

LEGISLATIVE COUNCIL

Wednesday, September 20, 1972

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS**DAIRY FARMS**

The Hon. M. B. CAMERON: Has the Minister of Agriculture a reply to the question I asked on September 12 regarding dairy farms?

The Hon. T. M. CASEY: At this point of time the Lands Department has not received any applications or inquiries for assistance under the Marginal Dairy Farms (Agreement) Act from dairy farmers in the Adelaide Hills area contending that their farms have become uneconomic because of zoning regulations in the area. If the honourable member has any specific cases in mind it would be appreciated if he would advise the farmers concerned to place their circumstances before the department, when their cases can be fully considered.

DEPARTMENTAL ACCOMMODATION

The Hon. L. R. HART: Has the Minister of Agriculture a reply to the question I asked on September 13 regarding accommodation in the Agriculture Department?

The Hon. T. M. CASEY: I think the answer is similar to the one I gave the honourable member on the day he asked the question, namely, that planning for the Agriculture Department building at Northfield is proceeding. Tenders should be called within the next two months and it is expected that the accommodation should be available late in 1974.

**MOTION FOR ADJOURNMENT:
BRUCELLOSIS**

The PRESIDENT: I have to inform the Council that, in accordance with Standing Order 116, the Hon. R. C. DeGaris has handed me a statement in writing that he wishes to move the adjournment of the Council to debate a matter of urgent public importance relating to the funds available for the eradication of brucellosis in cattle from both Commonwealth and State sources. It is necessary to establish proof of urgency by the rising in their places of at least three honourable members.

Several honourable members having risen:

The Hon. R. C. DeGARIS (Leader of the Opposition): I move:

That the Council at its rising do adjourn until 1.30 p.m. tomorrow.

The basis for the motion for adjournment of the Council is to discuss a matter of urgency, which arises from the announcement made by the Minister of Agriculture of the proposed new policy to be introduced by the Government in relation to the campaign to eradicate brucellosis and tuberculosis in cattle in South Australia. The Minister is reported as saying:

Farmers would have to pay for brucellosis vaccinations for cattle, the Minister of Agriculture (Mr. Casey) said yesterday. This had been caused by the Federal Government's reducing money for tuberculosis and brucellosis eradication. The Commonwealth decision would also reduce T.B. testing in contract areas and halt plans for extra staff and vehicles for the programme, and defer brucellosis survey work in beef herds.

For two years, the Commonwealth had provided finance on a dollar for dollar basis and additional grants above this. But at the recent Agricultural Council meeting, the Commonwealth had refused to continue the additional grants. This was a "completely irresponsible attitude," especially considering the recent U.S. decision to demand stricter standards for imported meat which reacted to tuberculin tests. The Department of Agriculture would have to swing the emphasis of its present programme towards effective elimination of tuberculosis from cattle herds and reduce its brucellosis campaign for two or three years.

Up until the present time the service of brucellosis vaccination has been free. Although the proposed charge, as announced by the Minister, may be small, nevertheless the changed policy will have an effect upon the programme and will set back the time when we can say in South Australia that we are free of these diseases. The change in policy regarding the charge for the service is an important matter; I hope other members will develop the point further. However, I wish to examine the statement made by the Minister of Agriculture following the announced policy change. This statement is the second made by the Minister in recent times that, to me, reeks of political dishonesty. I quote from the Minister's statement:

This had been caused by the Federal Government's reducing money for tuberculosis and brucellosis eradication.

The first time I had an opportunity of referring to statements made by the Minister was in relation to Commonwealth allocations for increasing forest plantations in South Australia, where it has been amply demonstrated to all who wish to examine the facts of the case that the allegations made against the Commonwealth by the Minister of Agriculture were groundless and were only a cover for his own

incompetence. That incompetence is compounded by his attempt to shift to the Commonwealth Government the blame for his own Government's shortcomings. I have already quoted the part of the statement where this blame is shifted to the Commonwealth Government.

I shall quote a few figures. The Commonwealth Budget for this year provides \$4,600,000 for the continuation of the campaign to eradicate brucellosis and tuberculosis. The figure of \$4,600,000, \$3,600,000 of which is available to the mainland States, is almost equal to the amount provided in the Commonwealth Budget for the whole of the 21 years the scheme has been running; in other words, in this financial year the Commonwealth is providing more money for the eradication of brucellosis and tuberculosis than has been provided over the past 21 years.

The Commonwealth has always provided this money on a \$1 for \$1 basis. The money is paid into a central fund and handled by the Department of Primary Industry. The conditions regarding the increased finance made available this year from the Commonwealth are still the same; it is on a \$1 for \$1 basis. The money is paid, as I said, to a central fund. From this fund the States can draw money for the purpose of combating tuberculosis and brucellosis. Of the original funds, over the last 21 years 59 per cent of the money spent in South Australia has come from Commonwealth sources and 41 per cent from our own funds in this State. In the first 21 years of this programme and this campaign, South Australia spent \$227,000 from its own resources and the money from the central fund amounted to \$326,000—and this is supposed to be on a \$1 for \$1 basis.

There are reasons why South Australia has been able to get out of the central fund a little more money that rightly belongs to the other States because, owing to certain matters such as expenditure over a base amount in a base year and the fact that some States were not geared to spending the money, South Australia was able to get a little more out of the fund. New South Wales and Western Australia have been providing 55 per cent of the total money spent from their own Budgets, and 45 per cent has come from the central fund. With more money available this year from the Commonwealth, it means that the central fund is insisting on a \$1 for \$1 basis, as are the other States, which over the last few years have been providing some of their money to assist South Australia.

There is no reason why South Australia could not be spending more money on this campaign and should now be inflicting a charge of 50c for each vaccination against brucellosis. The whole problem here is that the South Australian Government is not facing its responsibility in this matter, as has the Commonwealth Government and as are the other States in Australia. We are not prepared to spend money to gain the money from the Commonwealth. It is interesting, if we examine the Budgets of South Australia over the last two years, to see that last year the Agriculture Department allocation was down by 18 per cent whilst the whole State Budget was up by 17 per cent. We know adjustments are to be made in respect of education, for some lines appear in the Education Department's lines, but nevertheless it can be shown that the Agriculture Department last year lost probably 5 per cent of its total allocation whereas every other department's allocation increased, and some increased sharply.

This year the Budget shows an increase of 13 per cent, but the Agriculture Department allocation is up by only 8 per cent: in other words, the Agriculture Department is hardly catering for the inflationary tendency. In view of these facts, how can the Minister claim that the Commonwealth is to blame when the Commonwealth has met its responsibilities in every possible way? As I have pointed out, the allocation this year in the Commonwealth Budget for this purpose is the highest ever. It is still on the original \$1 for \$1 basis, and the total amount of money available is as great as what has been made available over the whole of the last 21 years.

The problem lies clearly with the State Government in its refusal to allocate any of the State's resources to primary industry. To try to find an excuse in an attempt to shift the financial and political blame on to the Commonwealth Government reeks of political dishonesty and demonstrates a complete lack of concern for the future of our export industries in South Australia and the general health requirements of primary industry. The breakdown of the scheme, which has been working so successfully for 21 years, is sufficient for a motion of urgency, but once again to excuse the Government's own culpability by publicly blaming the Commonwealth Government is a piece of political perfidy that deserves public exposure.

The Hon. M. B. CAMERON (Southern): I support the motion. When I was approached last weekend concerning this matter and asked

whether the scheme was to be stopped, I was very concerned. Brucellosis is a disease of livestock that causes extremely high losses, and it is affecting 40 per cent of beef herds in the State. Primary producers call the disease "contagious abortion" because the disease causes cows to abort at an early stage of pregnancy. The foetus left behind is a source of further infection and, as the Minister and other members know, it is very difficult to discover where the foetus is in the paddock.

The PRESIDENT: Is the honourable member seconding the motion?

The Hon. M. B. CAMERON: Yes, Mr. President. There is only one answer to brucellosis. Total cover of the cattle of this State with an eradication programme was started two years ago; although the programme was started on what I might call a half-hearted basis, nevertheless the programme was under way, and it should have been put on a compulsory basis. It is fairly clear from what the Hon. Mr. DeGaris has said that other States have faced up to their responsibilities much more clearly; they have provided extra funds over and above the Commonwealth allocation, whereas we have given less money. Compared with our 45 per cent, New South Wales has given 55 per cent; if we had provided that percentage, \$187,000 would have been available for the eradication programme and that would have been sufficient to cover all beef herds in the State. I was extremely concerned when I received the Minister's reply to my question of yesterday; the last part of the reply is as follows:

This is regretted by the Government, but it is outside our jurisdiction.

