LEGISLATIVE COUNCIL

Wednesday, October 18, 1972

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

QUESTIONS

CHIROPRACTORS

The Hon. R. C. DeGARIS: I seek leave to make a statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: I know that the matter I am about to raise has been considered by the previous Government. I have received a letter from the Australian Chiropractors Association asking how much longer the public of South Australia must accept the situation concerning the practice of chiropractic, and I know the arguments both for and against the present position regarding chiropractors. However, can the Chief Secretary say whether any progress has been made in investigating the need for the registration of chiropractors and whether the Government intends to make any move in this regard?

The Hon. A. J. SHARD: It would help the Government and other people concerned if the chiropractors would get together and reach a decision on who is who and what is what, because there are at least three, four, or five sections of chiropractors, and they all want to be king. However, this matter has been considered and I have received numerous letters, but the Government will not take any action with regard to chiropractors until it receives the report of the commission headed by Mr. Justice Bright, which we expect to receive in a few weeks time. Everyone in the medical profession has had the opportunity to put his view, but the Government thought it advisable not to take any action until the report had been submitted and considered by the Government. It is not the Governments intention to do anything in the way of registering or licensing chiropractors during this session of Parliament.

The Hon. R. C. DeGARIS: The Chief Secretary referred to the report of Mr. Justice Bright. Will that report be presented to Parliament and made available to the public or will it be presented only to the Government?

The Hon. A. J. SHARD: Naturally, it is my present intention to present the report to the Government first and, after it has been examined and considered by the Government, I sincerely hope it will be made available to the public and Parliament because the report, to the best of my knowledge, will be acknowledged as excellent and will be highly thought of not only in South Australia but also in the whole of Australia. I hope it will be made available to the public.

FILM CLASSIFICATION

The Hon. C. M. HILL: I seek leave to make a statement prior to asking a question of the Chief Secretary, representing the Attorney-General.

Leave granted.

The Hon. C. M. HILL: It has been brought to my notice that there is some possibility in regard to the classification of films in South Australia that some films are classified under the R classification that are classified under a different classification in other States. For example, the other classification might be "Suitable for mature audiences". It has also been put to me that one reason for the change in the classification here is to increase the audiences at theatres rather than, of course, the proper reason, that is, that the R classification films are films that some people ought not to see. Could this matter be investigated? I do not know whether it is true or not, but I ask the Minister to bring down a report indicating, in the general arrangements between the Commonwealth and the States regarding classification, whether in the States and in particular in South Australia the theatre interests have some say in the fixing of the classification; if so, is the Attorney-General satisfied that that right or influence is not being used for the unfortunate purpose to which I have referred?

The Hon. A. J. SHARD: I will refer the question to my colleague, the Attorney-General, get a report if possible, and bring it down as soon as practicable.

ROAD MAINTENANCE TAX

The Hon. A. M. WHYTE: I ask leave to make a fairly lengthy statement prior to asking a question of the Chief Secretary, representing the Government.

Leave granted.

The Hon. A. M. WHYTE: Would the Government be willing to take some action to investigate the plight of carriers on Eyre Peninsula? Because of the road maintenance tax, many carriers of good repute are facing bankruptcy. Their position, I believe, is somewhat different from that of many other

carriers in that they often have to travel long distances with small loads. They leave their depots on Eyre Peninsula fully loaded, and the tax is no burden with a full load, but the return trip frequently entails only four or five tons on a vehicle capable of carrying many times that weight. I am able to quote some figures, and I am sure one of the gentlemen who has written to me would not mind what I quoted from his letter, because he has served Eyre Peninsula as a carrier for 36 years. He is not one of the fly-by-nights who came into the transport business and had to vacate it because it was an uneconomic enterprise. This man has struggled on over the past eight years until today he faces bankruptcy, after 36 years as one of the best carriers in Australia. In the first six years of the legislation he paid the department $35,928 in road tax. Since then he has not been able to meet this commitment, and instead of making profits he has steadily gone downhill until today he believes that, after 36 years of good, solid and reliable service to the community, the only remuneration he is likely to get is the age pension. I have the example of another carrier who began his career in the carrying business with his gratuity pay after the war, building up a profitable business in which his wife is a partner. Today he is faced with declaring himself bankrupt or, alternatively, he and his wife will both go to gaol. They just cannot fulfil their obligations. These are not dishonest people. They are not trying to cheat the Government, but unless they can gain some assistance and some recognition of their plight they will face financial liquidation. I know the Minister of Roads and Transport would like to see less road transport in competition with railway services, and perhaps the Railways Commissioner would like to see the same thing, but I am sure they will show some compassion and try to work out a formula that will assist these people. Will the Chief Secretary therefore take up this matter urgently with the Government?

The Hon. A. J. SHARD: I am willing to refer the matter to the Minister of Roads and Transport with a view to having it discussed with the Government, and I will bring down a reply as soon as possible.

CHRYSLER AUSTRALIA LIMITED

The Hon. C. M. HILL: I seek leave to make a statement prior to asking a question of the Chief Secretary, representing the Premier.

Leave granted.

The Hon. C. M. HILL: On June 12 there was a report in the daily press which, among other things, said "Labor rejects car takeover". The report continued:

> A union move to have the State Government take over Chrysler's car building organization in South Australia was defeated at the annual State convention of the Australian Labor Party yesterday. The Premier (Mr. Dunstan) spoke strongly against the proposal. He warned that it would be impossible for the Government to acquire plant at less than market value without producing a complete flight of capital from this State.

However, despite the leading words to which I have referred a later paragraph of the report stated:

> An amendment moved by the Premier that the motion be referred to the A.L.P.'s Federal Economic Planning Committee was carried on a show of hands 118 votes to 36.

My questions are as follows: first, has the matter been so referred and, secondly, if it has, can the Premier say what is the view of the Australian Labor Party's Federal Economic Planning Committee on the matter of socializing the vast Chrysler organization in South Australia?

The Hon. A. J. SHARD: I will refer the matter to the Premier, obtain a reply if possible, and bring it down for the honourable member.

DROUGHT RELIEF

The Hon. A. M. WHYTE: I seek leave to make a statement prior to asking a question of the Acting Minister of Lands.

Leave granted.

The Hon. A. M. WHYTE: A number of areas in the State have applied to be declared drought areas and to receive assistance from the Commonwealth Government through the State Government. Other areas in the State will probably soon be in the same position. Will the Minister therefore outline the application procedure and the criteria necessary to apply to have an area declared a drought area?

The Hon. T. M. CASEY: I want to be specific and to say that no provision exists to declare any area in South Australia a drought area. It is unnecessary to do this and, indeed, it is a difficult exercise to undertake, anyway. This morning, I received submissions from people representing various areas of the State who thought they would be better off if their areas were declared drought areas. However, anyone in the State can take advantage of the Primary Producers Emergency Assistance Act and apply to the

department for help in the event of any natural calamity. That measure was introduced by the former Labor Government, and it has been implemented and taken advantage of since then. Unfortunately, most of the States are complaining bitterly that the Commonwealth Government is not coming to the party in relation to drought relief. I think South Australia has to spend $1,500,000 and New South Wales $5,000,000 before they receive any assistance from the Commonwealth Government. We will not, therefore, receive much relief from the Commonwealth Government in the early stages. Provision is being made for application forms to be available from the Lands Department offices throughout the State, from the Agriculture Department offices and from stock firms, and I hope (I think this will be the case) that these forms will be available from local government offices so that people who are in necessitous circumstances because of drought will be able to fill in these forms and send them to the department to be processed. As the honourable member knows, even under drought provisions in the State, if people have to cart water, hand-feed stock and so on, they are still eligible for compensation under the drought relief scheme. That is happening this year. As a matter of fact, a considerable amount of money has been spent in this respect.

The Hon. A. M. WHYTE: Having listened to the Minister's reply, I find it somewhat confusing to learn that this is a State matter because, if those people holding drought bonds wish to have an area declared a drought area so that they can redeem the money already invested in drought bonds, the State Government then says, "This is a Commonwealth matter; we cannot declare an area a drought area until the Commonwealth does." Where do the two systems clash?

The Hon. T. M. CASEY: I cannot answer that specifically but I will obtain a report for the honourable member. However, as I indicated previously, it is difficult for the State Government to define just what is and what is not a drought area. Even in present circumstances in the Murray Mallee the situation is that, if we were to be specific in declaring certain areas drought areas, we could cut across district council boundaries, which would make it difficult. The provisions of the Primary Producers Emergency Assistance Act cover the whole State anyway, so there is no need to do it. I will seek information relating to the honourable member's second question and bring down a reply as soon as possible.

TRANSPORT

The Hon. C. M. HILL: I seek leave to make a short statement prior to directing a question to the Minister of Agriculture, representing the Minister of Roads and Transport.

Leave granted.

The Hon. C. M. HILL: For some time the Bureau of Transport Economics, a bureau operating under the auspices of the Commonwealth Minister for Shipping and Transport, has been preparing a report, which will be of great interest to all people interested in transport throughout the States. The present Minister for Shipping and Transport (Hon. Peter Nixon) said earlier this year that he hoped that this report on the investment need of Australia's urban public transport in the 1970's and the possible sources of finance for that purpose would be ready in July of this year. First, has the Minister received a copy of that report for study? Secondly, as the matter is one of great interest to the State, as well as to the Government of the day, would it be possible for a copy of the report, if available, to be supplied to the Council or to some honourable members so that it may be studied?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and obtain a reply as soon as it is available.

