and I understand he had riding instructions. The real villain of the piece was the Minister of Local Government.

The Hon. J. D. Corcoran: That's not true.

Mr. COUMBE: The recommendations are not as I would have liked them to be, and I say that as a member of the Opposition.

The Hon. Hugh Hudson: Not as a manager!

Mr. COUMBE: I have given my views as a manager, and I am sure that the Minister of Works would appreciate what happened at the conference. The Minister of Education did not attend the conference.

The Hon. Hugh Hudson: You wanted the traders to have the complete say in the control of the mall.

Mr. COUMBE: I did not: all I wanted was fair representation for those who have the responsibility and who will pay for it.

The Hon. Hugh Hudson: What about the public?

Mr. COUMBE: The Bill has been saved, and it will operate with a slight and fairly trivial amendment. It means that, of two representatives from the Adelaide City Council, one shall be a councillor representing the Hindmarsh- Ward, which is the area of which the mall will form a part. It is open for council to appoint a second councillor from that ward if it wishes. I am not cavilling at this amendment, because I believe the council would have done the same thing. Let us be practical: that possibility was canvassed before the Select Committee, and it could well happen, and the Minister knows it. Having expressed my views as strongly as I can, I have no alternative but to support the recommendations of the conference.

Mr. MILLHOUSE: This afternoon the member for Goyder and I supported the so-called Liberal Party in its view on this matter, but I must say that I am disgusted to hear the comments of the member for Torrens. The fact is that this Chamber has had a complete victory in this matter, and the sooner that is realised the better. I know that the honourable member's friends and colleagues in the other place are feeling like whipped curs at present, and complaining bitterly about the result and the lack of compromise by the Minister. However, the Minister and all our managers were there, I hope to champion the view of this Chamber, and we should be pleased that we have had a victory, because the amendment that has been included is only a face-saver, although it fetters the discretion of the City Council. The fact is that we won, and it is not the first time that this Chamber has won in a struggle with the other place. It has happened on many occasions. I recall that I participated in a conference about 10 years ago to which we went along and said, "This is it, we will not compromise." The Upper House gave in then, and it has done it again, and that is how it damn well should be.

Motion carried.

BUILDING SOCIETIES BILL

Returned from the Legislative Council without amendment.

PRE-MIXED CONCRETE CARTERS BILL

Adjourned debate on second reading.

(Continued from March 13. Page 2891.)

Mr. EVANS (Fisher): I will not go through the Bill clause by. clause, because that will waste time. I oppose every clause: in fact, I totally oppose the Bill. The only clause I would support is that dealing with its. commencement, and I should like to amend that to provide that the Act shall never come into operation. There is no merit in setting out to license and restrict the operations of individuals. That is the aim of this Bill, which is to regulate and control the distribution of pre-mixed concrete trucks. It seems that the words "regulate, control, and distribution" have some significance in the Australian Labor Party platform. To those words could be added the word "license", too. For the Minister of Labour and Industry to say that this type of legislation would stop disputes in the concrete industry is ridiculous. He said that representatives of the various factions involved (concrete manufacturers, employed drivers and owner-drivers) met. I accept that some people in the group met, but the meeting was not totally representative of the industry.

Dr. Tonkin: Under what conditions did they meet?

Mr. EVANS: With a gun at their heads. Mr. Nyland and his renegade mob wish to take over the whole transport industry (including unions associated with the Municipal Tramways Trust, but another member from this side will deal with that matter later), and they deserve no credit for bringing about this type of pressure to try to control the industry. About four years ago I received an invitation from a tip-truck operator to attend a meeting at a house in Somerton that was to discuss this matter. The meeting was held on a Sunday afternoon, and when I arrived there I saw Mr. Clyde Cameron (now Commonwealth Minister for Labor and Industry) and his brother (who was to become a Commonwealth Senator). Also present was the Hon. Hugh Hudson (Minister of Education). Of course, the present Minister of Transport (Hon. G. T. Virgo) was prominent in that field at that time. A suggestion was put to a group of tip-truck operators that they should think about becoming licensed and that they should especially consider, because they were owner-drivers, joining the Transport Workers Union or the Australian Workers Union. The only reason for that was so that the unions could gain control of another industry and shackle another section of private enterprise.

The Attorney-General today referred to the consumer (the customer, the man in the street), but what have we achieved by licensing and restricting operations of different people in the community? Is it any cheaper for someone to buy an article today? Immediately we license people we set up another board group that we have to pay and we create more inspectors who have to ensure that a person is properly licensed before he loads concrete on to the back, of his truck. This sort of provision costs the community money; the community is starting to realise that this Socialist philosophy in relation to control and licensing is expensive.

Mr. Keneally: Like the Land Commission?

Mr. EVANS: If you would allow me, Mr. Speaker, to move into that field of discussion I could talk about it for some time. However, I will not do that.

The SPEAKER: Order! Discussion on the Land Commission is out of order.

Mr. EVANS: To a Liberal, the concept is that the first step will be to license pre-mixed concrete truck operators; the next will be to license tip-truck operators; and the next step will involve the whole transport industry. Members should consider an example of what happens when an industry is licensed by studying the taxi-cab industry. Originally, taxi-cabs were licensed because they carried passengers, and the condition of the taxi-cab, the knowledge and experience of the driver, and the safety of the vehicle were factors that had to be considered. Today, although that industry is licensed, there is no profit in it for drivers, and Government members know that many drivers are struggling to earn a reasonable wage. We are now discussing the licensing of vehicles that carry pre-mixed concrete, and this has a direct relationship to economics as they affect individuals. Recently, taxi-cab drivers have had their payments reduced from 45c to 42½c in the dollar, yet Government members say nothing about that move because they are not concerned about it: The group of drivers does not belong to one of the Government's driver-group unions.

The SPEAKER: Order! The honourable member may refer to similar legislation, but he cannot debate other legislation when dealing with this Bill.

Mr. EVANS: I think I have made the point about whether Government members are concerned.

Mr. Keneally: That's only your impression.

Mr. EVANS: When Government members speak about pressure being brought to bear, they should think about the type of pressure brought to bear on them so that they will support this sort of restrictive legislation. We know the reason for its introduction, and so does Mr. Nyland: it is close to his philosophy and to that of the Australian Labor Party, which should not be given a further chance to shackle private enterprise. The type of industrial dispute that occurred in the concrete industry early in 1974, to which the Minister referred in his second reading explanation, should not be allowed to force society into accepting this sort of legislation. There is no reason for society or an industry to be held to ransom by blackmail, and blackmail should not be successful in holding the Legislature to the same sort of ransom as the Government is applying at this stage. This is a form of blackmail, because the building and road construction industries could be held to ransom.

We have had experience enough in this State to know that licensing does not solve all the problems of cost; nor does it solve the problems of quality. I refer to the licensing of builders, because they would know that what I say is true. Owner-drivers who operate pre-mixed concrete trucks will not be protected by this Bill: they know that, but.it is a soft sell and the Minister hopes that people will accept it. The owner-driver struggling to meet his commitments (some are in a satisfactory position) will consider this legislation and say, "This is my salvation." However, that would be a short sighted view, and those people who sat around the conference table and said that they would like to see this sort of legislation introduced were also short sighted, and I do not apologise for saying that. In the long term so many problems are created that these people will rue the day when this sort of legislation was introduced into their industry. The Minister referred to vehicles operating within the metropolitan area, but how long will those provisions remain? How long will the small operator of a pre-mixed concrete plant in the country be able to operate independently without a licence?