Although the Commonwealth Government provides some funds to assist the State, nevertheless this scheme is a State responsibility, and the State should have provided sufficient finance this year to ensure that the scheme was maintained. It would take about 10 years to eradicate the disease almost completely if a total programme was started. Certainly, much valuable work has been done in the two years during which a voluntary scheme has operated and the benefits arising from that work should not be wasted because of the supposed inability of the State to provide finance to continue the scheme. It is a complete abdication of responsibility, and certainly no blame can be laid at the door of the Commonwealth Government.

The Hon. Mr. DeGaris said that the Commonwealth Government had provided almost double the funds it provided last year. True,

in previous years we received a greater allocation because other States did not fully take up their allocations, but the Commonwealth Government's policy has not altered: it is providing money on a \$1 for \$1 basis, as it did before, and it is up to the State to provide the necessary funds to meet that subsidy. If we do not do that, we will be neglecting a very serious disease that is causing great economic harm to the beef cattle industry of this State. It will be said, I suppose, that the owners of beef herds should themselves provide these funds. However, as the Minister and all other honourable members know, if that attitude is taken, some landholders will vaccinate the cattle that they intend to keep and they will be tempted not to vaccinate the cattle that they intend to sell. At present one can go into a sale-yard almost anywhere and buy cattle in the knowledge that they have been vaccinated but, if the scheme is stopped, the excellent work that has been done will be wasted. In fact, the Minister should now seriously consider whether these cattle should be treated on a compulsory basis.

I understand also from my talks with veterinarians over the last two years that, if a young heifer over eight or nine months of age is vaccinated, at a later stage in her life she may be tested and found to be positive, even though she may be completely immune to the disease. If we discontinue the scheme this year, undoubtedly another generation of heifers in the beef herds in the State will be subject to the disease when we finally reach the obvious solution, namely, compulsory vaccination to ensure the eradication of the disease. This would mean that a complete year of breeding stock would go into the slaughter yards, because a positive reaction at a later stage might not indicate whether the heifer was immune to the disease. I quote a definition of "contagious abortion", because I believe it is important that we indicate to all people in the State just what the disease is and the seriousness of it. The definition states:

Brucellosis (or contagious abortion, as it is more commonly called) is prevalent among the dairy herds of South Australia, and is one of the most important diseases affecting the dairy farmers' finances. The common use of the name "contagious abortion" in alluding to this disease is perhaps rather unfortunate since it tends to engender the belief that abortion is its constant and most serious manifestation. Abortion of calves is undoubtedly its most apparent feature, but it should be understood that it is by no means a constant one, as many infected animals may never abort at any time,

and are consequently never suspected of being infected and capable of actively spreading the disease. Other ill-effects of this disease are that infected animals:

1. Suffer commonly from "retained membranes" and other troubles of the reproductive organs.
 2. Often become permanently sterile.
 3. Are more subject to mastitis and swelling of the joints.
 4. Produce from 25 to 30 per cent less milk.
 5. By their presence in a herd increase the owner's labour costs.
- Dairy farmers should therefore appreciate that this disease has much greater significance for them than merely the loss sustained through the abortion of calves.

The definition indicates that we should not be using the excuse that the Commonwealth Government is not providing sufficient money (which is untrue): we should be providing additional funds to ensure that this serious disease is eradicated in the State. The Minister should now retract what he said regarding the Commonwealth and he should supply the necessary finance to ensure that this disease is eradicated from all dairy and beef herds in the State.

The Hon. A. M. WHYTE (Northern): I, too, support the motion. The department is well aware of the importance of eradicating brucellosis, and I am sure that the Minister is aware of the effect that brucellosis can have, and is now having, on herds in this State. The Commonwealth Government, which is well aware of this matter, has matched contributions by the States on a \$1 for \$1 basis: it has not welched on the agreement. The Commonwealth Government is also aware that, because of the requirements of the beef export trade, it is necessary that the States conduct a vigorous campaign to eradicate these diseases.

Tuberculosis was, and is still, the main scourge of our export industry, but we cannot dictate to importing countries. In future, for all we know, there could be some restrictions on beef for export because of brucellosis. While the campaign was a combined one (that is, testing for tuberculosis, added to vaccination against brucellosis), many herds were being serviced and dealt with in a minimum of time.

It is not possible in many of the cattle-producing areas of the State to have a clean muster at any time. Indeed, to try to enforce continual mustering in these areas is a waste of time and money, and a real imposition on the cattle themselves. In drought times, it is most undesirable to muster at all. When, in the past, the two exercises could be combined, we streamlined our eradication and vaccination

schemes, thus minimizing costs, time and handling.

Veterinary services in this State are far below the number required, and we should take full advantage of any combination of services. I am sure that the Minister of Agriculture agrees with what is being said and that, if it were left to him alone, this foolish downgrading of funds for this important matter would not occur. If there is any way in which this Council can assist the Minister to have the brucellosis vaccination campaign continued in the manner in which it has been carried out over the last two years, or in any way stepped up from that, I am sure honourable members would be happy to help him.

The Hon. L. R. HART (Midland): It is regrettable that this motion should have to be moved today. However, the protection of our herds from disease is a matter of deep concern to everyone in the State, be they primary producers or other citizens. We in South Australia have what is known as the Cattle Compensation Fund, to which cattle producers contribute between \$50,000 and \$70,000 a year, and from which the owners of cattle that are condemned after slaughter, because they have certain specified diseases, are paid sufficient compensation to cover them for the loss of the particular beast or beasts.

This fund has over the years been maintained by the cattle producers in this State. Although the Government does not contribute to the fund, it has been possible to maintain the fund at a stable level. It is absolutely essential that we, not only in South Australia but throughout Australia, keep our herds free from disease, because Australia's cattle exports at present stand at well over \$300,000,000 a year, which is a sizeable amount of our export income.

Several diseases at present concern us, two of which have been referred to by the Minister: one is tuberculosis, for which herds are tested, and the other is brucellosis. The latter, which affects the fertility of the herds in this country, was also referred to by the Hon. Mr. Cameron. The effect of any relaxation of efforts to eradicate this disease could mean the loss of millions of dollars a year to Australia's export industries.

However, the Minister of Agriculture has suggested that, because this State is not willing to meet its obligation in relation to the \$1 for \$1 Commonwealth subsidy, we should have to swing the emphasis of our present programme towards the effective elimination of tuberculosis from cattle herds and reduce by two or three years the campaign against brucellosis. If we were to do this (and this is what the Minister

suggests will have to be done), the loss to this country would be irreparable, as some countries might not be willing to accept our exports because these diseases were prevalent in Australia. This is a factor which worries the cattle industry and which should worry the Government—that it is placing the industry in this disastrous situation.

It is not a question of the State Government's having to make available colossal sums of money; it would not have to increase its allocation by a large amount. Indeed, it would involve an increase of only tens of thousands of dollars, not hundreds of thousands of dollars. The State Government was willing recently to purchase paddocks in the fringe areas of Adelaide at a cost of about \$500,000 so that recreation areas could be provided. Also, it was willing to pay gratuities, amounting to about \$125,000, to those people who did extra work at overtime rates during the recent petrol strike.

Time and time again the State Government is willing to make available funds for the purchase of certain assets or buildings in this State that are of historical value or of potential tourist value—matters which the Government considers to be of concern to this country, which will bring income to the country, and which it believes to be a vital industry. Here, we have an industry which is already going and which, as I have already stated, is worth millions of dollars to this country. Despite that, the Government is prepared to place it in jeopardy because it is not willing to match on a \$1 for \$1 basis the funds contributed by the Commonwealth Government. It is not a question of the Commonwealth Government's not providing the funds: it is a question of the State Government's not being willing to meet its commitments.

The Hon. M. B. Cameron: That is the truth of it.

The Hon. M. B. Dawkins: It is not prepared to match it.