PUBLIC WORKS COMMITTEE REPORT

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Law Courts Area, Adelaide (Western Courts Building—Stage II).

MEADOWS ZONING

Adjourned debate on the motion of the Hon. R. C. DeGaris:

That the Metropolitan Development Plan District Council of Meadows Planning Regulations—Zoning, made under the Planning and Development Act, 1966-1971, on July 6, 1972, and laid on the table of this Council on July 18, 1972, be disallowed.

(Continued from October 11. Page 1949.)

The Hon. M. B. CAMERON (Southern): The move to disallow these regulations is a drastic one that would bring about serious problems for the council involved, because

it would have no power within the area in relation to this district. As has been pointed out in evidence, this is a move designed to correct only a small portion of the entire regulations, or at least provide further discussion on that part of the regulations which is the subject of argument by various groups within the community. The area involved is of considerable value in its present form because of the great development that must take place in the area of the Hills involved in the Meadows council area.

I can understand the reluctance of the Meadows council to accept any move to go back to the 1962 plan, because it would suffer considerable loss of revenue over the years from the purchase of so much of its area by the Woods and Forests Department and by taking up of land, for reservoirs and certain other uses, on which the council would automatically lose rate revenue. It would also reduce the potential viability of the council's area. One method by which the situation could be corrected would be for the Government to consider paying some remuneration for its forestry reserves, because this is a serious problem in the council's area. The real problem is that the only way of allowing the various groups to have further argument or discussion is to disallow the regulations as a whole.

There ought to be some system whereby the groups whose objection is being overruled should have the right of appeal to a tribunal, rather than leave it until this stage whereby the only way the matter can be reconsidered is by a total disallowance. Problems would arise from such a disallowance. There is argument over the legality of the change in zoning; I do not know whether it will be decided in the future, but clearly two sets of opinion have been given by the Government, namely, one by the Crown Law Office and one by a private body. As the opinions are at variance with each other, clearly there is some basis for the argument. Craigburn is owned by Minda Home, and one of the reasons the home wants the area to be rezoned from special uses to residential area is to provide it with a borrowing basis for its operations. That is understandable, but it is unfair that one institution should be required to hold land for public benefit and not have the power to borrow. I wonder whether there is some way this problem could be overcome so that Minda Home does not lose its borrowing rights, or at least that it be compensated to some extent for loss if the area is changed in any way.

The Hon. R. C. DeGaris: There would not seem to be much wrong with the Government underwriting any borrowing.

The Hon. M. B. CAMERON: I agree. If that were done, clearly the home would not argue, and it would protect this area completely.

The Hon. C. M. Hill: That could be done under a Bill now before the Council.

The Hon. M. B. CAMERON: Yes, and that covers a wide range of subjects. It could be that the honourable member's suggestion is a good one. It should not be left to the home to hold the baby in this case for the benefit of the rest of the public. This area is a valuable buffer area and it may be that portions of it could be zoned residential A, whereas no part of the area is under residential use. It is also wrong that the Meadows council should be deprived of this income, in addition to the income it has already lost as a result of the great change of some of this area into forestry reserves. I understand that this is creating serious problems. This area will be surrounded by housing on the north, south and eastern sides, whereas at present it is completely rural in character, and evidence has been given that this area should be retained in its present state.

It has also been said that this is one of the few large areas in the Mount Lofty Range adjoining the metropolitan area which has not been used for urban development. It has the Sturt River gorge running through it, and it is a very attractive area. Under the new regulations, I understand that the rezoning to residential A will protect it to some extent. The area surrounding the gorge will add to the value of the gorge as a public reserve and place for recreation and, of course, it will not have the unfortunate aspect that occurs in any residential area, namely, that it does not have proper open space contained within it. I shall listen to any reply that the Government may give to this debate, because the subject is causing great concern to many people. One of the biggest problems is that, in order to correct a small situation, we have to consider disallowing all the regulations, thereby creating difficulties for the council that are not intended, certainly not by me. I hope the Government will consider compensating the Meadows council for the loss of revenue it has suffered over the years, and I hope the Government will consider underwriting a loan to offset the loss of borrowing powers that Minda Home must

suffer if a change is made. I reserve my decision on the motion.

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

MITCHAM ZONING

Adjourned debate on the motion of the Hon. R. C. DeGaris:

That the Metropolitan Development Plan Corporation of the City of Mitcham Planning Regulations—Zoning, made under the Planning and Development Act, 1966-71, on July 13, 1972, and laid on the table of this Council on July 18, 1972, be disallowed.

(Continued from September 20. Page 1434.)

The Hon. L. R. HART (Midland): From time to time Parliament finds itself in a difficult situation in dealing with regulations because it must either disallow them as a whole or allow them to pass. The Council cannot amend the regulations and it cannot disallow a portion of them. Honourable members have previously made this point very forcibly. When a zoning plan is displayed for public scrutiny, some of the affected people are not aware that it is displayed and, consequently, they do not appeal against it. Further, some people are not aware of the effect that the zoning plan will have on them and, consequently, they do not appeal within the time allowed for appeals.

The Hon. M. B. Cameron: Are they notified that they are affected?

The Hon. L. R. HART: I do not think so; they have to find out for themselves. If the people do not appeal within the time allowed, the plan goes through. On the other hand, some people do appeal to their council but, if their appeal is dismissed, no further course is open to them; this is causing great difficulties for many people. In preparing a plan, councils in some cases endeavour to phase out the usage that has applied to land in an area over a long period—in some cases up to 50 years. This can cause considerable financial hardship to some property Owners who have operated businesses in the area over a long period. If they wish to sell their properties in connection with the use now applying, they can do so only at a very large discount.

There is also the opposite case, where land is zoned for its existing purpose, whereas obviously it should be rezoned for some other purpose. Zoning is a very big exercise, and the people who draw up the plans in the first instance do so after much study. However, once a zoning plan has operated for a short period, defects often become evident. So, there should be some machinery whereby the zoning plan can be revised, perhaps by the people who prepared it in the first instance or by an independent body. I have had brought to my attention a situation where a triangular piece of property has been used for many years for professional offices, but never for any other purpose. However, under the zoning regulations, this area is now zoned as residential. This places the property owners in a very difficult financial situation. Admittedly, they are allowed to carry on their present businesses, but they are not allowed to expand and they are not allowed to sell their properties for any purpose other than a residential purpose.

So, there should be a body to which such aggrieved persons could apply. Their appeals to the council have been rejected, and the next move in connection with the regulations is for them to come before the Subordinate Legislation Committee. However, that committee is hampered, because it must either accept or reject the regulations as a whole. So, there should be some other body to which aggrieved persons can appeal. I therefore suggest that the Government look at this matter very carefully, because many people are financially affected by zoning regulations; they are so affected not because they have done anything wrong but merely because they want to continue with their businesses in the area in which they have existed; in many cases these areas are appropriate for the businesses conducted in them. I support the motion.

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

PUBLIC ACCOUNTS COMMITTEE BILL

Adjourned debate on second reading.

(Continued from October 4. Page 1789.)

The Hon. C. M. HILL (Central No. 2): I have listened to the debate on this Bill over the past few weeks, and I am willing to support the second reading. If amendments are moved during the Committee stage, I shall consider them. The debate has been very fruitful. On September 12, 1967, the Hon. Mr. Shard introduced a similar Bill. At that time there was only one speaker in opposition. However, the Bill was defeated on the second reading. Whilst the speaker in opposition covered much ground and introduced considerable detail, the measure did not generate a very wide debate at that stage.

One of the points which I have been considering and which has been raised earlier is

whether or not the membership of the proposed committee should come entirely from the other place. I have heard that, in the British system, only the House of Commons supplies members to that committee, in Victoria and New South Wales membership comes from the Lower House, and in Canberra members come from both Houses. I am not certain of the position in Tasmania.

However, we have some precedent in the other States and overseas, and as financial matters traditionally can be introduced only in the Lower House, and as in this place we cannot directly amend money Bills, I have come down on the side of supporting membership coming solely from the House of Assembly.

This is in some respects rather regrettable, because I know of the great contribution made in committee work by members in this Chamber, irrespective of the side from which they come. However, one must be reasonable, and one cannot pass over lightly the points to which I have just referred.

Another reason for my support of the Bill is the matter raised by at least two honourable members regarding the need for a follow-up of public projects in this State which have cost far more than the original estimates which have been prepared and approved. On behalf of the people (and, after all it is the people's money that is being spent), a fairly close investigation should be made into differences between estimates and costs on all occasions. Any information that can be checked and given to the people when these matters arise is very worth while in our democratic society.

When I say I support the Bill, I stress that I do not in any way look on the proposal as developing ultimately into any kind of witch hunt or severe criticism of public servants, particularly senior public servants, in this State. By approving of the Bill one is not launching into any such investigation, nor do I think there is a need for an alternative investigation running parallel to that of the Auditor-General.

The Auditor-General and his staff provide excellent service, and the report the Auditor-General provides is most comprehensive. I think that the proposed committee should run complementary to much of the checking and investigation already taking place within the Public Service. There should be, in the future, a co-operative effort between the departments concerned and the proposed committee.