We know that this is only a first step: it is like the State Government Insurance Commission. What about the parts of. the freeway situated outside the Stirling District Council area in which development is occurring now? Will another plant be set up in the Mount Barker council area, or nearer Murray Bridge? Will we find that, because Mr. Nyland and his renegade mob decide to create a dispute, the argument will be that licensing should operate in that area? Is the legislation introduced because Mr. Nyland has said that he needs it (or his successor, if he has the same philosophy) in order to create a dispute in an area that previously operated without licensing, so that the Government could then say that it wanted licensing in that area?

Dr. Tonkin: No, they would say, "You want licensing."

Mr. EVANS: Government members may say that, but deep in their hearts they would want to implement the Party's policy. It is worth remembering, from my experience over many years, that the biggest exploiters of owner-driver truck operators have been Government departments: that is a fact.

Mr. Wright: You had better qualify that.

Mr. EVANS: I would be ruled out of order if I did. At one stage tip-truck operators, using vehicles that cost $8 000 to buy, were being paid only $5 an hour.

Mr. Wright: The Government wasn't responsible.

Mr. EVANS: The present Government was in power when I first raised the matter, but it was totally ignored by the Government. A rate of $5 an hour is less than that paid to some public servants who work about 35 hours a week. Government departments have been the biggest exploiters of owner operators, and I include Liberal Governments because I raised this matter before the present bad Government came into power and when the previous Liberal Government was in control. I would not support this sort of legislation, even if some members of the industry told me that they thought it would work, because I have seen enough people looking for a short-term solution to problems and afterwards saying, "Why didn't you tell us: we didn't realise it would be so bad." In the past, people with the same philosophy as mine have said to them, "We will let you try it, because that is the only way that you will learn." There are enough people in our society now who have experienced the Labor Party's policy of regulation of labour, production and distribution to realise that it is not good.

Mr. Jennings: Your mob isn't doing too well in Canberra.

Mr. EVANS: My mob in Canberra has one of the best records of Government—

The SPEAKER: Order! We are not discussing Canberra, and the honourable member must return to the Bill.

Mr. Payne: What about the leadership fights?

The SPEAKER: Order! We are discussing a specific Bill, and that is all that may be discussed.

Mr. EVANS: Generally, pre-mixed concrete operators have bought trucks because they wanted the chance to succeed. They have accepted the philosophy that under a private enterprise system a person should have the right to succeed by using his own initiative and ability. If they wish to have that opportunity they must accept with it the possibility of failure. They cannot expect to be

wrapped up in cotton wool, protected from failure, and then given a chance of succeeding with controls on them. I believe that, if they desire to have the opportunity to succeed they must accept the possibility of failure. That is the only way society can get the best from the effort of the individuals within that society. I totally oppose the legislation and I will oppose it at every opportunity.

Mr. DEAN BROWN (Davenport): I, too, oppose the Bill. My grounds for opposing the Bill are consistent with statements I have made previously in this House regarding similar Bills, because it will start to destroy competitive trade within the industry. Members may recall my stand on the licensing of petrol resale outlets. On every occasion, I have spoken against the principle of licensing if it restricts competitive trade in any way. I believe that this Bill does nothing but restrict competitive trade within the industry. I see very few side benefits flowing from the Bill.

When I see legislation like this, I think of the quotation "The more you ask the Government to do for you the more the Government can do to you." I think this is a classic example of that quotation because, despite the comments of the member for Adelaide, this legislation places the entire pre-mixed concrete trucking industry within the hands of the Government. The member for Adelaide said, "The Government is not involved in this Bill in any way."

Mr. Wright: As an employer.

Mr. DEAN BROWN: The honourable member said the Government had no interest in, and was not connected with this Bill, but it is the Government that will administer the legislation and lay down the policy. We are debating a Bill under the present Minister of Labour and Industry and I understand that in June it will be further debated in Committee under a new Minister. I find it difficult to stand here and give a second reading speech under one Minister knowing full well that in Committee we shall debate it under another Minister who (and it is a frightening thought) could be the member for Adelaide; it was such an inane comment he made during this debate.

Members interjecting:

The SPEAKER: Order! The honourable member for Davenport has been in the House long enough to know that, when we are discussing a Bill, that is the subject matter before the House and that must be the subject of the debate.

Mr. DEAN BROWN: That is exactly what I am debating. Before going into the specific advantages and disadvantages of the Bill and its likely effects, I should like to summarise the history of the industrial dispute that led to the introduction of the Bill. Towards the end of April last year there was a strike within the pre-mixed concrete industry. This led to a protracted strike commencing in May because one of the companies introduced new trucks into the industry. Although the strike was initially a protest against one company, eventually it was directed against all seven members of the Concrete Manufacturers Association. I have discussed this dispute with many people and read as much as I could about it. The trouble seemed to stem from the difficulty that members of the Transport Workers Union and the other drivers had in defining the issues.

The first reason was the need to control the number of trucks operating in the industry so as to maintain an economic level of earnings for truck operators. Secondly, there was the need to control how many trucks were in the industry in order to reduce the excessive time spent waiting at plants for loading. The whole strike really centred around those two issues. I will read one person's account of the issues involved in the strike. It is as follows:

> The T.W.U. maintained that they should be the sole regulating body instead of the present situation where the companies determine the number of trucks in their respective fleets. The motives of the T.W.U. were seen clearly to be a desire to control the industry so that their permission would be required before additional owner-drivers or additional company vehicles were permitted to operate.

Mr. Keneally: That seems to be a biased report.

Mr. DEAN BROWN: I think that is a fair summary of the problem.

The Hon. D. H. McKee: Whose report is it?

Mr. DEAN BROWN: I challenge the Minister to deny that the two issues to which I have referred were not the main issues involved in the strike.

The Hon. D. H. McKee: From whose report are you quoting?

Mr. DEAN BROWN: I will not tell the Minister whom I am quoting, but I assure him that this person was closely associated with the difficulties. The report continues:

> Abortive negotiations were held by the C.M.A. with the union on May 6 concerning ways and means of regulating the number of trucks in the industry. The following day (May 7) the C.M.A. at its meeting with Mr. McKee (the Minister) were directed to sort this matter out quickly with the unions and were threatened with the introduction of regulatory legislation if this were not done. The dispute at this stage seemed to be a quite clear-cut affair over who was to control the industry, the union or the operating company, and there appeared to be very little area in which meaningful negotiations could occur.

I bring that forward simply because I think it indicates that the legislation was initiated by the Minister of Labour and Industry as a means of settling the dispute. Obviously, his silence indicates that he does not deny my statement. I will return to the two causes of the dispute a little later. The Minister proposed to introduce this legislation which was not requested at that stage by the union or by owner-drivers but which was threatened by the Minister.

The Hon. D. H. McKee: You get fairly good information!