The Hon. L. R. HART: That is so. The Government is not willing to match the amounts made available by the Commonwealth Government, although the other States are doing so. Indeed, over the years the other States have done it whereas we have not, despite our having contributed less money than that contributed on the \$1 for \$1 basis.

The Hon. T. M. Casey: That isn't what your colleague said.

The Hon. L. R. HART: The Minister knows perfectly well that, because of the generosity of the other States, South Australia has been

getting more than its share of the money made available by the Commonwealth Government. In 1967, when I think he represented the Minister of Agriculture in this Chamber, the Hon. S. C. Bevan referred to a campaign in which herd testing was involved for the elimination of tuberculosis. He said:

At present, the major portion of the programme is undertaken by private veterinary surgeons paid out of general revenue. The expenses of the programme are continuing ones, as testing must be carried out at regular intervals. The availability of funds has, in consequence, determined the degree of expansion of the programme. The primary purpose of this Bill is to authorize the Minister to meet the costs of this programme out of the Cattle Compensation Fund.

In other words, back in 1967 the Labor Government of the day drew on a fund made available by the industry itself to carry out eradication programmes in relation to disease. The actions of the Government at the present time are completely consistent with those of the former Labor Government in that it requires the industry itself to carry the load for the eradication of disease. I ask the Minister to reconsider the situation and to try to induce his Government to make sufficient money available to assist in the eradication of these diseases.

The Hon. R. C. DeGaris: It has to find only half of it.

The Hon. L. R. HART: That is so; in fact, it is finding a fair share of it now. It has only to extend its contribution by some thousands of dollars to an industry which is worth millions of dollars to this country and which is possibly one of the few viable rural industries at present. I ask the Minister to induce his Government to display a little sympathy to an industry that is helping the export revenue of this country.

The Hon. V. G. SPRINGETT (Southern): Listening to the debate this afternoon, I am reminded very forcibly of the importance in all disease eradication measures of sustaining constantly under continuous process a scheme for vaccination or protection against disease. No matter what the disease is, if there is a protective measure against it, for it to become effective over a period of time there can be no let up. If there is a let up, we go back to square 1 and we have done no good to the community.

The Hon. M. B. Cameron: And money has been wasted.

The Hon. V. G. SPRINGETT: Yes, we have wasted an awful lot of money, an awful lot of time, and an awful lot of cattle lives

in the case of brucellosis and possibly an awful lot of human lives in the case of tuberculosis. In the interests of our most important cattle export market, it is essential that the Government should ensure that there is no risk of this scheme slipping down. With that end in view, I ask the Minister two questions. First, was any reduction such as this contemplated by and supported by the veterinarians of his department or, secondly, is it just a political measure?

The Hon. M. B. DAWKINS (Midland): I wish to be associated with this motion of urgency for two reasons: first, because of the importance of the cattle industry to this country, as underlined by my colleagues who have spoken in this debate; and secondly, because I express regret that this Government, which has been treated so generously by the Commonwealth Government (and let there be no mistake about that) is prepared to play politics and to stretch the facts to suit itself politically. We all know that, over the years in South Australia and in the years prior to the former Labor Government, arrangements have been made by the Minister of the day and by the Agriculture Department to look after diseases in stock. I remember particularly when the Cattle Compensation Fund was set up. The Hon. Mr. Hart referred to that, and a Bill for its use in this way was passed in 1967, as he said. I remember, too, that the Swine Compensation Fund has been set up, and provision has been made in various ways for the sheep industry. The Government and the department have always been very well aware of the need for these preventive measures for the protection of valuable stock.

I believe that the amount of matching money required to continue the scheme at its present level would be about \$50,000. If I am right, that is a mere drop in the bucket compared to the money provided in the Loan Estimates and the Appropriation Bill. As I understand it (and I am speaking from memory) there was a significant drop in the amount allocated to the Agriculture Department in the first period after the present Labor Government came to office, and there has been since then a fairly minimal increase in that expenditure. In many other departments there has been a considerable increase in expenditure. We all know that this Government has more money to deal with and that it has been in a more fortunate position financially than any other Government in the history of South Australia. It has shown the usual Socialistic ability to get rid of

money and still find itself short, even though it has had much more to spend, as has been made perfectly clear in this Chamber on many occasions.

I believe, in common with my colleagues, that to short-change a scheme such as this is foolishness of the first magnitude, showing that this Government has no appreciation of the importance of primary industry in South Australia. Therefore, I associate myself with the motion. I ask the Minister and the Government to reconsider the situation, and to realize the importance of primary industry in this State, and that it is not much good getting rid of the goose that lays the golden egg. If we want to keep this State buoyant we must keep primary industries economically strong. That still applies, even though we have been successful in building up secondary industries in this State to the degree that we have. I support the motion, asking the Government and the Minister to reconsider the position and to withdraw any imputation that the Commonwealth Government is to blame for this situation.

The Hon. C. R. STORY (Midland): I do not want to take up the time of the Council, because I want to give the Minister the opportunity to reply fully. I am very much indebted to honourable members who have spoken. I have had much experience with this fund, and I believe the situation has been pointed out clearly and cogently to the Government. I merely want to be associated with the motion, which I support.

The Hon. T. M. CASEY (Minister of Agriculture): I have listened very attentively to the debate on the motion moved so readily by the Leader of the Opposition. I say categorically that I dissociate myself entirely from some of the remarks made by the Leader. First, he accused me of political dishonesty. If the Leader can justify that claim, either inside this Council (and he would have to do much better than he has done today) or outside, I would be prepared to take him on at any time and in any place. I have never attempted to play politics in a dishonest manner, in this Chamber or outside of it. We all know that a Commonwealth election is pending, and one of the dickiest seats the Liberal Party has at present is in the southern areas of South Australia. This morning on an Australian Broadcasting Commission programme I believe a very prominent member of the Liberal Party came out with a statement condemning what I said regarding the brucellosis eradication scheme. Of course,

this is where the political implications arise, and it is only in the interests of the Leader and his partner, the Hon. Mr. Cameron from the South-East, that this matter has been brought forward in Parliament. The Leader got off the track of brucellosis and on to the softwoods agreement. Just exactly what the softwoods agreement has to do with this motion I would not know, but here again I was accused of political dishonesty. I still challenge the Leader on the statement I made. I answered a question in this Chamber about the softwoods agreement, and I still stand by what I said then. Also, I still stand by what I said yesterday in this Chamber in reply to a question by the Hon. Mr. Cameron about brucellosis.

It seems to me that the whole crux of the argument today is whether the Government should subsidize vaccinations for brucellosis or whether the cattle men should pay about 50c for each vaccination. The cattle people have had this concession for about 21 years. It is difficult to justify taking something away when one already has it.

The Hon. M. B. Cameron: Has the Commonwealth Government taken it away?

The Hon. T. M. CASEY: I think I explained this fully to the honourable member yesterday; however, I will go through it again for his benefit. It has always been the policy of the Commonwealth Government to subsidize on a \$1 for \$1 basis. We in South Australia accepted the challenge in relation to the eradication of both tuberculosis and brucellosis at an early stage; we put our shoulders to the wheel and have done a magnificent job. I congratulate the Director of Agriculture and his staff on the attitude they have adopted to the eradication of these two diseases in our cattle yards. For the information of the Hon. Mr. Hart, who was getting mixed up in his information—

The Hon. M. B. Dawkins: He could not follow you.

The Hon. T. M. CASEY: The honourable member could not follow me, because he spoke before I did. For the information of the honourable gentleman, many of the other States did not put this scheme into operation as they should have done. Queensland is at present in a shocking state, and so is the Northern Territory, in this matter.

The Hon. M. B. Cameron: As we shall be after this year.

The Hon. T. M. CASEY: The honourable member is presupposing a lot. We have no inkling at the moment about any reduction

in the scheme for eradicating tuberculosis: that will still be maintained, and no doubt the brucellosis scheme will be maintained. All I ask is that the cattle men pay 50c for each vaccination.

The Hon. R. C. DeGaris: Instead of the Commonwealth paying it.

The Hon. T. M. CASEY: We matched the Commonwealth money on a \$1 for \$1 basis. We were fortunate in getting more money from Commonwealth sources than we were entitled to get.

The Hon. M. B. Dawkins: We have not heard this before.