I have a very high regard for the Auditor-General and his staff, just as I have for those in responsible positions throughout the Public Service. I do not look on this proposal as being in any way a criticism of them or their work. So that the public can be more involved and informed on the question of spending public money, particularly when that expenditure might get a little out of hand or might, for one reason or another, vary from what was originally approved, I suggest that information could be given to the public, which in turn would appreciate the involvement of its representatives at this level of inquiry and investigation.

I do not think the Council should give the impression, if it does approve the measure, to the public at large that a tremendous reason exists for a completely separate investigation and inquiry to be undertaken into many matters. The proposed inquiries would have to be carried out in very close liaison with public servants and Public Service departments.

If that took place, in the long term (because it would take some years for a committee of this kind to settle down and get into a working routine) such a committee would make a worthy contribution to the financial affairs of Government in this State. I support the Bill.

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

CONSTITUTION ACT AMENDMENT BILL (COUNCIL)

Second reading.

The Hon. C. M. HILL (Central No. 2): I move:

That this Bill be now read a second time.

It is a short Bill, which removes the bar to those under the age of 30 years standing for a seat in the Legislative Council. The Bill makes every person who is eligible to vote for the Legislative Council also eligible to stand for election to that Council. Voting by 18-year-olds has been accepted by the South Australian Parliament for both Houses. People over 18 years of age in this State, with a few small exceptions, are adult citizens in law.

Clause 3 simply removes the 30-years-of-age qualification and replaces it with "of an age at which he is entitled to vote at an election for a member or members of the House of Assembly". This proposed change overcomes an outdated facet in the State's Constitution; and it undoubtedly makes that Constitution more democratic, and a speedy acceptance of this Bill will indicate to the South Australian people that this Council is progressive in its

thinking and understanding of the rights of younger people in today's society.

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

LONG SERVICE LEAVE ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time.

It gives effect to an undertaking made by the Premier in his policy speech before the last election in which this Government was returned to office. At that time the Premier said:

In accordance with our policy of granting workers adequate long service leave entitlements the Labor Government will legislate for three months' long service leave after 10 years' service.

The first real statutory recognition of an employee's right to a substantial period of leave after a substantial period of continuous service was the Long Service Leave Act of 1967. However, even prior to the enactment of that measure a number of industrial agreements had been entered into between employers and employees giving effect to this right in one form or another. Honourable members who were members of this House at the time will recall that in that measure it was proposed that the quantum of leave would be 13 weeks (or three months) after 10 years service. In the event that the measure did not become law in this form, while the quantum remained at three months, the period of qualifying service was increased to 15 years.

In the Government's view, its return to office provides a clear mandate for the reintroduction of the measure proposed. It is not intended that the new and shorter service requirement will have absolute retrospective operation, but that it should, in all the circumstances, have retrospective operation to January 1 this year. At present, the Act provides that an employee will acquire an entitlement to pro rata long service leave if his services are terminated after seven years continuous service, unless his services are terminated on the grounds of his serious misconduct.

The present limitation in relation to the seven-year pro rata period, that at least five years must be served as an adult, is now intended to be removed. There seems no good reason for the differentiation in this regard between service as an adult and service before attaining adulthood. In addition, in this measure opportunity has been taken to make certain amendments of a formal and procedural nature consequent on the proposal to repeal substantially the Industrial Code and replace it by new industrial conciliation and arbitration legislation.

I will now consider the Bill in some detail. Clauses 1 and 2 are formal. Clause 3 amends the interpretation section of the principal Act by bringing certain definitions into harmony with the new industrial legislation, by striking out unnecessary definitions, and by inserting a definition in the principal Act of "regular part-time employment", which is intended to make it clear that the provisions of the Act extend to persons in such employment. Clause 4 amends section 4 of the principal Act, which sets out the rights to long service leave; the substantial effect of these amendments is to reduce the entitlement period from 15 years to 10 years.

Clause 5 repeals and re-enacts section 5 (8) of the principal Act and, in effect, provides that only service that occurred after January 1 this year will attract long service leave at the rate set out in this Bill. Clause 6 amends section 11 of the principal Act, which provided that the existence of a scheme, providing for long service leave in circumstances not less favourable to the employee than the leave provided by the principal Act, would entitle the relevant employer to be granted an exemption from the provisions of the Act.

It is, of course, clear that current exemptions will have to be reviewed in the light of the improved entitlements contained in this measure. Accordingly, by proposed new subsection (5) all existing exemptions will expire six months after the new provisions come into operation. In appropriate cases this will afford employers time to make fresh applications for exemptions. Subsection (6) is of a transitional nature and merely preserves existing rights and obligations in the event of a cessation of operation of an exemption. Clause 7 repeals and re-enacts section 12 of the principal Act, which relates to claims in respect of a failure of an employer to grant long service leave, and brings the principal Act into harmony with the new industrial legislation.

The Hon. C. R. STORY secured the adjournment of the debate.

METROPOLITAN ADELAIDE ROAD WIDENING PLAN BILL

Received from the House of Assembly and read a first time.

The Hon. T. M. CASEY (Minister of Agriculture) : I move:

That this Bill be now read a second time.

It provides for the preparation by the Commissioner of Highways of a master plan setting out road-widening proposals so far as they affect the metropolitan area. The advantage that should flow from this is that those whose businesses and homes will ultimately be affected by road-widening proposals will be given as much advance notice as possible and will be able to arrange their affairs accordingly. In addition, it is likely that there will be some saving in the costs of ultimate acquisition if building activity on or in the vicinity of land likely to be acquired can be made subject to some reasonable restrictions.

At this stage I indicate to honourable members that this Bill is, in its terms, intended to cover the period before the formal deposit by the Commissioner of a road-widening plan under section 27b (4) of the Highways Act, 1926, as amended. When such a plan has been deposited, the rights and liabilities of the parties are largely determined by reference to the Highways Act. Since the substance of this measure can best be explained by an exposition of its clauses, I shall now consider them in some detail.

Clauses 1 and 2 are formal. Clause *3* sets out the definitions necessary for the purposes of the measure, and I draw honourable members' attention to the definition of "building work", which covers both the erection of new buildings and structures and repairs, alterations and additions to existing buildings and structures. Clause 4 provides for the application of the measure during the period that I have mentioned above. Briefly, the measure applies only to land abutting or a road that is shown on the plan as subject to widening until the deposit of a formal road-widening plan under section 27b of the Highways Act, or until the portion of land required for road widening has been acquired by the Commissioner. This latter limitation is necessary since in some residential areas the Commissioner has not found it necessary to have to resort to his powers of compulsory acquisition to acquire the necessary land and, in those cases, no formal plan will ever be deposited in respect of the land.

Clause 5 empowers the Commissioner to prepare a plan and requires that the plan shall be deposited with the Registrar-General of Deeds in the General Registry Office in Adelaide, and variations of or amendments to the plan, which the Commissioner is empowered to make, are to be deposited in the same manner. Clause 6 is perhaps the most important provision in the Bill and is intended to limit certain building work on land abutting or a road subject to road widening. The limitations fall into two classes. In the case of new buildings, no building is to be erected, without the consent of the Commissioner, closer than 6m (about 20ft.) from the proposed new boundary of the road. This in effect establishes a "building line" of 6m in respect of all land abutting the road as widened.

In the case of additions, alterations or repairs of existing buildings the limitation is somewhat less stringent and the consent of the Commissioner for such work will be required only where it is to be carried out on a building or structure that actually encroaches on the land proposed to be acquired. Clause 7 makes it clear that building work carried out in contravention of clause 6 will not be taken into account in fixing of compensation payable in respect of acquisition of the land for road widening.

Clause 8 sets out in some detail the provisions relating to the consent of the Commissioner and at subclause (3) provides that if the Commissioner does not move within 30 days of the application for consent being made to him he will be presumed to have given his consent. The placing of burden of proving consent on the person seeking the benefit of the consent is, I suggest, in the circumstances a reasonable one. Clause 9 will enable the Commissioner to continue in close liaison with the councils on matters affecting road widening, and clause 10 provides a general regulation-making power.

The Hon. C. M. HILL secured the adjournment of the debate.

METHODIST CHURCH (S.A.) PROPERTY TRUST BILL

Second reading.

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time.

Its main purpose is to replace the individual trustee system of holding Methodist Church property in this State with the property trust to be created by this legislation. At present

most real estate owned by the church is held by various bodies of individual trustees. The object of the Bill, therefore, is merely to replace these bodies of individual trustees with the body corporate, the Methodist Church (S.A.) Property Trust. It is generally agreed that the present system is outmoded and cumbersome. The vesting of title in a body corporate will greatly facilitate the management of church property and dealings with church property. The Bill also provides that the corporate body be authorized to administer a general fund of moneys received from bodies within the church and private persons.