Mr. DEAN BROWN: That strike was eventually settled after a protracted dispute. I understand that, as a contribution towards settling the strike, the Concrete Manufacturers Association agreed to adopt the legislation. I understand that the seven company members of that association accepted the proposal to introduce this Bill. I will not try to defend that action, as I think it was the wrong decision by the companies, as well as by the owner-drivers. I make clear that the association and the owner-drivers agreed to the legislation because the strike had become protracted and this seemed to be the only way out of a potential deadlock.

The Hon. D. H. McKee: You admit that now.

Mr. DEAN BROWN: I have said that this was agreed. I oppose the Bill outright. First, its provisions will establish a closed shop with regard to concrete trucks, unless new licences are issued by the board. The effect of that will be that competition will be removed amongst the drivers, leading to inefficiency and excessive expenses. Secondly, a closed shop of concrete manufacturers will effectively develop, because no new manufacturer will be able to establish himself in the metropolitan area unless he can obtain trucks that are licensed. Therefore, inefficiency will cause production costs for concrete manufacturers to increase. It is undesirable for the truck drivers and the concrete manufacturers to have such a situation in the concrete industry, with competition in both sections of the industry being destroyed.

Thirdly, the legislation will artificially set the relative position of each company in the industry. If company A has 15 trucks and company B 25 trucks, regardless of how efficient company B may be and how inefficient company A may be, they will maintain their relative position as to how many trucks they can operate, because the licence will be tied not only to the driver but also to the company. This is completely unsatisfactory. We must not create a situation in a competitive economy in which there is no chance for the size of the market to vary according to the efficiency and the prices of various companies. I believe this sort of thing is against the principles of the restrictive trade practices legislation. If an agreement such as this were disguised in any other way except under a Government board, it would not stand up under that legislation. I see no reason why the principle in that legislation should not apply in the case of Government control the same as it applies in cases outside Government control. Fourthly, the legislation will encourage inefficiency to develop in the pre-mixed concrete industry, as I think is obvious. If competition is removed, inefficiency automatically follows. Even the Minister of Education, who has done some economics, will agree with that.

Mr. Keneally: Some economics!

Mr. DEAN BROWN: He was a noted economist at the Adelaide University; I will not take that credit away from him. I cannot see how, as a former economist, he can agree with this legislation, which is entirely opposed to the economic principles that he must have taught. Fifthly, the legislation fails to achieve the security the owner-drivers are seeking.

I now return to the two main points of the dispute with which the Bill fails to deal. The first point is the need to control the number of trucks in the industry in order to maintain the earnings of truck operators at an economic level. I do not believe the legislation will achieve that. Let us assume 150 registered trucks operate in the metropolitan area. If the building industry suffers a down-turn, with less pre-mixed concrete being required, although there would still be a fixed number of trucks, less concrete would be sold and less work allocated. Therefore, the demand for an economic level of earnings for truck operators would not be satisfied.

Therefore, the Minister has set out in this legislation to achieve two aims, but he certainly will not achieve them by means of the Bill. The second important area with which the trade unions are concerned (and the apparent reason why the legislation has been introduced) is the need to control the trucks used in the industry, in order to reduce the excessive time they spend waiting at plants for loadings. Again, this legislation will not necessarily solve that problem because, if there was a down-turn in the concrete industry, the trucks would be left stranded at the plants and waiting for loadings.

The Hon. D. H. McKee: That could happen in any industry down-turn.

Mr. DEAN BROWN: Yes. I thank the Minister for accepting that, because he has introduced this legislation to control those two areas. Although the Minister initiated the legislation, he is now admitting, rather foolishly, that the legislation will not achieve those two objectives. My sixth and final point against the Bill is that its administration will be under the control of a so-called independent board. But how independent will the board be? The Chairman is to be appointed by the Government, and the Premier has already said that he will be a lawyer so that he can interpret the legislation on which he must act.

Mr. Wright: Are you suggesting that all chairmen are not impartial?

Mr. DEAN BROWN: No. I am suggesting that the Government will appoint the Chairman to carry out its policy. We all know whence Government policy in such areas comes: from the Trades Hall. The honourable member cannot deny that. So we have an "independent Chairman" who will carry out the policy of the Australian Labor Party, as issued by the Trades Hall. As the second member will be a trade union representative, he will also support Government policy. The third member will be a representative of the C.M.A. So, one can see how the voting will go: two to one in favour of the trade union. Therefore, the board will simply dictate to the industry what the trade union and the Government would like.

Mr. Keneally: You're really saying that you'll never be the Government, so you'll never be able to dictate policy.

The SPEAKER: Order! The honourable member must not make a second reading speech. The honourable member for Davenport.

Mr. DEAN BROWN: As the C.M.A. representative will represent one of the concrete manufacturers, how could he represent all seven manufacturers when making decisions that would affect his own company? Of course, he will not be independent, even regarding the C.M.A. Equally, the union representative could not possibly be independent if he was an owner-driver, because he would tend to favour the company he represented.

The Hon. D. H. McKee: You're very suspicious: everyone is crook!

Mr. DEAN BROWN: I am being realistic. How could a representative of company A sit on the board and decide a question about the number of trucks that related to his own company, and at the same time appear, and be, absolutely independent? Of course, he could not be;

The Hon. D. H. McKee: There would be many such boards.

Mr. DEAN BROWN: It is interesting to note that the Government has decided to adopt a policy different from the one it adopted in respect of petrol outlets, to control which it chose three representatives from outside the industry. The Government did not select someone representing petrol retail outlets or someone representing the petrol companies: it chose two people entirely from outside the immediate industry. For those six reasons, I believe that the legislation will not work.

The Hon. D. H. McKee: I thought you'd have more reasons than that.

Mr. DEAN BROWN: Therefore, I entirely oppose the legislation.

The Hon. D. H. McKee: Surely you have one good reason.

Mr. DEAN BROWN: I have tried to look at the benefits, and I will tell the Minister of one short-term benefit. In the immediate future (say, within the first six months) the owner-driver may enjoy some benefit but, after that, the disadvantages will appear quickly. The one long-term advantage will accrue to the T.W.U., because it will have all these operators under its control. Let us not be fooled: this is the first sector of the entire transport industry the T.W.U. would like to have under its control.

The policy of the T.W.U. (and it is also the policy of the Government) is that every transport truck operating within the State must require a licence to operate. The security of the drivers, which has been given as the main reason why the legislation was initially proposed, is not safeguarded in any way. However, it could be achieved by other means. There could easily be company and

owner-driver agreements. I appreciate that the owner-drivers are being paid entirely on the basis of the number of tonne-miles they travel and that that places them in a difficult position in the event of a down-turn in the industry, because they would have fixed payments to make on their trucks, and they would simply not be earning the money with which to make them. Surely, an agreement could be reached between the companies and the owner-drivers giving them a time-payment basis as well, so that the fixed payments on their trucks would be covered.

I am sure that the Government could not disagree to that proposal, because it would give the drivers the security they need and it would maintain the economies of scale that they also need. It would be absolutely ridiculous if we, as a Parliament, had to legislate to settle every minor dispute that occurred in the community. If this is really the genuine policy of the Government, and it is not trying to seek further advantages, why did it not introduce legislation to settle the handling of the steel dispute on the wharves? On that occasion, the dispute was between the Waterside Workers Federation and the T.W.U., and the Premier said that there was nothing he could do about it.