The Hon. T. M. CASEY: I said that yesterday. It was because we received that extra money that we were able to put the brucellosis scheme into operation. We did that to encourage people to take full advantage of the vaccination programme. It was an incentive, if I may put it that way. That was Commonwealth, not State, money. At the last Agricultural Council meeting, the whole scheme was geared to go, as it had been in the previous year, but suddenly the Commonwealth Government, with no warning at all, said it would pay only \$1 for \$1 from then on. That is right.

The Hon. R. C. DeGaris: But it never was more than \$1 for \$1.

The Hon. T. M. CASEY: I know, but the Commonwealth did not know, and the Minister for Primary Industry at the Agricultural Council meeting was not aware, that we were getting more than our \$1 for \$1.

The Hon. R. C. DeGaris: We had a good Minister in those days.

The Hon. C. R. Story: It was only through the prudence of the industry in South Australia that we had the money in hand.

The Hon. T. M. CASEY: That is it in a nutshell. We were ready to go ahead with this programme when suddenly, only a few weeks ago, we were told that there would be no more money available on a \$1 for \$1 basis. That meant that the money we thought we would get was cut off.

The Hon. L. R. Hart: How much money was involved?

The Hon. T. M. CASEY: I am as concerned as is any honourable member in this Chamber about this problem. It has come at a time when we least expected it. I assure honourable members that I have not rested on my laurels. I have still a few things I should like to do about this matter. They are being attended to now. I hope (I shall not say any more than that at

this stage) that we can do something in order to correct the position. I do not say to what extent; I am not prepared to say that now because this is a matter for negotiation, but I sincerely hope we can solve the problem. However, I would be acting unjustly to the primary producing industry of this State if I did not tell it what the present facts are. I consider I would be falling down in my duty as a Minister of the Crown, and particularly as Minister of Agriculture, in not telling the industry the full facts of the case.

The Hon. A. M. Whyte: Never mind about informing the industry: tell Cabinet that you want more money.

The Hon. T. M. CASEY: Whenever anything happens, the Opposition always cries out for more money; but there is a limit.

The Hon. M. B. Cameron: The industry, not the Opposition.

The Hon. T. M. CASEY: People might come to me as primary producers and say, "We want free vaccination for our dogs for distemper; we want free drenching materials so that we can drench our sheep": there is no end to it. The vaccination programme for beef in this State is a good thing, and I do not want it removed, because it has been a wonderful incentive. However, the cattle industry in this State has some responsibility. The Hon. Mr. Cameron says he will vaccinate the cattle he intends keeping—

The Hon. M. B. Cameron: I did not say that about my cattle.

The Hon. T. M. CASEY: The honourable member said that the person with a herd would vaccinate the cattle he wanted to keep but he would seriously consider not vaccinating the cattle he intended selling. As a primary producer, he should have more sense than to make a statement like that, because he knows very well that, if he does not vaccinate the cattle, they will not fetch nearly the price in the sale yards that they would if they were vaccinated; so he does not do himself any good by saying that. He must be a very poor manager. I said yesterday that, if the people were going to sell their cattle, they should not get the same price for them as others if they did not take advantage of vaccination. As a primary producer, I would do just that if I was selling cattle. I assure the Council that I have not been sitting by idly not doing anything about this matter. I am aware of the problems and have taken this matter to certain quarters. I can say no more at this stage, but I hope something will eventuate.

The Hon. R. C. DeGARIS (Leader of the Opposition): I thank honourable members for the contribution they have made to the debate and the support they have given my motion. The Minister seemed to be a little peeved that I accused him or his Government of political dishonesty.

The Hon. T. M. Casey: You accused me, not the Government.

The Hon. R. C. DeGARIS: I accused the Minister because the statement is entirely in his name. I do not withdraw that at all. Further, I believe that the Minister has not refuted any of the facts that have been presented during this debate. The Minister said clearly that farmers were to pay for brucellosis vaccinations; this has been caused, according to the Minister, by the Commonwealth Government's alleged reduction in funds for brucellosis vaccination. However, the facts are the opposite to that. Actually, the Commonwealth Government has provided more money for eradicating brucellosis and tuberculosis. This is the second time in the last few months that the Minister has been guilty of political dishonesty in statements about the Commonwealth Government, and I do not withdraw that. The Minister previously made a statement about forestry that was politically dishonest.

The Commonwealth Government has made available more money than it has ever made available before for eradicating brucellosis and tuberculosis, and this State has had an armchair ride over the last 21 years. Part of the reason for that armchair ride was the work done by the then Minister of Agriculture, the Hon. Mr. Story. Now, when the original agreement on a \$1 for \$1 basis is being insisted on by the central authority, the State Government cannot find a few measly dollars to meet a Commonwealth subsidy for an industry that requires this programme so that it can continue to operate efficiently. I repeat that the Minister has not refuted any of the facts that have been presented during this debate. I hope that he will see fit to re-examine the new policy that has been adopted, and I hope that the Government will find an extra sum from its own coffers.

In view of the great increases in the Budget allocations for the Department of the Premier and of Development and for completely non-productive departments and in view of the reduction in the allocation for the Agriculture Department, surely the Government can find the necessary sum to enable us to benefit from the Commonwealth subsidy and to continue the scheme for eradicating brucellosis in South

Australia. I hope the Minister will reconsider this matter and make an announcement about vaccinations for brucellosis that will allow the programme to continue. The Minister said that he would not rest on his laurels. Every honourable member would agree with that: the Minister is not resting on his laurels, because he has no laurels to rest on. I seek leave to withdraw my motion.

Leave granted; motion withdrawn.

MEADOWS ZONING

The Hon. R. C. DeGARIS (Leader of the Opposition): I move:

That the Metropolitan Development Plan District Council of Meadows Planning Regulations—Zoning, made under the Planning and Development Act, 1966-71, on July 6, 1972, and laid on the table of this Council on July 18, 1972, be disallowed.

The Hon. A. J. SHARD: On a point of order, Mr. President, I think that we should receive some explanation. The notice of motion is in the name of the Hon. Mr. Potter; I should like that to be made clear, so that no-one can say that I am not doing my job. The procedure seems to be a little out of the ordinary.

The PRESIDENT: Standing Order 156 states:

In the absence of the member in charge thereof an Order of the Day may be moved or postponed by any other member, but may not be discharged except on motion after notice.

The Hon. A. J. SHARD: I accept that, but we should have been told about it.

The PRESIDENT: The Leader should have said that he was moving the motion in the absence of the Hon. Mr. Potter.

The Hon. R. C. DeGARIS: Very well, Mr. President. I make it clear that I have moved the motion in the absence of the Hon. Mr. Potter. It will be helpful to the Council if I give some of the background associated with the regulations. They mainly concern Craighburn, a farm of about 1,300 acres on the Sturt River, upstream from Flinders University and stretching as far as Coromandel Valley near Blackwood. The property has been owned since 1923 by Minda Home Incorporated. The part south of the Sturt River is in the area of the Meadows District Council, and the part north of the Sturt River is in the area of the Mitcham council. The Mitcham part has been zoned since 1950 as residential; this was the inevitable zoning under the old by-laws of any area not specifically zoned for shopping or industrial uses.

In 1962 the Metropolitan Development Plan showed the whole of Craighburn as "special uses", which befitted its institutional use. The report accompanying the plan showed the area as "open" (map 57), and part of a "buffer strip", which also included Flinders University and Happy Valley reservoir (map 58). The buffer strip was meant to separate the urban area of Mitcham to the north, and the now developing area to the south. The buffer strip, a tongue of open country extending into urban areas, was a major concept in the report. In 1967 the Planning and Development Act allowed for regulations to implement the 1962 plan, and the future of the area seemed clear. However, in 1970 and 1971 the Meadows council and the Mitcham council introduced zoning regulations.

The Meadows regulations, as first introduced, zoned the Meadows part of Craighburn as special uses but, after objections, most of it was changed to residential 1, despite objections from various bodies, including the Nature Conservation Society. The Mitcham regulations zoned about 55 per cent of the Mitcham part as rural A, which meant that the area was zoned for agricultural purposes until services and community facilities could be provided for future expansion. Again, several bodies objected, including the Nature Conservation Society, and the objections were not upheld. It seemed that the 1962 plans, authorized in 1967, were to be undone in 1972, when the time came to implement them. The regulations could be invalid with regard to the zoning of Craighburn, and I believe that the Government is aware of this, but I will deal with the question of invalidity later.