The Bill has been approved by the South Australian Methodist Conference of the Methodist Church and by the General Conference of the Methodist Church of Australasia and follows the pattern of a Bill passed by the Victorian Parliament in 1970. Each of the other State conferences of the Methodist Church in Australia has adopted legislation that transfers the real property of the church to a body corporate. The preamble to the Bill is self-explanatory. Clause 1 is formal. Clause 2 repeals former Acts. Clause 3 contains definitions necessary for the interpretation of the Bill. Clause 4 establishes the corporate body to be known as Methodist Church (S.A.) Property Trust. Clause 5 deals with the appointment of the members of the trust. Clause 6 provides for the appointment of a chairman. Clause 7 establishes a quorum. Clause 8 details conditions under which an appointment to the trust shall become vacant. Clause 9 enables continuing members to act notwithstanding vacancies. Clause 10 appoints the Connexional Secretary as Secretary of the trust. Clause 11 authorizes the use of the common seal. Clause 12 provides for instruments to be executed under the common seal.

Clause 13 empowers the trust to appoint an agent or attorney. Clauses 14 and 15 enable all property held upon trusts of the model deed to be vested in the corporate body. Clauses 16 and 17 enable the trust to receive and hold moneys on behalf of the general fund, other departments and institutions. Clause 18 exempts certain properties from the operation of the Act. Clause 19 provides for property to vest in the trust subject to certain conditions. Clause 20 provides that all land devised, given or granted to the church shall take effect as if the trust was named as beneficiary. Clauses 21 and 22 enable the trust to hold and manage property on behalf of the church. Clause 23 enables the trust to make regulations with the approval of the General Conference of the church. Clause 24 provides for the enforcement by the trust of rights that arose in respect of property before that property vested in the trust.

Clause 25 protects persons from any liability of loss or misapplication of trust funds and stipulates safeguards. Clause 26 provides that persons dealing with the trust are not required to inquire whether the exercise of the power of the trust is unauthorized, irregular or improper. Clause 27 protects the rights of any person under any action that may have been commenced prior to the passing of this Act. Clause 28 indemnifies persons exercising powers or carrying out duties in relationship to trust property. Clause 29 authorizes the trust to institute legal proceedings. Clause 30 enables the Registrar-General to register all property vested in the trust. Clauses 31 and 32 enable the trust allow church land to be used by other denominations except land held under provisions expressly forbidding such use. Clause 33 enables the Annual Conference of the church to delegate its power and authority to its standing committee. This Bill has been considered and approved by a Select Committee in another place.

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

FRUITGROWING INDUSTRY (ASSISTANCE) BILL

Adjourned debate on second reading.

(Continued from October 12. Page 2027.)

The Hon. C. R. STORY (Midland): I support this Bill. Much debate has been heard on this matter and I do not wish to labour it much further except to say that it seems a tragedy that in a country like this, where we have one of the most favourable climates in the world, where we have sufficient water and where we have the willpower and the mechanical expertise, we should be talking about reducing permanent plantings. In areas where cereals are grown, it is easy to make changes year by year. I do not say it is not costly but it is easy to change from sheep production to beef production. When we are talking about fruit tree pulling and horticulture, we are talking about something that is at least 10 years from the time when we start to think about the changeover, until we get our next return. We get some small returns in between but they are sporadic and not profitable.

There is a great saying that should always be borne in mind, that a person plants pears for his eggs, because it takes about 20 years to settle down a pear tree to full cropping

profitability; it takes at least 10 years to settle down a citrus tree. It takes at least five years to seven years to make a decent size peach tree or apricot tree, and what we are talking about at the moment means that, if we buy land with an irrigation licence on it today anywhere in South Australia—bare land with an irrigation licence on it—we are talking about something like $250 an acre. Then we start to put sprinklers on it because very little of that land is suitable for open-channel irrigation: we are now talking about another $300 an acre; so we are already up for about $550 an acre before planting the first tree. Then we wait for 10 years, having planted those trees and watered them, and perhaps put in an irrigation scheme, before we get a return; so we are up for $1,000 an acre before we get any substantial return at all. To change over from one type of production (from, say, peaches to vines for wine grape-growing) a man has to look at some drip form of irrigation. This means that, after waiting three or four years, it would bring the grower into the category of a change-over of well over $500. This is nothing other than a rescue situation for people who are in such financial difficulty that they cannot go any further. Instead of bankrupting them, some attempt has been made to rescue them and give them some form of relief, which would be about enough to keep them off the age pension.

The whole situation as I gauge it is that the Commonwealth Government has agreed with the State Government. The scheme will not apply to this State to any great extent. It will apply much more in the Eastern States, particularly in some areas where people should never have planted the types of planting in the first place. I doubt whether many people in South Australia will take advantage of the scheme. I hope that the Government will ensure that, in our circumstances in which we can grow better citrus, the best clingstone peaches in Australia, apricots that have no peer in Australia, and in which we can export with a clear conscience, we do not have fruit fly in any of our growing areas.

I think it is the Government's responsibility to accept the $500 an acre maximum and put the money into a fund, which it would subsidize under the Primary Producers Emergency Assistance Act. That fund was set up with various small amounts of money received from the Commonwealth Government over a long time. Some of the money is bush fire relief, some is drought relief, and some came from the marginal lands scheme. All this money has been consolidated into one fund, the money in which is available. If these powers are not presently with the State, the Government should renegotiate with the Commonwealth Government to receive the $500 an acre maximum over a given acreage, which the department would decide was equitable. The Government should provide a subsidy so that we do not pull out pear trees between 25 and 30 years old, which are as good as any in the Commonwealth, and peach and apricot trees. Once the trees are removed, irreparable harm has been done to the economy. In 1967, I was faced with an almost impossible situation regarding the surplus of wheat. In my lifetime I have seen surpluses of wine, wheat, barley and dried fruit but, two or three years later, we only want grasshoppers and one or two droughts—

The Hon. R. A. Geddes: And an awareness that the commodity is over-produced.

The Hon. C. R. STORY: That is right, and suddenly we find that there is insufficient to supply the export markets. I would be reluctant for the Government to allow anyone to uproot mature trees when there is a chance for the Government to subsidize (even through the State Bank, if necessary) at low interest rates. The Government subsidizes all kinds of industry. I support the principles contained in the Bill, which has the support of the Commonwealth Government, which has provided the money. It is now a matter for the State Government to renegotiate the terms under which this money will be made available to individuals who cannot see their way clear to carry on. Instead of uprooting standing orchards or vineyards it would be better for the Government to provide a subsidy to growers and, if necessary, allow the growers to sell out to progressive younger people who are capable of managing a scheme such as we have in Sunlands and Golden Heights. I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—"Fund to be maintained at the Treasury."

The Hon. C. R. STORY: I referred to this matter in my second reading speech. Has the Minister considered, or will he consider, whether the Government is willing, under the provisions of the existing Act, to get into the fund as much money as we can expect to get in negotiation to avoid pulling up permanent plantings in this State? It would be sacrilege

to pull out 20-year-old pear trees that are just settling down into real production (the same applies to citrus) if a person is desperate and cannot find money to, say, pay his water rates; after all, the Government is the landlord of the greatest part of land used for horticulture.

The Hon. T. M. CASEY (Minister of Agriculture); I am willing to study the honourable member's suggestions. However, I point out that he knows as well as I that it would be foolish for a grower to pull out mature trees. If a person wanted to take advantage of the scheme he would approach the Agriculture Department, whose experts would assess the situation and advise him to the best of their ability whether to leave the trees in or to pull them out.

The Hon. R. A. Geddes: It is not obligatory for him to do that?

The Hon. T. M. CASEY: No. There is no compulsion for anyone to take part in the scheme. That is the crux of the matter.

The Hon. F. J. Potter: The Hon. Mr. Geddes meant that it is not obligatory to consult the department.

The Hon. T. M. CASEY: No, he can please himself. If a person wants to take advantage and to make an application to pull 20 acres of trees he can do what he likes with them. In some cases, if he is in severe financial trouble, perhaps because of bad management or circumstances beyond his control, it would be in his interests to liaise with the horticulture experts in the department to see whether they could help him in pulling trees other than mature trees. It is a question of economics.

It has been estimated that there is a large surplus of pears and peaches in South Australia, and also of apples. We will have a situation of over-production. When Britain joins the Common Market we will be most embarrassed in the sale of canned fruits in the area because of the tremendous production of those commodities in E.E.C. countries such as Italy, Spain and France. It is much more profitable for those people to export their fruit to the United Kingdom market than it is for us to send it from Australia.

We are now in a situation where our type of fruit is not readily saleable in other markets, such as those in South-East Asia, where people have not acquired a taste for canned fruits. Nevertheless, on information I have been given it appears that some parts of America will experience a shortage of canned fruits in the coming season. Of course, we have 1,500,000 cases of fruit in stock already, and it will be quite some time before we quit that. However, I am prepared to look at the suggestions made by the honourable member to see whether something cannot eventuate from them.

Clause passed.

Remaining clauses (9 and 10) and title passed.

Bill read a third time and passed.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 17. Page 2071.)

The Hon. R. A. GEDDES (Northern): The Gepps Cross abattoir, as it is commonly called, was set up under the original Act in 1908 to be a public service abattoir, and it has since operated with the prime responsibility of supplying the metropolitan area with wholesome and properly treated meat for human consumption. It has had the added responsibility to accept all animals offered by producers for slaughter and, with the exception of some categories of diseased, injured or undernourished animals, this procedure has been in existence since 1908. Incidental to the main responsibilities of the Metropolitan and Export Abattoirs Board there have been responsibilities to producers and to consumers of meat as a service works, and the abattoir operates a large stock market and undertakes inspection services and the supply of meat to retail butchers within the metropolitan area. It is a public utility. The abattoir must undertake functions and operations which can be classed as uneconomic if the works are expected to operate competitively with private enterprise. Added to that is the fact of operating competitively and economically.