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

Mr. DEAN BROWN: The Government has introduced this Bill because it sees other advantages to be gained on behalf of the T.W.U., and I challenge any Government member to deny that this is not the first of several industries (if the legislation is passed, and I hope that it is not passed) that will come under the control of a licensing board.

I will now deal briefly with certain aspects of the Bill. First, it covers the distribution of pre-mixed concrete but it fails to define whether the distribution is simply from the plant to the point of use or whether it could also be from plant to plant, because most concrete manufacturers have more than one plant in the metropolitan area. Secondly, the Bill relates only to the metropolitan area, whereas I believe that, if the Government is genuine, the same principle would apply also to the country. If the Government is concerned about the livelihood of city drivers, why is it not equally concerned about those in the country? Again, I think that shows the Government's true colours and the reason why it has introduced the legislation. There is insufficient control in the legislation to ensure that the licence is tied to an owner-driver and to a company as well. I believe that a permit should be issued to the company for it to control. Unless that system was adopted, the legislation will fall down completely.

The Hon. D. H. McKee: It can be tied only to the owner-driver.

Mr. DEAN BROWN: If that is so, every owner-driver could walk out from one company and leave it with manufactured concrete that it could not distribute, nor could the company obtain any additional licences. Furthermore, the board consists of three members, and I believe those members should be able to appoint deputies. It is farcical that there should be only three board members, because they may not all be able to attend meetings of the board. Clause 15 empowers an inspector to require the production of any book or document relating to the manufacture or cartage of pre-mixed concrete. It is ridiculous to give inspectors power to obtain records about the manufacture of pre-mixed concrete as well as about the cartage of that commodity. If the Government is sincere about this legislation it will delete the word "manufacture". It is obvious in clause 15 (3) *(a)* that after "inspector" the words "regarding the cartage of pre-mixed concrete" should be included.

Mr. Keneally: You've got those amendments on file, have you?

Mr. DEAN BROWN: No. I intend to vote against the Bill, but I hope that the Government will have seen the light by June and will withdraw the legislation. There is no point in trying to amend this measure, but I am pointing out the failings of the Bill just to show the Government how ridiculous is its legislation. Clause 18 (2) provides that the industry, not individual companies, must justify extra licences. The position could arise where a company has a number of trucks that exceeds the limit for which it is licensed. However, it is up to the overall industry to say whether that company can obtain an extra licence. Obviously, the industry as a whole will see that the most viable competitor is pushed down. This whole measure is designed to kill any competition within the industry. If the Government did not intend to kill competition it would have provided for the individual manufacturer to justify his need for additional trucks. Another interesting aspect of the measure is that retrospectivity will apply in relation to the number of trucks operating and receiving licences as at July 1, 1974—nine months ago..

Mr. Evans: That might be fair enough, since the State is running downhill as a result of Commonwealth policy.

Mr. DEAN BROWN: Everything has stood still since July 1, 1974. Because this legislation will not be further considered by Parliament until June, it will be retrospective for 12 months. The Government might admit, and I tend to agree, that all industry has stood still in that time. I hope that the Government will make this legislation operate from the date of proclamation rather than from July 1 last. What sort of retrospective and inhibiting legislation will we have next? I would be ashamed to vote for or support legislation such as this. I could continue picking out various points in the measure, and I refer specifically to clause 22, which gives the board power to tie a licence through an owner-driver to a company. This legislation is - useless unless a licence applies to a certain company. Throughout this measure I have taken the line that the legislation is irrelevant to the situation and is not really needed. The necessary safeguards could be achieved without this legislation, which has been forced on the community because of the policy of the Transport Workers Union and because this State Government fully supports and must continue to support the policy of that union. I will vote against the Bill at the second reading, and I intend to vote against it at the third reading, irrespective of what amendments are moved.

Mr. WRIGHT (Adelaide): I support the Bill in principle. It seems to me that members are talking about two different measures; at least that is the impression that I get from listening to members opposite. When the Minister introduced the Bill some time ago his explanation, I believe, was correct. So, if it is correct, I believe that members opposite have not bothered to read the second reading explanation, because the Minister indicated that he had received representations from people on both sides of this dispute. In order to refresh the memories of those members opposite who have spoken, I will refer to the relevant part of the Minister's explanation, as follows:

Representatives of the various factions involved (that is, the concrete manufacturers, the employed drivers and the

"owner-drivers") approached me at that time, seeking some solution to the impasse and to the various problems involved in maintaining viability in the industry.

Surely that is more than an indication of the parties that were involved in the 1974 dispute, which was a most serious dispute. The member for Davenport referred to it as being a "very minor" dispute. In fact, it was a major dispute, because, when the concrete carting industry came to a halt, all jobs associated with the concrete industry in South Australia came to a halt, too. That can hardly be described as a minor dispute. From the Minister's explanation it is obvious that there was a consultation between the employers and the employees and that they approached the Government asking for a solution to the problem. That cannot be denied. That aspect of the dispute was passed over cleverly and cunningly by the two Opposition speakers.

I wish to remind honourable members that a joint approach was made by the parties to the dispute, and it was that approach that influenced the Minister to introduce this legislation. It is no use Opposition members denying that the Minister was given an opportunity to settle the dispute and trying to lay the blame on the Minister. When I interjected and said that the Government was not involved (and the interjection was greeted with much laughter), I should have thought that anyone with a semblance of a brain would realise that I was saying that the Government was not involved as an employer. Surely no-one would be stupid enough to say that the Government was not involved; after all, it has introduced this legislation. The situation is clear in my mind, and anyone who wishes to interpret the matter properly would clearly understand that what I was trying to say was that the Government was not involved in the dispute as an employer. The Government does not employ such people; they are employed by various carriers in the industry.

Dr. Tonkin: It's only a matter of time before they will be employed by the Government, isn't it?

Mr. WRIGHT: That is not correct. The Government cannot be blamed for introducing, this Bill. I am reminded by my colleague that approaches were made by both parties.

Mr. Dean Brown: I said there were.

Mr. WRIGHT: You denied it.

The SPEAKER: Order!

Mr. WRIGHT: You clearly tried to lay the blame on the Government for introducing this measure as a further control. That was the context of your speech.

The SPEAKER: Order! The honourable member should refer to "the honourable member's speech".

Mr. WRIGHT: Yes, the honourable member's speech, which was clearly dishonest. The honourable member got up and told lies to the House.

The SPEAKER: Order! I have ruled previously that there are certain words that are considered to be objectionable. I ask the honourable member to withdraw the words he used.

Mr. WRIGHT: On your advice, Mr. Speaker, I am willing to withdraw those words, but the honourable member's words were a prevarication of facts in regard to the second reading explanation, and showed a determined attitude on the part of the honourable member to cover up the situation that there had been a joint approach. I am not willing to believe that he misunderstood the situation, because it was an attempt by the honourable member to misrepresent the facts.

Mr. Rodda: You're speaking like a Minister!

Mr. WRIGHT: I shall deal with the situation, which was referred to by the member for Davenport, that in some way I had an interest in following the Minister of Labour and Industry. If my Party chose me to do that, I would do it.

The SPEAKER: Order! I rule that these are not matters contained in the Bill, and cannot be the subject of debate.

Mr. WRIGHT: I make clear that I do not need assistance from the member for Davenport, and I agree with you, Sir, that this matter should not be brought into the debate.