It thus seems clear that the intentions of the original 1962 plan are not being implemented by these regulations. Secondly, the validity of the regulations is very much in doubt. The Minda Home Board has apparently assured the Minister that it has no plan to sell the property for subdivision; it will decide to develop the farm as a housing estate only if the level of Government support falls below a workable minimum. This appears to be the whole crux of the problem, and I am not satisfied that the solution being found in regard to regulations of this type is in the best interests of the community. The very welcome assurance given by the Minda Home Board indicates that the owner of the land could have little objection to the whole

area being zoned as "special uses". It is, however, quite unsatisfactory for long-term planning to depend on assurances of this kind. It thus remains to find some way at this stage to have the area zoned as special uses but, at the same time, to overcome some of the problems faced by the board. One reason that has been advanced as to why the home might object is that, if there is a rezoning of this area away from "special uses" to "residential", the value of the land enhances and keeps a very high value as security in fund raising.

Because of the high esteem in which the home is held by the community and the Government, which provides one-third of the home's running expenses, the Government might wish the home to retain in full its ability to raise funds. Because of the special circumstances, is it not possible to retain sound planning principles, to retain the 1962 plan, and for the Government to guarantee loans to Minda Home, rather than going into the situation of changing the whole concept of the 1962 plan, which I believe the regulations do? It should be remembered that the original plan was a compromise, as most plans are. No plan can become completely static, but must be able to be varied. All plans must be a compromise as time elapses. It will allow for extensive development of residential areas in "metropolitan districts", separated by open "buffer strips". It was a reasonable compromise, and should be adhered to wherever possible. Some of the "buffer strips" are already lost, and this is more reason why this one should be absolutely preserved.

In the short term the present use made of the land seems to be satisfactory, that is, for the use of Minda Home. However, in the long term perhaps it should be considered for acquisition for public recreation purposes. In the long term that may well be how the land should finish up. Pressure on the Belair National Park is already great and, even if other parks are acquired in the hills, the proximity of Craighburn to the southern parts of the Adelaide Plains would make it acceptable to many people. I have dealt with the question of Craighburn, which is involved in the regulations. I consider that the crux of the matter depends on rezoning the area to allow the land to retain its value in relation to the raising of funds. However, I am certain that there is a better way by which this matter could be handled.

I turn now to the question of the validity of these regulations, which are stated in the

preamble to have been made on the recommendation of the council concerned and by virtue of the provisions of the Planning and Development Act, 1966-1971. The regulation-making power, contained in section 31 (1) of the Act, reads as follows:

Subject to this Act, the Governor may, on the recommendation of the authority or a council whose area or any part of whose area is within the planning area affected by an authorized development plan and on receiving from the Minister a certificate that in his opinion such of the provisions of section 38 of this Act as are applicable have been complied with, make such regulations, not repugnant to or inconsistent with any Act, as are necessary or expedient for the purpose of implementing and giving effect to the authorized development plan and the general principles contained therein and the objects thereof and any matters incidental thereto and for any other purpose (express or implied) for which planning regulations may be made under this Act.

The words "authorized development plan" are defined in section 5 (1) of the Act to mean:

(a) a development plan that is pursuant to Division 2 of Part III of this Act declared to be an authorized development plan;

(b) or the Metropolitan Development Plan and includes any variation thereof made under this Act.

"The Metropolitan Development Plan" is defined in section 5 (1) of the Act to mean:

The Metropolitan Area of Adelaide Development Plan attached to and referred to in the Report on the Metropolitan Area of Adelaide, 1962 prepared and submitted by the Town Planning Committee in accordance with section 26 of the repealed Act, and includes that report.

It is necessary to examine the Metropolitan Development Plan to ascertain the intention of the Town Planning Committee regarding the land in question, and the "general principles" and "objects" of the plan in so far as they affect this land, and then to examine the regulations to ascertain whether they can be said to "implement" or "give effect to" the plan. What I am saying is that the original metropolitan plan of 1962, not the regulations, implements or gives effect to that plan. I am certain that these regulations do not give effect to the metropolitan area land development plan. The piece of land in question is of irregular shape and appears on the "central sheet" of the Metropolitan Area of Adelaide Development Plan surrounded by Bellevue Heights and Aberfoyle Park to the north and south, and Flagstaff Hill and Coromandel Valley to the west and east. The Sturt River runs right through the land and is in fact the boundary between the District Council of Meadows and the Corporation of the City of Mitcham. The colours with

which it is shaded indicate that it is an area zoned "special uses", apart from a small portion that is reserved as a stormwater retaining dam. According to the note under the key to the various zones, "special uses" includes "large private institutions".

It may be, therefore, that the land was classified "special uses" only by reason of its ownership. Some support for this view can be gained from map 76 at page 84 of the report, where the land is designated "institution classed as special uses". By definition, however, the Metropolitan Development Plan includes the report to which the plan is attached. It is therefore necessary for the report itself to be considered in relation to the land in question. At page 77 of the report there is mention of the Sturt River, and it is suggested that it is one of the rivers which should be retained "as far as possible in a natural state (to) provide contrast from the urban scene and opportunities for parks and recreation".

In map 57 at page 128 of the report the land is classified "open area" and is probably one of the "large areas in private ownership which are unlikely to be used for urban development" referred to at page 129 under the heading "Large open spaces". Also, at page 204 it is recommended that "open spaces should incorporate a creek or river wherever possible", and in this regard it is considered that the Sturt River is one of the "watercourses which need particular attention".

At page 131 of the report there is a further map (No. 58), described as a functional plan, which "shows in diagrammatic form the future location of the main living, working and recreation areas, and the main lines of communication". This plan is said to result from the principles outlined in chapter 10 of the report and to form "the basis for the more detailed assessment of future requirements for land, and for traffic and transport, contained in Parts II and III of this report". In the functional plan the Craighburn land is shown as part of a "buffer strip", and the Sturt River Gorge, which runs through it, is designated "main recreation", along a strip about one-quarter of a mile wide. There appears to be no detail in the report of the nature and purpose of "buffer strips".

It is stated at page 132 that the principle of buffer strips separating metropolitan districts can be applied more easily in new areas than in the existing urban area, and at page 133 it is proposed that the open and rural character of the Mount Lofty Ranges adjoining the metropolitan area should be retained permanently.

The conclusions that can be drawn from the report are therefore as follows: first, that the land is zoned "special uses" by reason of its ownership; secondly, that it is desirable to create a buffer strip extending from Marino to Coromandel Valley in order to separate the already heavily populated southern suburbs from the new urban areas developing further south, and, thirdly, that Craighburn should be included in this buffer strip because it is one of the few large areas of land in the Mount Lofty Ranges adjoining the metropolitan area that has not been used for any urban development at all. The Metropolitan Development Plan District Council of Meadows planning regulations in relation to zoning are contained in the *Government Gazette* of July 6, 1972, at pages 17 to 52 inclusive.

The Craighburn land south of the Sturt River appears on plans 2 and 6 and, to a very small extent, on plan 3. There is an irregularly shaped area along approximately two-thirds of that portion of the Sturt River that runs through the Craighburn land, which is zoned "special uses" by the Meadows regulations. The remainder of the Craighburn land is zoned "residential 1" apart from a small area measuring approximately 866ft. by 540ft. which is zoned "residential 2".

The second schedule to the Meadows regulations indicates that the land along the Sturt River zoned "special uses" is permitted to be used for the various uses described in columns 21 to 24 of the third schedule, and, subject to consent, those uses described in columns 4, 13, 17, 18 and 20 of the third schedule. The area zoned "residential 1" is permitted to be used for detached dwelling houses and, subject to consent, for the various uses described in columns 4, 18, 21 and 22 of the third schedule.

In view of the conclusions which can be drawn from the Metropolitan Development Plan, the zoning by the Meadows regulations seems to me to be inconsistent with the general principles and objects of that plan. The special uses zone in the regulations is a very insignificant portion of the special uses zone in the Metropolitan Development Plan. The continuation of the "residential 1" zone right up to the Sturt River along approximately one-third of its course through the Craighburn land seems inconsistent with the view that the Sturt River Gorge should be preserved in its natural state to provide opportunities for parks and recreation. The most significant departure from the Metropolitan Development Plan, however, is the zoning of such an extremely high proportion of the Craighburn land as "residential

1". This seems to me to be entirely inconsistent with the principles of providing a buffer strip to separate metropolitan districts in an area where this principle can easily be applied.