We have private meat works such as the Metro Meat Works at Noarlunga and the meat works of Charles David Proprietary Limited at Murray Bridge, with programmes of killing designed to the optimum capacity of the killing works themselves, but they do not have to accept any class of stock at any time, nor do they have to maintain an excessive capacity in the labour field or in the retail outlet field to cope with seasonal gluts. They do not have to provide the ancillary services of a public utility. From the sublime to the ridiculous, in times of glut both Metro and Charles David use the Gepps Cross abattoir to kill stock in excess of the throughput of

their own works rather than going into weekend overtime an their own account.

In the second reading explanation the Minister said the Bill is planned to streamline the control of the Gepps Cross abattoir as a commercially oriented body and he placed emphasis on the need to make the abattoir commercially viable and self-sufficient, having slaughtering fees competitive with charges in other States; in other words, to provide an effective, fully competitive service. It is well known to those concerned, as well as to the Government, that the cost of running the abattoir revolves around the problem that costs arise mainly from the need to work extensive and costly overtime at weekends on beef and lamb slaughterings. If this were not so, it has been said, the board could have been viable and, to some extent, profitable.

I have been able to obtain some figures which give a comparison of the killing charges for cattle, sheep, lambs and pigs for a great majority of killing works throughout Australia. These figures indicate that the rate for all classes of livestock other than lamb at the Gepps Cross abattoir is the highest of all killing charges in Australia. Port Lincoln runs second to highest. The South Australian rates for cattle and pigs would be out of all proportion to rates charged in other States. The figures are fairly comprehensive, and I ask leave to have them incorporated in *Hansard* without my reading them.

Leave granted.

COMPARATIVE ABATTOIR CHARGES

	Cattle c a lb.	Sheep c a lb.	Lambs c a lb.	Pigs c a lb.
Works:				
Homebush	2.0	2.55	3.6	2.55
Newcastle	1.9	2.91	4.13	1.3
V.I.M. Authority	1.7	2.36	3.45	1.9
Cannon Hill	2.0	3.45	4.6	2.05
Midland Junction	1.9	2.06	2.39	2.2
Gunnedah	1.33	2.05	2.9	1.5
W.A.M.E. (Robbs Jetty)	1.9	2.06	2.39	2.2
Goulburn	1.8	2.5	3.5	1.75
Dubbo	1.9	2.9	3.0	1.93
M.E.A.B.	3.48	3.72	3.72	4.09
(after deduction 0.7c lb. for delivery and relevant credits for fats etc.)				
Port Lincoln	3.26	3.6	3.9	3.46
(after deducting credits for fats etc.)				

The Hon. R. A. GEDDES: The above rates show that for all classes of stock other than lambs at some works, Gepps Cross would have the highest charges in Australia, and Port Lincoln would be the next highest. The South Australian rates for cattle and pigs, in particular, would be out of all proportion to the rates charged in other States.

The Hon. T. M. Casey: Would you add that there are a number of inbuilt charges at Gepps Cross which do not apply in other States?

The Hon. R. A. GEDDES: I thank the Council for the privilege of having these figures incorporated in *Hansard.* By interjection the Minister has asked me to mention that the Gepps Cross abattoir has other responsibilities and charges which are not made to comparable abattoirs in other States. I make the point that my figures give the rates on a pound basis, similar to the charges imposed by works in other States. My rates are only approximate, as a result of the minor variations of the service which each works offers. However, generally they have been reduced to the common service of slaughtering and holding in chillers for 24 hours. No delivery costs are included. I therefore appreciate what the Minister has said. I believe my figures exclude the extra charges with which Gepps Cross is faced.

Up until comparatively recently, killing for export has been an incidental function of the Gepps Cross abattoir and, in association with the Government Produce Department, the board's responsibilities in relation to exports have increased in importance in recent years. In view of its responsibility to producers, the abattoir has had to try to cope with the seasonal over-supply of lamb and pressure from exporters to kill export beef for boning. Some years ago, the board undertook, for export beef purposes, to utilize fully the present beef chain and to supply the lessees

of the three boning rooms with a guaranteed kill of 300 carcasses of beef a week. Since the rise in the export demand and as a result of the increased amount of stock entering the abattoir, it has become increasingly difficult, mainly because of the work involved, to keep the boning room fully occupied. I understand that the lessees of the boning rooms (Jacksons, R. J. Gilbertson Pty. Ltd. and Thomas Borthwick and Sons) are asking for a minimum of 500 carcasses a week, which the abattoir is finding it impossible to supply.

The Hon. M. B. Cameron: Even with the improvements.

The Hon. R. A. GEDDES: Yes, even with the improved facilities. The complexity of the Gepps Cross works as a service abattoir brings me to the point that it is trying to protect all sections of the industry. We have representatives of producers and their agents, stock salesmen, meat exporters, wholesalers, master butchers, consumers and abattoir employees on the board, all trying to make the works profitable. The Minister has said that he wants to reduce the size of the board (in future it is to be called a corporation) to a more sensible figure and to give it greater responsibility and wider powers so that the new corporation will not have to be looking over its shoulder to its various representatives.

It is false to think that the representatives of producers, wholesalers or meat exporters should be responsible to their organizations, because in any industry (in fact, this is outlined in the Companies Act) no director shall be responsible for any section of the shareholders whom he represents. This has been clearly understood for many years. Therefore, I never subscribe to the argument that it is the absolute responsibility of a certain person to represent only that section of the trade that placed him in his position.

I return now to the problem that Gepps Cross has had to face and, indeed, is still facing: the problem of the over-supply of meat and that of weekend slaughtering. The obvious answer, of operating a second shift at the works, would appear to be a common-sense solution. However, this has been disallowed under an industrial agreement with slaughtermen and, to date, the union has rejected overtures to have this changed. Another answer is to work extra overtime on week days and to use extra men on the beef chain. However, here again the Industrial Commission has not yet agreed to this proposition.

The problem is, therefore, three-fold: I refer, first, to over-production of meat entering the abattoir; secondly, to the difficulty of manning the chains; and, thirdly, to the slow-down in working conditions, either because the men do not want to work excessive overtime or because the Industrial Commission has stipulated that they shall not do so. All these factors have completely slowed down the works. What the new corporation will do to offset this position remains to be seen. In his second reading explanation the Minister said he hoped that costs to the consumer would not be increased. If the cost to the consumer is to be a prime consideration to corporation members, and if the abattoir is to cope with the various problems facing it, it will have to employ more labour or have its present employees work more overtime. Whatever happens, the costs will still have to be borne.

The only conclusion one can draw is that the increased costs will have to be met ultimately by the producer. This is a step which I regret and, indeed, which is strongly criticize. I cannot see in the Bill a provision enabling representations to be made to the corporation to help offset prices if they are imposed on producers. I presume, however, that there will be a right of appeal to the Minister but, having set up an autonomous corporation, one wonders what the position will be. If the cost to the consumer is not to be increased, it will have to be met in some way; in other words, there must be a tail to the problem.

I object to this aspect because, as the Council and the Minister know, the primary producer is at the beginning of the production line and, in any consideration of the price factor, he is at the end of the receiving line and has no way of adjusting his costs, compromising or finding a solution to the problem. Many well-meaning people have suggested that it is foolish to continue increasing the size of the Gepps Cross works and that it should be left for the slaughtering of meat for local consumption. It has also been suggested that a new export abattoir should be built in another locality solely for the export trade so as to ease the pressure at Gepps Cross. That would reduce costs. By the building of an efficient abattoir up to modern standards with far greater throughput, the export complex could be a unit that would of itself became profitable, as has been proved in other States of the Commonwealth and in the United States. I believe the United States is now doing away

with these large abattoir complexes. Admittedly, Gepps Cross is a fairly small drop in the bucket compared with the Chicago meatworks but, as regards our problem and the American problem, the Americans are now going away from the densely populated areas and setting up regional abattoirs of smaller capacity but of far greater throughput; that is proving more profitable to the organization concerned.

This leads me to the point of the meaning of the Bill and the questions I have to raise on the Minister's second reading explanation, where he states:

> For some time now the Government has been engaged in the planning of a substantial reorganization and rationalization of the meat industry of this State. The benefits that will be obtained from such a rationalization are . . . (*b*) the creation of soundly-based commercially-viable abattoirs effectively serving the needs of all sections of the community.

I notice that "abattoirs" is there spelt with an "s", so I take it as meaning the plural of "abattoir" and that the Minister has definite plans for building regional type abattoirs elsewhere. In every dictionary and book of reference in the Parliamentary Library, wherever the word "abattoir" appears, it appears as "abattoir", without the letter "s" at the end of it. That is so until we come to the State Acts of Parliament, where the word "abattoirs" is used, meaning a slaughterhouse in the singular, not in the plural.

The Hon. T. M. Casey: Something like "sheep".

The Hon. R. A. GEDDES: I suppose it could be something like "sheep", for we do not say "sheeps". Why do we have "abattoirs" in South Australia whereas in *Webster's Dictionary* and other dictionaries the word used is "abattoir"?