Mr. Dean Brown: You don't deny you're lobbying for the position?

Mr. WRIGHT: Mr. Speaker, I ask for an unqualified withdrawal of that last statement by the member for Davenport.

Members interjecting:

The SPEAKER: Order! The member for Adelaide has objected to words used by the honourable member for Davenport. Will the honourable member withdraw those words?

Mr. DEAN BROWN: No, Mr. Speaker. I made a general comment that the member for Adelaide was lobbying for that position.

The SPEAKER: I have asked the honourable member for Davenport, at the request of the honourable member for Adelaide, to withdraw, but at this stage I cannot rule that the words used, are unparliamentary. The honourable member for Adelaide.

Mr. WRIGHT: I make clear that I have not lobbied anyone, and the member for Davenport cannot produce evidence that I have. It could be the situation with his own front bench position.

The SPEAKER: Order! Previously I have ruled that some matters referred to by honourable members are not contained in the Bill and should not be the subject of this debate. My ruling does not allow continual debate on matters that I have ruled out of order. The honourable member for Adelaide.

Mr. WRIGHT: If Opposition members will let me return to the Bill, I indicate my support for it, because I believe there is a need for it. If this industry is to operate on an even keel and not have disputes recurring similar to the dispute in 1974, something has to be done to control licences in the industry. Let us examine the situation, because it has not been referred to by Opposition members, although it is a fact. I understand that at present, because of inflation, it would cost between $25 000 and $30 000 for a man to establish himself in this industry. This is a large sum to be found by any man working for his living. It is a better method of trying to obtain a higher standard of living than that obtained by an ordinary person, but in some way finance has to be found. Also, no person coming into this industry would be able to afford that sort of capital expense, and he always has a hire-purchase agreement to maintain, usually by monthly commitments, so it is necessary for work to be continuous.

Without this guaranteed continuous work, at any time the hire-purchase company could repossess the machinery, and the person would be returned to the labour market, having lost his truck. That is an important aspect of the situation. If people do not perform this important part of the industry, the industry will fail, because delivery of concrete is most important, and when a person is required to perform this duty he is entitled to some protection. Opposition members have said that this protection is not wanted, and that this legislation is not wanted

by either employees or employers in the industry. I think it is important to emphasise that these employees desire to obtain a guarantee that their involvement in the industry will be continuous, otherwise the possibility of investing such large sums would not be considered by them.

If I could not look forward to a guaranteed future with continuous work for, say, up to 18 months or two years, depending on how much I was committed for the truck, I would not enter this business. Let us examine closely why the dispute occurred in 1974. The employees did not cause the dispute: they were going along, pretty well in harmony in the industry, and receiving average earnings each week. Suddenly, there was an attack by employers (who are supported by Opposition members), who brought in extra trucks. I am not sure how many trucks were brought in, but it was enough to disrupt the industry. The companies merely informed the unions that they were bringing in additional trucks, and immediately there was a dramatic reduction in the amount of work available for employees, who found themselves in a situation in which they could not meet their commitments.

Dr. Tonkin: And they went on strike.

Mr. WRIGHT: Of course they went on strike, but for the reasons I have enumerated. I have been told by the Secretary of the T.W.U. (Mr. Nyland) that this group of employees is probably the most responsible and sensible part of his organisation; he has said that these men do not strike easily, but give every possible consideration to matters to try to formulate a negotiated settlement before considering the strike weapon. That is a commendable attitude.

Mr. Evans: If they had been left alone at that time, they wouldn't have struck.

Mr. WRIGHT: I object to that remark. If a man is honest enough to tell me and make public that these men were responsible people and did not take strike action lightly, that interjection is out of order. They did not have a job, and it was their decision. It is in the men's favour that they were not irresponsible and wanted to settle the dispute properly without using the strike weapon, but they were forced into their action by employers.

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

Mr. WRIGHT: This Bill has been introduced because agreement has been reached between employer and employee members to arrive at a sensible decision, and the Minister of Labour and Industry has been requested to bring in an appropriate Bill to cover the situation. I turn now more directly to my reasons for supporting the legislation. If the industry is allowed to continue in the present vein, with the employee section being forced into a situation where it has no guarantee of what will happen with contracts, labour, or machinery, only chaos can result. When one considers the arguments put forward by members opposite, it is quite clear that chaos will result, because I have never seen stronger agitation for disputation in industry than that put forward by the member for Davenport. The honourable member does not want any control in the industry. He. wants an open industry where only the employer has any sanctions and the employee has no control over the work offered to him. That is exactly the attitude expressed by the member for Davenport, and if we continue along those lines we will see a repetition of what has happened previously.

From now on we will see disputes in the industry, and that is what has been caused by agitation from the other side. There is no doubt that the point I am making quite deliberately is hurting the member for Davenport; I have struck a note with him and it is hurting him deeply. There is only one point of interest in all of the actions of the member for Davenport, and that is for people who control labour. He does not care about the employees; he cares only about the employers of labour. He has consistently expressed that attitude since he came here in 1973, and he will continue to do it because, in my opinion, he is a puppet of the employing class in this State, and he will continue to jump when the strings are pulled by that class.

In his remarks in this House, the member for Davenport tried to indicate that the Bill would not work and that the Minister had not given the matter proper consideration; he said the situation was unworkable and the solution did not lie in this Bill. However, he failed to put up any alternative proposal by which the industry could remain on an even keel with everyone guaranteed a chance to make a living. He simply criticised without making any constructive suggestions. When he was challenged on whether he intended to move any amendments, he said he did not intend to do so. He was challenged by the member for Stuart.

The SPEAKER: Order! I call the attention of honourable members to Standing Order 174. The honourable member for Adelaide.

Mr. WRIGHT: He did not offer any suggestion by way of constructive criticism, but he said the Bill should be immediately chucked out; I think those were his exact words.

Mr. Gunn: With which I concur. That is the wisest thing.

Mr. WRIGHT: If that is typical of the attitude of members opposite, the Bill must be a good one, setting out to protect employer and employee organisations so that the industry can go along without disrupting the whole State, as the member for Davenport would like to see. He wanted to see continual chaos in the industry.

Mr. Dean Brown: Why don't you apply it to the whole State instead of just to the metropolitan area?

Mr. WRIGHT: I am coming to that. In my opinion, the control should be extended over the whole of the State, and that is a matter that should be looked at. If members opposite were prepared to suggest amendments providing that the labour force should be controlled over the whole of the State, I would give a sincere undertaking that it would receive my sympathetic consideration. It does not seem to me to be a total solution simply to control one section of the labour force and not the other, and difficulties could occur. I do not think it is a major problem, but it is not covered in the Bill as it stands.

Members interjecting:

The SPEAKER: Order! I realise that this is the last evening of the current sittings, but I ask members not to get carried away with their own self-importance. The honourable member for Adelaide.

Mr. WRIGHT: It seems rather peculiar that, each time I try to speak in this House, I am subjected to stupid interjections from the other side, most of them emanating from the middle bench. Apparently members on the front bench have more sense, but those on the middle bench who are anxious to get on the front bench think they should impress the House with interjections. If the member for Davenport will listen, he will find out more things about himself.

Members interjecting:

The SPEAKER: Order!