Unless the Meadows regulations conform to the terms of the enabling power, then to me they are invalid. They must therefore implement and give effect to the Metropolitan Development Plan and the general principles and objects of that plan. In my opinion they do not do so, and are therefore invalid unless saved by some other provision of the Act.

One can consider the implications of section 36 (7) (b) of the Act, and I do not consider that this goes far enough to validate the Meadows regulations. Section 37 (7) provides that no planning regulation shall be regarded as invalid on the ground that it varies or reconstitutes the boundaries or location of any zone or other locality or any road shown in an authorized development plan.

This means that planning regulations can vary the boundaries. Can one say that, by completely rezoning an area, the boundaries are varied? Is that a reasonable interpretation of the principal Act? In my view, this paragraph is intended not to increase or widen the regulation-making power but to provide for some degree of tolerance when considering whether regulations comply with section 36 (1). I cannot imagine that this paragraph is intended to give a free hand in creating various zones by regulation, as this would make absolute nonsense of the authorized development plan. If regulations were able completely to rezone large areas without substantial compliance with the authorized development plan, then the result would appear to be that, although a supplementary development plan is expected to be consistent with or a suitable variation of the authorized development plan, regulations purporting to implement or give effect to the authorized development plan need not satisfy this requirement.

In my view, section 36 (7) (b) of the Act means that, provided the Meadows regulations are necessary and expedient for the purposes of implementing or giving effect to the Metropolitan Development Plan (as defined) and the general principles contained therein and the objects thereof, then they shall not be regarded as invalid on the ground that the boundaries and location of any zone, locality or road in the regulations are not exactly the same as in the Metropolitan Development Plan. To reduce the area of a zone to, say, 5 per cent of its former area and reclassify the

remaining 95 per cent would seem to me to go beyond a variation or reconstitution of the boundaries of the zone, as it practically amounts to disregarding the original zoning altogether.

I refer now to the *Shorter Oxford Dictionary* definition of "vary", which is "to" adapt to certain circumstances or requirements by appropriate modifications"; it is this type of variation or reconstitution of boundaries or locations that I am certain the enabling Act refers to. In my opinion, the regulation goes far beyond the regulation-making powers that the enabling Act allows. Therefore, as I see it, insofar as they affect the Craighburn land, the regulations are invalid.

There are many other aspects with which I could deal. I have dealt with two: first, the matter of the validity of the regulations (that is, whether the principal Act enables regulations of this type, which completely rezone an area to a different use, to be made) and, secondly, I have said it seems clear that the intentions of the original development plan are not being implemented by these regulations. I have therefore moved the motion.

The Hon. M. B. CAMERON secured the adjournment of the debate.

MITCHAM ZONING

The Hon. R. C. DeGARIS (Leader of the Opposition): In the absence of the Hon. F. J. Potter, I move:

That the Metropolitan Development Plan Corporation of the City of Mitcham Planning Regulations—Zoning, made under the Planning and Development Act, 1966-1971, on July 13, 1972, and laid on the table of this Council on July 18, 1972, be disallowed.

In speaking to this motion, I do not wish to add anything more than I have added to the previous motion for disallowance. The case is exactly the same, and I move for disallowance accordingly.

The Hon. M. B. CAMERON secured the adjournment of the debate.

BUILDERS LICENSING REGULATIONS

The Hon. C. R. STORY (Midland): In the absence of the Hon. F. J. Potter, and in his name, I move:

That the regulations made under the Builders Licensing Act, 1966-1971, *re* pest control, on June 29, 1972, and laid on the table of this Council on July 18, 1972, be disallowed.

I ask that this debate be further adjourned.

The PRESIDENT: Is it the intention of the honourable member that this Order of the Day be not proceeded with today, so that there may be further consideration of the motion?

The Hon. C. R. STORY: I would like your guidance on the matter. That is what I had hoped to do, that it be not considered again today.

The PRESIDENT: That it be made an Order of the Day for Wednesday next?

The Hon. C. R. STORY: Yes.

The PRESIDENT: Is the motion seconded?

The Hon. M. B. DAWKINS: I second the motion.

The PRESIDENT: Those in favour say "Aye", those against "No". I think the "Ayes" have it.

PUBLIC ACCOUNTS COMMITTEE BILL

Second reading.

The Hon. G. J. GILFILLAN (Northern): I move:

That this Bill be now read a second time.

The Bill sets up a committee to inquire into Government expenditure. The financial aspects of Government activity are not very well known to many members of the public, and the finer details are not always known even to members of Parliament. There are three main instrumentalities concerned with the administration of public finance: first, the Treasury, which has to safeguard the volume of expenditure to which departments wish to commit the Government; secondly, the Auditor-General, who is concerned with the honest expenditure of public funds and, particularly in recent years, with ensuring that funds are used only for the purposes for which they were voted; and, thirdly, the Public Service Board, which is charged with the responsibility of ensuring that the various Government departments are so efficiently organized that the funds voted by Parliament may be economically expended and that full value is obtained in return.

In introducing this Bill on behalf of another member, I intend not to criticize the work done by these responsible authorities but rather to suggest that there is room for a supplementary oversight of the expenditure of public moneys. This proposal to set up such a committee is not new in Parliamentary history. It was first introduced into the House of Commons in 1861, and if one went back far enough into history one would find that the British Parliament was concerned in mediaeval times about the authority to spend money vested in the Crown and in the Government of the day, and that Parliament itself had little detailed knowledge of expenditure. The British committee was formed before an Auditor-General

was appointed, but ultimately such an office was created. The system of having an Auditor-General and a Parliamentary Committee of Public Accounts has worked satisfactorily ever since, without any significant amendments to the legislation having since been passed.

We have such a system in our Commonwealth Parliament; it was first introduced in 1914 and remained in operation until 1932 when, for some reason, it was abandoned, but it was reconstituted in 1951. Since then it has been a very active committee. The Commonwealth Parliamentary committee comprises members of both Houses; it is a joint committee, whereas in the British Parliament members of the committee are confined to those of the House of Commons. Such a system also operates in three Australian States; Victoria introduced it in December, 1903, authority for it being contained in the Standing Orders of the Lower House of that State; in New South Wales such a committee, also comprising members of the Lower House only, was formed on January 25, 1902. We have the precedent of a Joint House Public Accounts Committee in the Commonwealth Parliament, and committees comprising members of the Lower Houses in New South Wales, Victoria and Tasmania, as well as the precedent of the House of Commons. I understand that this situation exists because it is considered that, as financial measures can be introduced only in the Lower House, such a committee should comprise members of that House and report back to the House on matters concerning Government finance.

Such a committee is a valuable adjunct to the workings of Parliament for several reasons, the first of which is the oversight of the State's spending. This aspect causes much concern to many people both inside and outside of Parliament. True, in the South Australian Parliament we have a Parliamentary Public Works Standing Committee which investigates Government projects estimated to cost more than \$300,000. However, the terms of reference of that committee could very well be supplemented by another committee such as the one proposed to be formed for the purpose of examining expenditure and of following up the cost of projects after they have been completed.

Under its terms of reference, the Public Works Committee examines proposals to ascertain whether they are in the public interest, and it also examines their estimated costs. I believe a committee which can follow up the work of the Public Works Committee and

match actual costs (and reasons for them) against estimated costs could be of considerable value. It would help to satisfy the misgivings of many members of the public who are concerned with what they consider to be visible deficiencies in the way in which the affairs of the State are conducted. I refer to the protests that we witness in our normal daily lives. One of the main reasons for unrest and dissatisfaction among the members of the public is the fact that many of them feel that, although they have a vote in the election of a member of Parliament, they have little control over what happens afterwards. There is a growing concern about centralization and the concentration of powers within the Executive. Such a committee as is proposed would allay some of the fears that members of the public have, if it was prepared to take evidence on matters of Government expenditure.