The Hon. T. M. Casey: It is a point well taken.

The Hon. C. M. Hill: What about "reservoirs"?

The Hon. R. A. GEDDES: We can go into that at another time. Will the Minister indicate to the Council whether he still has in mind building up Gepps Cross as the sole abattoir to cater for the needs of the producer and the consumer?

The Hon. T. M. Casey: I can say now that the answer to that is "No".

The Hon. R. A. GEDDES: The word used in that part of the second reading explanation is in the plural; I am glad the Minister has told me that he is implying in his second reading explanation that this is only one of several Bills to be introduced on this matter. I thank the Minister for saying that that is so. Will the Minister indicate to the Council, before this Bill leaves the second reading stage and gets to the Committee stage, how the other Bills will be tied into the meaning and interpretation of this Bill? Does the Minister plan, by this amending Bill and by getting it through Parliament, to have complementary legislation to make it impossible, if it is not good legislation, to have it amended or rejected —because it will be tied to this Bill in such a way that it would nullify all the things we are trying to do?

The Hon. T. M. Casey: No.

The Hon. R. A. GEDDES: I should like that assurance given more clearly later, because this is important. It is important, as the Minister well knows, for the benefit of the whole State. We appreciate the problems at Gepps Cross and where we want to go, but we want a profitable slaughtering complex. However, if by Acts of Parliament that will be complementary to this Bill industry gets itself into a position where the legislation will be detrimental in days to come, then it would be only right that the Minister should advise the Council at some future stage.

The Hon. T. M. Casey: I assure the honourable member that we have no ulterior motives. I will give the honourable member that one.

The Hon. R. A. GEDDES: It is good to know there are no exterior or ulterior motives.

The Hon. T. M. Casey: No—I said "ulterior motives".

The Hon. R. A. GEDDES: It is nice to know that. The Bill is complex because it contains so many amendments to the principal Act. The germ of the Bill is to replace the existing board with another board. For the life of me, I do not know why we have to change the name to "Corporation". I take notice of the suggestion by the Hon. Mr. Story yesterday that "Metropolitan and Export Abattoirs Trust" would be a cheap way of advertising it—but what's in a name? The authority that the Government intends to give the corporation in the borrowing of money and in the guaranteeing of money by the Government appears to me to be the only way, in these changing times and in view of the demands of the United States, to have the abattoir as a suitable export abattoir. I support the Bill in the hope that the suggestions are good, but I criticize the Bill because the Minister does not tell us what his total plans are for the meat industry, in spite of his assurance, which I appreciate. He does not

tell us in full the plans he has for the meat industry so that we Parliamentarians, the producers and other people interested in these problems could at least look at them and, I would hope, offer constructive suggestions to the Government. I support the second reading.

The Hon. L. R. HART (Midland): It has been suggested that this Bill is based on recommendations made to the Minister by Mr. Ian Gray, a consultant appointed to advise the Government on the reorganization of the Metropolitan and Export abattoir. Unfortunately, Mr. Gray's report to the Minister is not available so we do not know whether the Bill incorporates all of Mr. Gray's ideas or whether it is a compromise, embodying some of his recommendations and Labor Party policy. When an amount perhaps in excess of $10,000 (the Minister has admitted a first payment of nearly $8,000) is paid to an expert, by using taxpayers' money, to make recommendations to the Government, surely the Parliamentarians, those people charged with putting the recommendations into operation, should have access to the report. These comments are in no way a criticism of Mr. Gray, whom I regard as a competent person quite capable of making a comprehensive report.

I should imagine there have been more reports made on the South Australian abattoirs than on any other industry or department in the State. We know there have been several special investigations into the abattoir, one of which was made recently during your term of office, Mr. Acting President, by Mr. McCall. I have no doubt it was a comprehensive report, one on which the reorganization of the abattoirs could have been based without going to the extra expense of having Mr. Gray's report available to us.

The Hon. T. M. Casey: What did Mr. McCall charge? Do you know?

The Hon. L. R. HART: I do not know; possibly the Minister knows but, whatever it was, we got good value for the money.

The Hon. T. M. Casey: How do you know that?

The Hon. L. R. HART: I know Mr. McCall and I know what a capable person he is. He has had considerable experience in the running of abattoirs: I know that he was regarded as one of the most competent authorities in Australia, and I imagine that his report contained many valuable recommendations.

The Hon. T. M. Casey: But you don't know, do you?

The Hon. L. R. HART: I think that, had there not been a change of Government, we would have had a Bill of this kind before us based on his recommendations.

The Hon. T. M. Casey: Are you sure of that?

The Hon. L. R. HART: No, I am not sure of that: one cannot be sure of anything in this world. However, I know that his recommendations were closely studied by the Minister, so why did he spend another $10,000 or $11,000 to get a further report? However, that was the Minister's prerogative. The Minister has introduced this Bill, which contains some of Mr. Gray's recommendations. Does it incorporate all of his recommendations or is it a compromise between Mr. Gray's recommendations, some of Mr. McCall's recommendations, and Labor Party policy?

The Hon. T. M. Casey: I believe you have spoken to Mr. Gray several times.

The Hon. L. R. HART: Section 42 (1) of the Act provides:

> At least once every three years the Minister shall appoint a competent person or persons to investigate and report to him on the efficiency of the plant, machinery, administration, and operations of the board. The first investigation shall be made in the last three months of the year 1934.

On that basis, there should have been at least 13 reports based on the efficiency of the abattoirs up until the present time. I imagine that in the Minister's office there must be many pigeonholes stuffed with reports.

The Hon. T. M. Casey: I haven't seen any of them.

The Hon. D. H. L. Banfield: Some of your Government's, do you think?

The Hon. L. R. HART: Section 42 (3) provides:

> The Minister shall lay the report as soon as practicable after the receipt thereof before each House of Parliament.

I cannot recall having seen many of these reports, if any.

The Hon. T. M. Casey: Perhaps you should ask the former Minister.

The Hon. L. R. HART: I doubt whether the statutory requirements of the Act have been carried out in this regard. I commend the present Abattoirs Board. It has been criticized, even by certain responsible people, but much of the criticism has been unfair, because the board has had to operate under an Act that denied to it the powers it required.

The Hon. D. H. L. Banfield: Have you ever criticized the board?

The Hon. L. R. HART: No, I do not think I have.

The Hon. D. H. L. Banfield: I thought you had on a couple of occasions.

The Hon. L. R. HART: No. I may have inquired about certain matters, but I have not criticized the board. I commend the board for the work it has done over the years. I know that it has not achieved all of its ambitions, but it has worked under difficulties, particularly regarding its financial requirements. The board has been restricted in the amount of finance available to it, and that is why it is in such extreme financial difficulties today. The present Chairman of the board has been criticized by some people, and the Government has been criticized for making a political appointment. Notwithstanding that, I consider that the present Chairman has acted impartially. I have always found him to be a co-operative person whom one could approach and from whom one could get much information.

The Hon. T. M. Casey: On what grounds do you say it was a political appointment?

The Hon. L. R. HART: When it comes to the point one can always point the finger and say, "That was a political appointment." It is a question not of its being a political appointment but of how he carries out his duties once appointed. The present Chairman has carried out his duties with impartiality, and I commend him for it. The Minister's second reading explanation contains some interesting observations, and honourable members should closely analyse his remarks. The explanation states, in part:

> For some time now the Government has been engaged in the planning of a substantial reorganization and rationalization of the meat industry of this State.

I emphasize the words "of this State", because the Bill before us amends the principal Act, which set up the board with power to provide facilities for the slaughter of stock and to control the distribution of meat and other matters incidental thereto in the metropolitan area of Adelaide. There is power in the Act for the area in which the Act operates to be extended. Section 107 (1) provides:

> The Governor may, by proclamation upon a request in writing being made to him by any municipal or district council whose municipality or district is contiguous to the metropolitan abattoirs area that it desires to become a constituent council declare that that council shall be a constituent council, and that this Act shall, from, a date to be mentioned in the proclamation . . . apply within the municipality or district, or portion of the municipality or district, to be also therein mentioned, of that council.

The area served by the Act can be extended, but I wonder how far the interpretation of "contiguous" should be taken? Looking at the *Oxford Dictionary* we find that it means "touching", "adjoining", "next in order", or "neighbouring". This means that any district council or municipality adjoining the metropolitan abattoir area can be brought under the Act. The only restriction is that the request for the area to be declared a constituent council must be made in writing by the local government body. One cannot help suspecting that it is proposed that some of these contiguous areas are to be brought within the ambit of the Act. I reach this conclusion after reading from the second sentence in the Minister's explanation, as follows:

> The benefits that will be obtained from such a rationalization are—(a) improvements in the quality and wholesomeness of meat offered for sale for human consumption.

The inference is that meat offered for sale for human consumption at present is lacking in quality and wholesomeness. Surely, the Minister is not suggesting that meat handled by the Metropolitan and Export Abattoirs Board is lacking in these qualities and that it will be improved merely by placing the abattoir under a new form of management.