Mr. WRIGHT: It seems to me that continual interjections about whether or not I intend to stand for the position of Minister of Labour and Industry and the lobbying—

The SPEAKER: Order! I have ruled previously that remarks made by way of interjection are definitely out of order, and if they are made for the purpose of provoking a reply I shall have no hesitation in implementing the necessary Standing Orders. The honourable member for Adelaide.

Mr. WRIGHT: I hope the House will concur in your ruling, Sir, because members opposite are upsetting me. I turn now to the statement of the member for Davenport in which he talked about the Government's appointing the Chairman of the board. He said that the Government would appoint a Chairman who would carry out the policy of the Trades Hall. To suggest that any Chairman appointed to a board would not have an impartial view is, in my view, a travesty of justice. This simply means that the member for Davenport has cast a slur on every Chairman of every board or committee that has been set up by Liberal or Labor Governments in the past. The honourable member is implying that there are no honest Chairmen at all.

Mr. Dean Brown: I didn't say that.

Mr. WRIGHT: That is one of the worst statements I have heard from the honourable member, who has made plenty of bad statements in the short time he has been a member.

Mr. DEAN BROWN: I rise on a point of order, Mr. Speaker. The member for Adelaide (the Minister elect) has been—

The SPEAKER: Order! I have ruled previously that that remark, which has just been repeated by the honourable member for Davenport, is out of order. If the honourable member intends to disregard totally the authority of the Chair, Standing Orders will prevail.

Mr. DEAN BROWN: The point of order is that I think the member for Adelaide is grossly misrepresenting me. I think that it is well known to honourable members that I made no such statement as he attributes to me. I ask him to withdraw what he has implied.

The SPEAKER: I do not uphold the point of order. The honourable member for Adelaide.

Mr. WRIGHT: Members opposite seem to have a plan to suggest continually that I am going to be the Minister of Labour and Industry.

The SPEAKER: Order! I have ruled such remarks out of order.

Mr. WRIGHT: I accept your ruling, Sir, but I wish members opposite would take notice of it. Nothing is further from my mind than what they suggest. At this stage, I am merely trying to deal with the fabrications and untruths uttered by the member for Davenport in his feeble attempt at a speech. At the moment, my purpose is to deal with this Bill, as I intend to do if I am allowed to continue. Clause 14 is an essential provision if the legislation is to work effectively, as it provides for the appointment of inspectors who will have full powers to move into various areas to check that operators are not working without a proper licence. Clause 15 provides inspectors with the necessary powers of inspection and investigation, so I support it; it will help to solve the problem in this industry.

Clause 17, which is probably one of the most important clauses of the Bill, provides that a person is guilty of an offence if he operates a pre-mixed concrete truck within the metropolitan area otherwise than in pursuance of a licence. Incidentally, the word "operator" in this Bill is not intended to include a person who is simply employed on wages to drive a truck that is owned by a company or some other person. This provision is absolutely necessary. It means that, if the board permits 200 operators (and I use that figure as an example, not as a suggestion that that should be the number permitted to operate) to work in the metropolitan area, it will have to take certain action, and it will have to have disciplinary powers to enable it to carry out its work. It will not be easy for inspectors to police these provisions, unless the legislation is passed and everyone is willing to comply with it. I understand that when the Bill was introduced there was definitely agreement about it by employer and employee organisations. If some employer organisations have now changed their minds, they surely had an obligation to tell the Minister.

Mr. Dean Brown: This shows that we do not represent only employers.

The SPEAKER: Order!

Mr. WRIGHT: That is a doubtful statement. I have said before that the member for Davenport represents only the employing class. Be that as it may—

Dr. TONKIN: I rise on a point of order, Mr. Speaker. For some reason the member for Adelaide keeps referring in a personal way to the member for Davenport, who I do not think is referred to in the legislation.

The SPEAKER: I do not uphold the point of order. The honourable member for Adelaide.

Mr. WRIGHT: Clause 19 requires the board to give an applicant opportunity to make representations to the board before it may refuse his application. The board is given the power to specify a time before which a rejected applicant may not reapply without the prior approval of the board. That provision is fair and appropriate in this type of legislation. This form of control is necessary so that applicants will know what is their position with regard to being able to reapply for a licence. Otherwise, the board could be inundated all the time with applications. I believe that the Bill as a whole is commendable; it has obviously been worked out in detail. It has been consented to by employee organisations and, when it was introduced, it had the consent of employer, organisations. If those employer organisations now do not want to continue with the Bill, that is their fault.

Dr. TONKIN (Bragg): The most significant thing that the member for Adelaide said during his 30-minute speech was that we needed more control over the concrete industry, and that is what the Bill is all about.

Mr. Wardle: That was an aggregation of his ideas.

Dr. TONKIN: I acknowledge that comment. There is a limit to which any member can go in the House, and I have reached it.

The SPEAKER: Order! The House is located on North Terrace, not at the Adelaide Festival Theatre. The honourable member for Bragg.

Dr. TONKIN: It is important in considering the Bill that we examine the events that led up to its introduction—not the events of the past few weeks or months, but the events of nearly a year ago, in the early days of May, 1974, when there was a strike of concrete truck drivers. I believe it disgraceful that this legislation has been introduced, because it is totally unnecessary and is a totally unwarranted intrusion by the Government into a matter that should, in effect, be a matter for agreement between employer and employee, that is, between the Concrete Manufacturers Association and owner-drivers and, if necessary, the Transport Workers Union. There is no justification for the introduction of this legislation. It came about purely and simply because the Minister of Labour and Industry could not possibly let pass the opportunity presented to him at the time to interfere in matters between

employer and employees in the concrete industry. That is the only reason why we are considering this legislation this evening.

Mr. Langley: You must be joking!

Dr. TONKIN: I will be far more convinced of the sincerity of the member for Unley in this matter if he rises and makes a rational and reasoned speech.

Mr. Langley: You know nothing about this industry.

Dr. TONKIN: If the member for Unley and the member for Ross Smith care to rise to their feet and make a speech on this subject I, for one, should be pleased to hear it, because it would simply compound the farrago of nonsense we have heard from the member for Adelaide, and from the Minister when introducing the Bill. I think it appropriate at this stage to consider the events of May, 1974.

The Hon. D. H. McKee: Are you going back to that again?

Dr. TONKIN: Yes, because it is the crux of the whole Bill and the reason why we are considering this nonsense before us this evening.

The Hon. D. H. McKee: You accused me of interfering!

Dr. TONKIN: Indeed, out of the Minister's mouth comes the condemnation: he interfered in the dispute but, if he is wise, he will be quiet now.

Members interjecting:

Dr. TONKIN: Mr. Speaker—

The SPEAKER: Order! I point out that the Speaker has certain powers. He can adjourn the House if the debate does not continue along the lines on which it should continue, and I will implement that Standing Order if honourable members do not show the necessary decorum. The honourable member for Bragg.

Dr. TONKIN: Mr. Speaker, I am most grateful for your protection, but I am sorry that you have had to exercise it in that way. On May 2, 1974, at a meeting of about 175 drivers in the Trades Hall, a decision was made to call a strike, which was brought about because someone indicated that he would increase the size of his fleet of trucks. The State Secretary of the T.W.U. (Mr. Nyland) said that the action was taken because Quarry Industries Limited had employed an extra truck, and intended to take on an additional four. This is an important point.