I believe, too, that it would have a valuable effect on the members of Parliament themselves. People are elected to Parliament from various occupations and with different backgrounds. One of the most valuable prerequisites for a member is perhaps a knowledge of local government, allied, if possible, with some association with hospitals, schools and other community projects. It is not always possible, of course, for a member of Parliament to have served in local government, but community experience of one form or another is a valuable asset. On entering Parliament, a member has to gain Parliamentary experience and learn more about the workings of Parliament and the Government at the practical level. In that respect, committee work provides a valuable background because a member of Parliament can be elected to a position on the Executive ultimately without having had any of those other opportunities for gaining background experience. Therefore, a committee of this description would also educate members in the Parliamentary processes, and particularly finance, one of the most important processes.

Finally, there have been expressions of misgiving within the Public Service that such a committee would cause concern to its members, but, in my experience of them, the men responsible for Government departments are conscientious and take a pride in their work and their department. I am sure they would welcome the opportunity of answering some of the criticisms sometimes levelled at them by members of the public, by ensuring that such criticisms were answered and explained fully. I may also remind honour-

able members that members of the Public Service, together with every man and woman in the street, have one thing in common: they are all taxpayers. Anything that can save money for the State is to their benefit. I also believe that, even if its investigations were only intermittent, into specific projects, the very fact that such a committee existed would have a beneficial and steadying effect on State expenditure. It is often said that justice should not only be done but should also be seen to be done. This should apply equally when accounting to the taxpayer for the expenditure of his money.

The main point of contention with this Bill as it comes from another place will probably be the fact that it is proposed that only members of the House of Assembly shall be on this committee. I explained earlier that in other States and in the British Parliament this was the situation because the Lower House introduces financial measures. I understand that when a report of that kind is laid on the table in the other House of Parliament it then becomes a public document, and so is available to any member of the public or of Parliament. I believe that from a practical point of view the wider the choice of members of this committee the better will be the opportunity to use people with special talents on it, but I leave that decision to this Council.

I believe that the Bill is largely self-explanatory. Clause 3 deals with the constitution and appointment of the committee, which shall consist of five members of the House of Assembly, and provides that a Minister of the Crown shall not be a member. It also provides that when a committee is formed it shall be appointed for the term of a Parliament. Clause 4 deals with the term of office, while clause 5 contains general provisions to be followed when casual vacancies occur. Clause 6 deals with the appointment of a chairman and the election of a temporary chairman. Clause 8 deals with salaries and allowances. Clause 12 specifies that the Governor may, on the recommendation of the Speaker of the House of Assembly, appoint from the staff of that House a secretary to the committee and such other officers of the committee as are required for the performance of its functions.

Clause 13 defines the duties of the committee, and this is probably the operative clause as well as the most important in the Bill. From that precise list of duties of the committee it is obvious that it may investigate any matter

on its own initiative and, secondly, anything it is required to do by the House of Assembly or by a Minister of the Crown.

Clause 14 refers to the power of the committee to summon witnesses, while clause 15 gives power to the committee to sit during the sittings of Parliament as well as making provision for sittings when Parliament is not in session. Clause 16 enables the Governor to make regulations necessary or convenient to be prescribed for carrying out and giving effect to the measure. I believe that the Bill has much merit, and I ask members of the Council to consider it seriously.

The Hon. D. H. L. BANFIELD secured the adjournment of the debate.

LAND TAX ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 19. Page 1358.)

The Hon. A. M. WHYTE (Northern): I rise to support the second reading of this Bill, which seems a worthwhile measure. Clause 4 exempts from land tax land used for the conservation of fauna and flora. This takes the place of the previous provision, which was a grant made to certain bodies and institutions for this purpose. I hope that this exemption will have no bearing on any other grant or application for financial assistance that may be made by the various bodies that control the conservation of fauna and flora.

Clause 5 amends extensively section 12c of the principal Act. It deals with land that may still be used for primary production even though it has been encircled or encroached upon by other development. It provides that, on the sale of such land, taxes at urban rates shall be calculated in retrospect for the previous five years. That is a provision contained in another Act; I suppose it is all right but the Hon. Mr. DeGaris pointed out that there is an anomaly here, in that a partner selling his portion of a property incurs the penalty of urban land tax retrospectively whereas a shareholder in a company concerned with that land can avoid that imposition. No doubt, the Chief Secretary will explain the Government's attitude to that. Similar legislation appears in another Act, and I shall not attempt to do further than say that it appears to be an anomaly.

Clause 6 gives the Commissioner the prerogative of remission of the tax on a basis different from the one at present defined in the principal Act. I am not in a position to judge whether or not this will help the Commissioner; I only hope it will. The change

was probably instigated by one of the departments that had to calculate the remission under the present Act, which allows for the Commissioner to make this remission; but it is altered to the point where the Commissioner will now classify people into categories so that they may fall within the prescribed area of remission. It will save the Commissioner having to calculate individual cases that may come before him. I cannot see that there is much that is controversial in the Bill. It does what the Minister outlined in his second reading explanation, and I do not oppose it. I shall be interested, however, to hear the Chief Secretary's reply to the points raised by the Hon. Mr. DeGaris.

The Hon. A. J. SHARD (Chief Secretary): I thank honourable members for their attention to this Bill. I preface my reply by saying that I have replies to the questions asked by the Leader, which I think cover the main points raised by various honourable members. I sincerely hope they do. If I omit to answer any honourable member's question, if he will raise it again in Committee I shall do my best to give an answer. In his speech the Hon. Mr. DeGaris asked the following question:

In an estate where new owners occupy the land and intend to continue rural operations, is the full differential payable in those circumstances or can a declaration be made to carry on with the previous arrangements?

In reply, I point out that, in accordance with section 12c (4) (b) of the principal Act, a declaration is not subject to revocation if the declared land is transferred by way of a gift or devise to "the spouse, a parent, grandparent or descendant of the taxpayer . . ." That is, in such circumstances, the differential tax does not become payable and the declaration remains in force, provided the new owners continue to use the land for primary production. This provision is continued by the proposed new subsection (8). The Hon. Mr. DeGaris then asked the following question:

Does this also apply to the sale of land, or the sale of a portion of land, where the land is to continue in primary production?

In reply, I point out that the original Act, subsection (4) (b), and the proposed amendment, new subsection (7), require the payment of the differential tax in respect of a maximum period of five years if any declared land is sold, whether or not the new owners continue to use the land for primary production. Naturally, the land would be sold at its full market value, not the much lower primary production value upon which the land had

been taxed. Therefore, it is fair to expect that some of the concession enjoyed under section 12c should be repaid from the proceeds of the sale. It is competent for the purchasers of the land to apply for a fresh declaration which would have effect for future taxing purposes. In his speech the Hon. Mr. DeGaris stated:

As I have said, I know what the Government is trying to do but I should like to put to the Council this case that has just occurred to me, where land is held by a partnership of people in an urban area, a declaration is made in relation to the land used for primary production, a different rate of tax is applied to that land, and then one partner decides to leave the partnership; does that person in selling his share in the partnership become liable for a portion of the differential tax? Where does that situation differ from the case of a company owning urban land used for primary production, a shareholder selling shares that he holds, and those shares being taken by another person? Under the Bill and under the Act, it appears that that person escapes any differential tax whereas, if it is a partnership, the person concerned does not escape.

In reply, I submit that in the instance of the title to the land being registered in the names of the partners and the interest of one partner being sold, subsections (7) and (10) of the proposed legislation require a payment of the differential tax in proportion to the value of the interest transferred; that is, if there were three partners with equal interests, one-third of the differential tax would become payable. The present subsection (4) (b) as it stands in the principal Act can be interpreted as to require payment of the whole of the differential tax in such circumstances. The purpose of the amendment is to require payment of only a just proportion of the differential tax as determined by the value of the interest sold.