The inspection of butcher shops is carried out by inspectors of the board, and it is not proposed under the Bill to change this. Therefore, I repeat that it appears that the Act will be extended to country areas, for it is in some of those areas that hygiene facilities might not be of a sufficiently high standard. Nevertheless, city people, given the opportunity, often prefer country-killed meat to that killed at the metropolitan abattoir. One reason why country-killed meat is considered superior is that it has been established that nervous tension in an animal prior to slaughter has a detrimental effect on the quality of the meat. Scientific evidence supports this.

The Hon. T. M. Casey: What does it do to the meat? Have you any idea?

The Hon. L. R. HART: I do not know exactly what it does, but it is recognized in this country and in other countries that animals subjected to nervous tension never produce quite the same quality of meat as animals that go to slaughter without having to face such nervous tension.

The Hon. D. H. L. Banfield: Do they realize they are for it when they get out there?

The Hon. L. R. HART: Perhaps they realize their fate.

The Hon. R. C. DeGaris: Transport and all those things come into it, too.

The Hon. L. R. HART: If the Act is extended to country areas, slaughterhouses in those areas will disappear. Section 109 (1) of the Act lays down that after the time fixed by proclamation for the Act to apply to any municipality or district, or portion of any municipality or district, all private abattoirs or slaughterhouses within the municipality or district or portion of the municipality or district defined in such proclamation shall be closed by the owner, occupier, or person having the control or management thereof. I suggest that if the scope of the Act is extended it will mean the closure of many country killing works. If it is proposed to extend the Act to country areas, I should like the Minister to explain how this is to be done if the initial request does not come from the local government bodies concerned. Will country slaughterhouses be forced to close by the application and enforcement of stringent hygiene requirements?

The Minister goes on to say that another benefit under the amending Bill will be the creation of soundly-based commercially-viable abattoirs effectively serving the needs of all sections of the community. Admittedly, the new corporation has been given increased powers under this Bill, and possibly the greatest of these will be its power to borrow money. The availability of adequate finance has always been a problem to the present board in its efforts to extend slaughtering and other facilities at the Gepps Cross works. Nevertheless, the servicing of the present loans has been a heavy drain on its finances, and one questions whether giving the new corporation increased borrowing powers to enable it to upgrade the works will make it more commercially viable, as suggested by the Minister. By increasing its loan commitments the corporation will have a greater debt to amortize, and, unless there are compensating benefits to be obtained, the corporation may well find some difficulty in becoming any more commercially viable than is the present board.

To illustrate my point, I present some figures showing the difficulties faced by the present board. Outstanding loans up to June 27 of this year amounted to $2,719,692. To service those loans costs $197,130 a year. These loans are repayable over a term of 42 years, so we must assume that the cost of servicing of the loan will be fairly static over a 42-year period. The sum of $197,130 will not vary to a great extent; it may move up or down a little each year, but we can take that as a base figure, and over a period of 42 years the repayments on a $2,750,000 loan will cost the board nearly $8,250,000.

The Hon. R. C. DeGaris: It must be a fairly high interest rate—about 7 per cent.

The Hon. L. R. HART: The present board has had to pay a fairly high interest rate. Overdraft interest rates are not very low, and it has had to borrow privately as well as from the Government. It has been suggested that the new corporation will have increased borrowing powers, on which no doubt it will operate, and we can see the situation perhaps where the outstanding loans will amount to about $4,000,000. The new corporation will be required to take over the financial liabilities of the present board and if it is to upgrade the works it could well have a loan commitment of about $4,000,000. To repay that, it will be repaying not $8,000,000 but probably $16,000,000 over 42 years. Merely placing this abattoir works under new management will not necessarily make it viable.

If the corporation increases its borrowing powers it will no doubt do so to increase the capacity of the abattoir, which is at present inadequate to cope with the heavy seasonal influx of lambs, occurring mainly in September and October. It is the handling of this variability of supplies that has placed the board in its present financial predicament. Because of the limited capacity of the works, the management has been forced to operate on an overtime basis. I have figures showing how costly it has been. Over the last six years the board has paid $5,162,752 in overtime rates. This has averaged out at about $860,000 a year. The alarming aspect of these figures is that over the last two years there has been an astronomical increase in the amount of overtime the board has had to pay. In the 52 weeks ending June 27, 1972, the board had paid out $1,774,395 in overtime. So, the cost of overtime to the board has had a great effect on its financial position.

The Hon. R. C. DeGaris: I have heard that the wages component is the highest in Australia.

The Hon. L. R. HART: The board has had to make payments to meet its commitments in connection with loan interest and capital repayments. The cost to the board for each pound of meat treated for the local and export markets is 0.123c.

The Hon. R. C. DeGaris: Is that the wages component?

The Hon. L. R. HART: That is nothing to do with the overtime; it is just the payments relating to the loan. At the Port Pirie abattoir the cost of slaughtering lambs is 2.9c a pound, which I suppose one could say is not much more than it costs the Metropolitan and Export Abattoirs Board to service its loans, without meeting its overtime commitments and other charges. At the abattoirs operated by the Victorian Inland Meat Authority the cost of slaughtering a 100 lb. sheep is 1.22c a pound. These comparisons are very applicable to the present situation. In any attempt to increase the capacity of the works to cope with peak periods of short duration, care must be taken to ensure that we do not have works with such excess capacity for the remainder of the year that they become uneconomic.

The Hon. T. M. Casey: Are you saying that they must not be over-capitalized?

The Hon. L. R. HART: Virtually. There is much excess killing capacity in some of the other States; that is possibly why representatives from other States can come here, buy stock against local competition, take it back to their own works, and kill it there. The viability of any works depends largely on the average utilization of capacity throughout the year. To encourage high utilization of capacity during periods other than peak periods, service abattoirs could well consider offering lower service rates during those periods. The Minister may frown.

The Hon. T. M. Casey: That is just natural.

The Hon. L. R. HART: However, it may pay the service works to offer a lower rate during those periods to keep their works operating, because slaughtermen are not easily obtained. If there is no work to retain their services, they may go away and, later, when they are required it may not be easy to obtain them. So, there are fringe benefits in my suggestion. It could also encourage butchers to pay more in the livestock markets, thereby encouraging producers to present their stock during off-peak periods. It could also result in stock being brought longer distances for treatment. The need for overtime is aggravated by the continued absenteeism of workers during the week: they present themselves for work at the weekend at overtime rates! This has been going on for a long time, and it may be one of the reasons why the abattoir has to pay such a large sum for overtime. In his second reading explanation the Minister said:

> This Bill is the first step in giving legislative effect to the scheme, and is brought down at this time to meet the urgent need for a reorganization of this State's principal abattoir.

Obviously, this Bill is only the forerunner of further legislation to rationalize the meat industry. The Minister clarified this point near the end of his second reading explanation, when he said:

> As I mentioned earlier, this Bill is but a first step in an overall reorganization of the meat industry. It is expected that, when the Bill to provide for this overall reorganization is brought down, substantially all of the principal Act as amended by this Bill will be re-enacted in that measure.

I therefore suggest that the Minister should make his intentions clearer as to what the future holds: he should say whether his intentions mean extending the area or developing further works. The Hon. Mr. Geddes presented figures comparing killing costs in various works. I have endeavoured to do that, but it is very difficult to compare killing charges at Gepps Cross with those of other abattoirs in Australia. The killing charge here includes branding, droving, drafting, holding in lairages for one week, and eventual delivery to butcher shops. The Homebush abattoir, although a service abattoir, is not involved in deliveries, which are largely done by contract. The Homebush abattoir is able to service its own loan requirements, because it owns the land on which it has its works. Indeed, it has been able to sell land surplus to its needs at attractive prices.

The Hon. T. M. Casey: What did the Homebrush abattoir lose last year?

The Hon. L. R. HART: I do not know.

The Hon. T. M. Casey: It lost $1,000,000.

The Hon. L. R. HART: Yes, but if it had not had the other facilities available to it, it possibly would have lost more. In Victoria, the situation is much more difficult to compare, because there are virtually no service works in Melbourne. However, there are two abattoirs in Melbourne in addition to many privately-owned ones. One is owned by the Richmond City Council and the other by the Melbourne City Council, both of which are leased by private enterprise. There is only one semi-governmental organization in Victoria: I refer to the Victorian Inland Meat Authority, which has two works—one in Ballarat and the other in Bendigo. Victoria has a large number of killing works. The two works that are owned by the Victorian Inland Meat Authority are making a profit

and are able to finance their own operations out of their trading activities.

I refer now to a point made by the Hon. Mr. Story. The two works operated by the authority in Victoria are members of the trade associations within that State and are both respondents to the Commonwealth award. The Hon. Mr. Story made the point that the employees in the South Australian works should be covered by that award rather than the State award, in which event we could experience less industrial strife than we do at present. The two abattoirs in Victoria that are controlled by the authority have no protection in their operation, and must compete with all facets of private enterprise.

I shall deal now with the composition of the new corporation. It is to comprise six members, its chairman being appointed by the Government. One wonders why it is necessary to have a corporation comprising as many as six members. The Minister has suggested that we will not have sectional interests on the new corporation. On that basis, what people must we accommodate on the new board? I would be surprised if this recommendation emanated from Mr. Gray or, indeed, if it was contained in Mr. McCall's report. I believe that the new board is to comprise six members solely for the purpose of accommodating a union representative on it. If that is so, and we are forced to have a union representative on the corporation (and bearing in mind that the Minister said there will be no sectional interests on the corporation), I suggest that he should be a representative of a union that is not involved in the operation of the works. This is most important.