As a result, a meeting of drivers decided that they would go on strike. Mr. Nyland was quoted at the time as saying that most of the men would return to work in the morning, that they realised that prolonged action could cause stand-downs in the building industry, and that they expressed concern for their clients. What hollow words they turned out to be, because they had no concern for their clients, and the strike continued for several days. Later, a procession. of concrete-mixing trucks took place along King William Street, and this was part of what was termed on the following day an indefinite strike after a stop-work meeting in the Trades Hall. It was said that there was high competition among the employers over prices and contracts and that the extra trucks had been employed to meet the heavy demand for early-morning deliveries. This one extra truck, plus the four intended additional trucks, were more or less given notice of at the time the strike was called. On May 11, a press report stated that a strike of concrete-delivering truck-drivers—

The Hon. D. H. McKee: But the press is always biased.

Dr. TONKIN: I am quoting from press reports, and, if the Minister says that the newspaper was biased in favour of one side or another, that is up to him, but I believe that the newspapers in this case were perfectly fair and that they were reporting the facts as presented to them. On May 11 the following newspaper report appeared:

The strike by concrete delivery truck drivers was severely affecting house-building and some commercial projects in the city and metropolitan area. Major builders and housing spokesmen said yesterday the strike's effects would be felt throughout the industry for months.

I agree with the member for Adelaide (the Minister elect)—

The SPEAKER: Order! There is no such position in this House.

Dr. TONKIN: —that it was a serious matter, because the strike affected many people in the community and was not something to be taken lightly. In the *Advertiser* of May 14 appeared the following report:

Decision on concrete strike today. Pre-mixed concrete carters will decide today whether to extend their five-day-old strike . . . The meeting could determine that yards not affected by increased truck fleets could resume work, while the dispute extended to other union members employed by companies which had put on the extra trucks.

On May 15, the following report appeared in the *Advertiser:*

A stalemate has been reached in the six-day pre-mixed concrete driver strike which has halted much of South Australia's building industry . . . the owner-drivers say they will decrease their total earnings and increase time wasted queuing for loads . . . He —

Mr. Nyland—

said the companies had offered to withdraw five of the additional eight trucks if work resumed immediately. After a return to work the employers would confer with the union and the drivers to work out a formula to measure further increases in the industry's truck fleets.

The report continued (and I believe this is the most important part of it):

... Mr. Nyland said the meeting had considered asking the State Government to form a committee of inquiry into the concrete carting industry and the union would approach the Minister of Labour (Mr. McKee) on the matter.

The Hon. D. H. McKee: We read that in the paper. Haven't you got something to offer that hasn't already been said?

Dr. TONKIN: I can well understand the Minister's embarrassment at having these facts brought up; he must be embarrassed about this because, clearly, we find in these reports that Mr. Nyland and the Minister were in collusion.

The Hon. D. H. McKEE: On a point of order, Mr. Speaker, I take exception to that statement. The honourable member said that I was in collusion with the Secretary of the Transport Workers Union. I deny that, and ask for an unconditional withdrawal.

The SPEAKER: A point of order has been raised, but at this stage I do not uphold it. The honourable member for Bragg.

Dr. TONKIN: Had the Minister been patient and let me finish the sentence he would have heard me say that he and Mr. Nyland were in collusion—

Mr. Mathwin: Confusion.

Dr. TONKIN: —to bring about, by utilising the current situation, a situation whereby an attempt would be made to control the whole of the transport industry, using the concrete carters as the guinea pigs in the whole exercise. In the *Advertiser* of May 24, under the headline "Talks today on concrete", appeared the following report:

Moves are being made to hold urgent talks today on the protracted pre-mixed concrete strike, as more building industry stand-downs are threatened . . . Mr. McKee said later he had spoken to representatives of the pre-mixed concrete industry and also had had discussions with the. South Australian Secretary of the Transport Workers Union (Mr. J. J. Nyland). "I have made certain proposals which I cannot make public and I plan to have talks and

meetings with the parties tomorrow," Mr. McKee said. It is the first move by an outside party to break the deadlock between the union and the concrete manufacturers, which is not an industrial dispute under the Industrial Conciliation and Arbitration Act because the unionists are owner-drivers.

I suggest that drivers' being owner-drivers is the major objection that the Minister and the Government have to this whole business. That is why these controls are being introduced. An *Advertiser* report of May 25 states:

The Minister of Labour and Industry (Mr. McKee) said yesterday he had arranged a conference between the Concrete Manufacturers Association and the Transport Workers Union for 10 a.m. . . The owner-drivers maintain that any increase in the size of truck fleets would reduce their earnings and increase the time wasted queuing for loads.

By the same token, the following point was made:

The rates of cartage and the rates allowed for waiting times at plants had been set by the Prices Commissioner.

Mr. Hunt, who was Chairman of the C.M.A. at the time, said:

The right of industry to increase its fleets must remain and should not be restricted .... Any lessening of the services provided must inevitably lead to high costs in housing and other building areas.

By this time the disruption to the building industry had reached an all-time high. In a report in the *Sunday Mail* of May 26 appeared the following:

Hopes for an early return to work of South Australian concrete truck drivers rose yesterday following the intervention of Labour and Industry Minister, Mr. McKee.

The big white knight on his white charger!

The Hon. D. H. McKee: You were the people encouraging the strike to last for 12 months.

Dr. TONKIN: I am astounded to hear the Minister say that I hoped the strike would last for 12 months. I am absolutely appalled to hear that: it is unworthy of him. The report continues:

"I believe we are closer to an agreement and closer to a return to work than at any time in the past month," said Mr. McKee. Both employers and drivers' representatives had agreed at a two-hour meeting yesterday for the necessity of a system to control the number of concrete mix vehicles employed in the building industry. "Both parties agree that some form of control seems necessary in the industry to get it running satisfactorily again," Mr. McKee said.

There was no suggestion at any time that legislation should be introduced to achieve the degree of control to which the Minister referred. I seek leave to continue my remarks.

Leave granted; debate adjourned.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (APPEALS)

Returned from the Legislative Council with the following amendments:

No. 1. Page 3, lines 17 to 19 (clause 10)—Leave out the clause.

No. 2. Page 3, lines 33 to 35 (clause 11)—Leave out "any decision of the board on a question of law to the Full Court and, on any such appeal, the Full Court" and insert "the determination or decision to the Land and Valuation Court, and, on any such appeal, the court".

No. 3. Page 3, lines 38 to 41 (clause 11)—Leave out paragraph *(d)*.

No. 4. Page 3, line 45 (clause 11)—Leave out "Full Court" and insert "Land and Valuation Court".

No. 5. Page 4, line 2 (clause 11)—After "decision" insert "or purported decision".

No. 6. Page 5, lines 1 to 9 (clause 14)—Leave out the clause.

No. 7. Page 5, line 34 (clause 16)—After "to answer" insert "in writing".

No. 8. Page 6, line 3 (clause 16)—Leave out "section" and insert "Act".

No. 9. Page 6, lines 17 to 29 (clause 17)—Leave out the clause.

No. 10. Page 7, line 2 (clause 18)—Leave out "subsection (5a) of".