Where the business of primary production in respect of any declared land is carried on by a company, it would be impracticable to examine share transactions for the purpose of establishing the extent of any interest in declared land being transferred. Moreover, it would be undesirable to depart from the legal concept that a company, including one that owns land, is a separate single entity. While it may appear that the situation in relation to differential land tax gives an advantage to companies, there are also many other advantages and disadvantages in taxation and other costs as between trading as a company or a partnership. All aspects are no doubt carefully considered by taxpayers before a choice is made. Since the taxpayer has the right to choose the course that is to his best

advantage in minimizing the overall burden of taxation, I do not consider that legislation should be required to compensate for any particular disadvantage which occurs in operating a business one way or the other. If the point were to be conceded, there could be argument for uniformity in provisions for income tax, stamp duty and other taxation affecting the operations of companies and partnerships. The Hon. Mr. DeGaris also said:

It is interesting to observe that people must go through all this procedure to receive a benefit of \$2 a year. The question then arises: what class of person is the Commissioner to select to receive the benefit of the remission? One class that immediately comes to mind is the pensioner. Let me remind honourable members that there are many types of pensioner. There is the war pensioner, who receives a pension for war injuries, who may have a large income apart from that. Then there is the means test, which is to be removed within three years. Do those people, because they are called pensioners, get an automatic remission? We must remember that the total amount of the remission is not to exceed \$2 in any financial year. Once again, let me say that I understand what the Bill seeks to do but I am submitting that it is a small and difficult matter for the Commissioner to classify those people who will receive this maximum remission of \$2 a year on their land tax.

In reply, I point out that in 1971-72, which was the first year of operation of the additional metropolitan levy, the Commissioner, in exercising his power of remission in cases of hardship as provided under section 58a of the principal Act, automatically granted a remission where the applicant showed that his pension was of a level which entitled him to the benefits of the Commonwealth Pensioner Medical Service. This class of pensioner qualifies for concessions in travel by public transport, motor vehicle registrations, and driving licences. These pensioners, both repatriation and social service, are readily identifiable by their possession of the Commonwealth Pensioner Medical Service entitlement card.

The Commissioner will no doubt recognize this class of pensioner as a class of person to whom payment of the metropolitan levy is likely to cause hardship. There were over 9,000 applications for remission from these pensioners last year and the proposed amendment will enable the Commissioner to continue to grant the same remission without the need for an application each year as required by the existing legislation, so long as he is satisfied that the persons remain members of that class. I thank honourable members for their attention to the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Special provision for rural land."

The Hon. R. C. DeGARIS (Leader of the Opposition): I listened attentively to the Chief Secretary's replies to the questions I raised during the second reading debate. Will the Chief Secretary report progress at this stage to enable honourable members to study those replies?

The Hon. A. J. SHARD: I am willing to do that.

Progress reported; Committee to sit again.

ENVIRONMENTAL PROTECTION COUNCIL BILL

Adjourned debate on second reading.

(Continued from September 19. Page 1359.)

The Hon. R. A. GEDDES (Northern): I support the Bill. A rather interesting argument can be put when one considers reports on conservation and the environment in all their ramifications, because rural industry has been concerned with and practising environmental control for centuries, but not always in the correct direction. The primary industry worker has always been aware of the need for conservation and environmental control. So, from the most important industry in the world methods for the correct usage of the land slowly filter through to the metropolitan areas and the cities of the world, and slowly the Government and the people realize what is happening in the State and in the city of Adelaide and appreciate the need for a council to be established to investigate all the ramifications of environmental control and pollution (and other beautiful words), for the benefit of the future. It is to the future that we look and for the future that we need this understanding, because it is for our children that we must plan.

It is too late now to worry about the reasons why pollution has occurred. What we must do is realize that man, who has created pollution, has the ability to control and, to some extent, eliminate pollution. Better speeches than mine have been made on this subject by other honourable members. It is the coming generations that will suffer if we do not have environmental control; the generations of the future will wither on the vine if the whole problem of pollution is not considered now. We must not get carried away with the true object of the Bill, because this kind of legislation is as new as a new-born babe, as far as the cities and Government are concerned.

Those who see wrong in every piece of litter and every pollutant, and those who keep their heads in the sand and cannot see anything wrong, are the two extremes in this kind of community thinking. There are those who want to stop everything and those who could not care less. The council must move carefully and slowly in the course it intends to take so that there will be wisdom in its thinking and in its reports regarding planning for the future.

One interesting matter not referred to by previous speakers or in the Minister's second reading explanation is prevalent in Australia, namely, the lack of complementary legislation passed by the Commonwealth Government and by the other States. As we are finding it necessary to have complementary legislation in many matters, environmental control must be considered in the same way. Take, for instance, the case of this State's being offered a new industry which would employ many men and which would be different from the industries that are characteristic of the State at present, such as the motor vehicle industry, the washing machine industry, and other consumer-product industries. Assume that the new industry cannot go to Victoria, because that State's pollution-control measures are such that smoke from the smoke stacks or pollutants from drainage might not be acceptable. The industry might mean the employment of an additional 800 men, and the wives and children of those men could give an added fillip to the State's economy. There is the fear that the Government of the day might close its eyes to the establishment of such an industry because of the economic benefits it would give to the community. Until we have uniform legislation throughout the Commonwealth, this fear will remain: it has been expressed by the Premiers and Government leaders of the Eastern States and by those concerned in South Australia. Although an Environmental Protection Council is established, the legislation will not prevent the temptation to permit what I have mentioned from creeping in if the economic climate made it appealing to the Government of the day.

The principle behind the Bill is that there shall be a council comprising eight members—four public servants and four trained in certain roles, such as experience in industry, experience in biological conservation, and experience in matters relating to the environment. The four Public Service members shall be four Directors of various Government departments. The council's role will be to investigate and report on the existing and potential problems of the environment, on means of enhancing the

quality of the environment, and on means of preventing pollution. The council will be authorized to make use of experts with special knowledge. The council will have the power to promote research into various fields and, almost as an after-thought, the Bill provides that it is charged with the privilege, I suppose, of exercising its powers to preserve the natural beauty of the countryside and to preserve flora, fauna and geological features. In addition, the council will have the power to protect buildings and other kinds of architecture of historical interest.

"Environment" is capable of a very broad interpretation. We can therefore go from animate things, such as termites and fungi, to flora. These are all natural things created by nature. Why should this council be given such wide-ranging powers in relation to structures? We already have a National Trust, the ability of which has in the last two years been well illustrated in relation to the preservation of certain landmarks within the city of Adelaide. It seems, therefore, that this council is being given a sweeping authority, but for what purpose? This Bill gives no teeth to anyone or anything.

Although the council can investigate and must report to the Minister, it has no regulatory powers. The Bill does not stipulate what the Minister should do with its reports, although it provides that the council must submit a report to Parliament each year. We are, therefore, setting up another body that will cost the taxpayer a large sum of money. Its role will be to go around (and if it is not careful it will go around with its head in the clouds) looking for ways and means of conserving and protecting the environment.

We need a way to prevent further pollution and all those things that are so detrimental to health and human life. This is a completely irrelevant type of showcase. Why do we not know more about the power that this council is meant to have? His Excellency the Governor said some months ago that a report had been presented to the Government. Did that report recommend only that a council should be set up? The men responsible for the Jordan committee report were reputable

men, who surely had more strength in their convictions than merely to recommend that a council of eight men, without any authority, should be set up.

The Hon. Mr. Russack said that at least one copy of the committee's report should be made available to the Council so that honourable members could examine it, obtain a possible understanding of it and, if necessary, make further suggestions to the Government for the benefit of all concerned. The Council has for some days been debating the Planning and Development Act Amendment Bill, which gives the Adelaide City Council and other representatives within the metropolitan area very wide powers on all matters pertaining to buildings, the environment and what is happening generally in the city.

This planning and development council is to have wide powers. Indeed, its powers are so wide that there is little room for the average citizen to complain. Although the planning and development committee will be able to make certain suggestions regarding buildings, the removal of trees or another use for park lands, the council being set up under this Bill will have no power to stop the implementation of those recommendations. Surely it should be able to deal with environmental protection and all its ramifications.

I conclude my remarks with the reminder that this legislation is nothing new: first, agriculture has been doing it since time immemorial, and it is only the cities that are waking up; secondly, until there is complementary legislation throughout the Commonwealth, environmental legislation will not be valid; and, thirdly, the request which has been made previously and which was substantiated by me, that at least one copy of the Jordan committee report should be given to the Council so that honourable members can examine it and ascertain what else the report has recommended, should be acted upon.

The Hon. F. J. POTTER secured the adjournment of the debate.

ADJOURNMENT

At 4.27 p.m. the Council adjourned until Thursday, September 21, at 2.15 p.m.