No. 11. Page 7, lines 3 and 4 (clause 18)—Leave out subsection (5c) and insert new subsection (5c) as follows:

(5c) Where the authority has delegated to a council its power under this section to grant or refuse consent to an application for such consent, and the council fails to exercise the delegated power in relation to an application within a reasonable time after the application was made, the authority may itself act in the matter and determine the application.

No. 12. Page 7, line 30 (clause 18)—After "authority" insert "or the council by which the condition was imposed".

No. 13. Page 9—After line 8 insert new clause 27a as follows:

27a. *Enactment of s.* 63b *of principal Act.*—The following section is enacted and inserted in the principal Act immediately after section 63a:

63b. *Acquisition of land within Hills Face Zone*—(1) The authority may, with the approval of the Minister, acquire land by agreement within the Hills Face Zone.

(2) In this section—'the Hills Face Zone' means the zone shown as the Hills Face Zone on the Metropolitan Development Plan or any zone that, by virtue of a planning regulation relating to the Metropolitan Development Plan, supersedes that zone.

No. 14. Page 9, lines 20 to 23 (clause 30)—Leave out subsection (1) and insert new subsection (1) as follows:

(1) Subject to subsection (2a) of this section, where an application is made to a planning authority for a consent, permission, approval, authorisation, or certification that it is empowered to give under this Act, the law to be applied by the authority in deciding the application, and the law to be applied in resolving any issues arising from the decision in any proceedings (whether brought under this Act or not), shall be the law in force as at the time the application was made.

No. 15. Page 9 (clause 30)—After line 26 insert new subsection (2a) as follows:

(2a) This section does not apply in respect of an application for approval of a plan of subdivision or re-subdivision relating to land within the Hills Face Zone.

No. 16. Page 9 (clause 30)—After line 34 insert new definition as follows:

"the Hills Face Zone" means the Zone shown as the Hills Face Zone oh the Metropolitan Development Plan or any Zone that, by virtue of a planning regulation relating to the Metropolitan Development Plan, supersedes that zone.

Consideration in Committee.

Amendments Nos. 1 to 4:

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

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

Clauses 10 and 11 sought to provide that no longer could appeals from the Planning Appeal Board be referred to the Land and Valuation Court but had to go direct to the Supreme Court. The purpose of these amendments is to create a situation in which appeals from the board may go to the Land and Valuation Court on points of law and of fact, and further appeals can then go to the Supreme Court on points of law.

Motion carried.

Amendment No. 5:

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

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

Although I believe this matter was already covered, to clarify the situation I am willing to accept this amendment.

Motion carried.

Amendment No. 6:

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

That the Legislative Council's amendment No. 6 be agreed to.

This amendment is to strike out clause 14, whose purpose was to permit the Crown to intervene in proceedings before the Planning Appeal Board when, in the opinion of the Crown, questions of law or of major public importance were involved. The amendment will thus remove this type of intervention. Although such a provision would have been of some value, as it is not critical, I believe we can accept the amendment.

Motion carried.

Amendment No. 7:

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

That the Legislative Council's amendment No. 7 be agreed to.

This amendment to clause 16 requires that an applicant shall answer any objection in writing, and I see nothing wrong with this.

Motion carried.

Amendment No. 8:

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

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

This amendment to clause 16 means that the reference in the provision will be to decisions made under this legislation, rather than simply to decisions made under this clause. Although this is perhaps not necessary, as I believe the previous provision would have covered the matter, to save any doubt arising, I am willing to accept the amendment.

Motion carried.

Amendment No. 9:

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

That the Legislative Council's amendment No. 9 be agreed to.

This amendment strikes out clause 17. When I previously explained the reason for this clause, I said that when councils or the authority made planning regulations of a trivial or minor nature, such as metrication changes, rather than requiring them to advertise the change and go through a waiting period, power should be given to the Minister to waive this requirement. If that requirement is not waived, such alterations must be passed by both Chambers; Parliament must decide that they are reasonable alterations. It was argued that this provision could be used to introduce major changes without an opportunity for public perusal. I believe the clause would have been useful, as it would have saved planning authorities, including councils, expense and time. However, as this is not a substantial matter, I accept the amendment.

Motion carried.

Amendment No. 10:

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

That the Legislative Council's amendment No. 10 be agreed to.

This provision in clause 18 relates to the ability of the planning authority to give councils, in part or in full, interim development control. It has been argued that the reference to subsection (5a) in new subsection (5b) of section 41, as included in the Bill, could have limited the opportunity of the authority to revoke a delegation of interim control that might have been made before the passage of this Bill. By striking out this reference to subsection (5a), it is hoped that the position will be clarified.

Motion carried.

Amendment No. 11:

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

That the Legislative Council's amendment No. 11 be agreed to.

This amendment strikes out from clause 18 new subsection (5c) of section 41 and inserts an alternative new subsection (5c), in broadly similar terms to the original provision, except that it spells out that the delegation of power by the authority shall not affect the power of the authority itself to act in any matter. We had visualised that a council might not wish to make a decision on a certain matter; it might ask the authority to act itself. Members of another place felt that this should be spelt out clearly so that, where the authority is delegated to the council, the council must exercise that power within a reasonable time or the authority will act.

Motion carried.

Amendment No. 12:

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

That the Legislative Council's amendment No. 12 be agreed to.

The amendment provides that any conditions that may apply to a matter in which approval is given by the authority may be revoked. Similarly, the condition that the council may impose can also be revoked.

Motion carried.

Amendment No. 13:

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

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

This amendment inserts section 27a, which provides simply that the authority may, with the approval of the Minister, acquire land within the hills face zone. The other place considered that it could well be that the authority may wish, on the approach of an owner in the hills face zone, to purchase land. At the moment, the State Planning Authority does not have the legal power to so acquire, and this amendment seeks to provide that power.

Mr. EVANS: I do not object to the amendment, which is an important addition to the Bill, and I hope that, now that we will be giving the Government the power to make this type of acquisition, when a landholder says that he can no longer exist, or no longer wishes to reside within the hills face zone, and the land, in the main, is in its native state, the Government will ensure that it negotiates and obtains the property and does not say to the owner, "We are unable to take it now." Where the owner makes an approach, and we are putting restrictions on his property, this will be an important amendment, and we should make use of it now that it is being included in the legislation.

Motion carried.

Amendment No. 14:

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

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

This simply alters the position that applied under the Bill as it left this Chamber in relation to the date of decision. The amendment alters the situation so that the law at the date of application is to be the law applied by the authority in deciding the application and in resolving any issues arising from the decision in any proceedings, whether or not brought under this Act.

Motion carried.

Amendment No. 15:

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

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

The new subsection (2a) inserted by this amendment provides that this section does not apply in relation to approvals of plans for a subdivision in the hills face zone. We have already included in the legislation in another place that March 1 be the operative date of the new provisions. Accordingly, the question of the law at the date of application for anyone who may have applied after that time should not logically follow, and the amendment is an exemption in relation to that instance.

Motion carried.

Amendment No. 16:

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

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

The amendment is simply a definition, which is already included in other parts of the Act, of the hills face zone, but it is necessary to define it in clause 30.

Motion carried.

ADJOURNMENT

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

That the House do now adjourn.

In moving this motion, I wish all members a happy and holy Easter.

At 12.57 a.m. the House adjourned until Tuesday, June 10, at 2 p.m.