I refer now to certain clauses of the Bill, one of which relates to the name of the body, an aspect referred to by the Hon. Mr. Geddes and the Hon. Mr. Story. I support their contention that it should be called the South Australian Meat Export Abattoirs Trust, which would have the short title of "M.E.A.T."

The Hon. M. B. Dawkins: Instead of "M.E.A.B."

The Hon. L. R. HART: That is so. Clause 57 refers to a matter that is concerning many people—the question of charges, which are dealt with in section 82 of the Act, which, containing the amendments proposed in this Bill, will provide as follows:

Notwithstanding anything contained in this Act, the corporation shall have the exclusive right to slaughter stock at the abattoirs and charge such fees for slaughtering and other services as it thinks fit.

Under the present arrangement, the board charges a killing fee that includes many other services. Under the Bill, it is suggested that, instead of free delivery being given on the slaughtering charge, a separate charge will be imposed for delivery. That a butcher has been able to go to the market, purchase stock, have them killed at the abattoirs and be charged one flat fee for all services was attractive to him. Indeed, that may be the reason why we have so many butcher shops for each 1,000 people in South Australia—considerably more than in any other State. This is because it has been comparatively easy for a butcher to set up in this State. His meat is delivered to his back door, so he can easily work out his cost to the front counter. However, if charges are to be imposed on a mileage basis, meat will cost more in certain parts of the metropolitan area.

The master butchers will not be terribly happy about this aspect. Indeed, if this happens discounts can be given for quantity deliveries. In other words, a wholesaler that has 200 carcasses delivered to him will probably get them delivered at a cheaper rate than would a butcher who wanted only six carcasses delivered. It would be more attractive for the smaller butcher to buy from the wholesaler rather than go to the abattoir himself.

That we have had so many butchers operating in the saleyards has been of benefit to producers, as it has resulted in a considerable amount of competition there. Before we do anything that will dimmish this competition, we should examine the matter closely. Although there are a number of other things in the Bill on which I could speak, I will reserve my remarks on them until the Committee stage. I support the second reading.

The Hon. A. M. WHYTE secured the adjournment of the debate.

ADVANCES TO SETTLERS ACT AMENDMENT BILL

In Committee.

(Continued from October 17. Page 2072.)

Clause 2—"Special provision for the making of advances for the erection of dwelling-houses."

The CHAIRMAN: When previously we were considering this clause, the Hon. Mr. Story suggested that he might withdraw the amendment he moved on behalf of the Hon. Mr. Kemp, if the Minister brought down something to meet the position satisfactorily.

Does the honourable member now desire to withdraw that amendment?

The Hon. C. R. STORY: I seek leave to withdraw the amendment I moved on behalf of the Hon. Mr. Kemp.

Leave granted; amendment withdrawn.

The Hon. T. M. CASEY (Minister of Agriculture): I indicated yesterday that, in view of the amendment that had been moved, I might be able to produce an amendment that would satisfy the Committee. I have come up with an amendment. We have checked it and I am sure it will be acceptable to the Committee. Accordingly, I move:

In paragraph (a) to strike out "ten thousand dollars" and insert "the prescribed amount".

Amendment carried.

The Hon. T. M. CASEY moved:

To strike out subsection (2a) and insert the following new subsection:

(2a) For the purposes of subsection (2) of this section 'the prescribed amount' means the maximum amount that for the time being, otherwise than under this Act, the bank advances, out of moneys provided by Parliament for the purpose, for a housing loan.

The Hon. A. M. WHYTE: I support this amendment. I am happy to accept this compromise as it meets the request I made yesterday. I shall not move the amendment I have on the file.

The Hon. R. C. DeGARIS: This amendment is satisfactory. The question asked yesterday was valid. Although there seemed to be several opinions on this clause, I think this amendment will satisfy the views of all honourable members. I support the amendment.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendments. Committee's report adopted.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 17. Page 2073.)

The Hon. M. B. DAWKINS (Midland): I support this short Bill, which makes another amendment to the principal Act, which has been so valuable for about 30 years. As a result of the operation of this Act, many industries that have made a worthy contribution to the advancement of South Australia have been enabled to begin operations, and the Industries Development Committee has done valuable work. Of course, some industries that have been assisted have been borderline cases. Whereas many of them have succeeded and become a valuable asset to the State, inevitably, I suppose, in this field there have been a few failures. However, on balance the opportunities afforded by this legislation and by the work of the Industries Development Committee have been well worth while.

I am pleased to support this Bill. I do not suppose anyone would quarrel with the Government's intention but whether this is the right Bill in which to express that intention is another matter. Amendments are being made to definitions. For instance, we see:

"Industry" includes any sporting, cultural or social activity whether or not that activity is carried on for, or in the expectation of, profit or reward.

As I say, I raise no objection to the Government's object of assisting sporting and cultural bodies but I wonder whether this is the correct way in which to do that, by widening the definition of "industry" to this extent. I realize it is wholesome to assist sporting bodies. I have had it suggested that one reason for this Bill is to assist the football league. I should be interested to hear what other bodies the Government intends to assist.

The Hon. A. J. Shard: I think there is also one golf club.

The Hon. M. B. DAWKINS: I thank the Chief Secretary for that interjection. I should also be interested to know what social and cultural activities the Government wishes to assist.

The Hon. L. R. Hart: There is another one that I know of.

The Hon. M. B. DAWKINS: That would be a valuable one to consider as the honourable member happens to be the patron of that organization; so he should know something about it.

The Hon. D. H. L. Banfield: It probably needs help.

The Hon. M. B. DAWKINS: It probably does, and anything the Hon. Mr. Banfield can do in that direction will be appreciated, I am sure. I have no objection to the Government's assisting cultural activities but I do question whether the Industries Development Act is the right spot in which to implement its intention. I wonder whether, if we improve facilities for sport, which no doubt the Government has in mind, that will not have something to do with environment, and whether the further assistance of cultural activities will not have something to do with conservation, that is, with conserving what we may call the better things

in life, so giving the Department of Environment and Conservation an important place in the scheme of things. However, I do not wish to delay the Council's consideration of this Bill. I believe that the objects of the Bill are commendable. I trust that they will be balanced and that assistance to organizations will not be over-done or out of balance. With the reservations I have made, I support the Bill.

The Hon. JESSIE COOPER secured the adjournment of the debate.

INDUSTRIAL CONCILIATION AND ARBITRATION BILL

Adjourned debate on second reading.

(Continued from October 17. Page 2079.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I agree with the comments made by the Hon. Mr. Potter that this Bill is really a Committee Bill, because it is a redraft of the existing Industrial Code. In going through the Bill one could make a second reading speech on a number of the Bill's provisions. I am certain that if some of these matters were contained in separate Bills as amendments to the Industrial Code, we would have had the Bills here for some time considering those amendments. As it is difficult to make a second reading speech on a Bill of this magnitude, I propose to touch briefly on a number of matters and at some length on some of the other matters.

To begin with, I should like to give a brief list of the clauses that I think will be of major importance as we go through the Bill in Committee and make further comments on those matters and on other minor matters. Clause 6 contains definitions of "employee" and "employer". Clause 6 also contains a definition of "industry" that includes non-profit-making organizations. It also deals with the question of an "industrial matter". There are points here that no doubt will raise some questions in the debate. Clause 25 is the reinstatement of an old provision, and there is not much I can say about that. Clause 29 (1) (*c*) and clause 69 (1) (*c*) deal with the question of preference to unionists in relation to the making of awards; no doubt there will be much comment on this matter as the debate proceeds. Clause 29 (1) (*g*) and clause 69 (1) *(g)* deal with the question of retrospectivity in relation to an award; I am sure there will be considerable comment on these two clauses.

Clause 79, in Part VI, deals with the general conditions of employment. Hitherto, the Full Commission had its way in this matter, whereas now it will be under the control of a single commissioner. The bar has been removed in the legislation for female only work. Clause 80 provides 10 days sick leave a year, with unlimited accumulation, to those people under awards. Clause 81 deals with persons not under State awards in which there is no accumulation of sick leave. Clause 82 provides that the Full Commission may set down the State quantum of annual leave. Clause 82 (4) provides current rates or earnings, whichever is the higher, in relation to annual leave. Clause 145 deals with actions under torts; no doubt that will engage the attention of honourable members for some time. Clause 156 provides that an association may take the fine imposed by the court; in other words, if the court imposes a fine on someone, the association that brings the action can claim the fine for its own funds.

I will go back to some of the matters I have touched on and I deal, first, with the question I raised earlier in relation to the definition clause. The definition of "employee" includes a person normally and legally regarded as an independent contractor. The definition of "employee" in clause 6 (1) (*b*) states:

> A person engaged to drive a motor vehicle, used for the purposes of transporting members of the public, which is not registered in his name.

Such a definition would include the driver of a hire cab who was driving under contract for the registered owner of the vehicle. The definition of "employee" in clause 6 (1) (*c*) also states:

> A person who is engaged in a full-time capacity to perform carrying work for another person or body whether corporate or unincorporate and who for that purpose uses his own vehicle.

Such a definition would include earth-moving vehicles and many other vehicles I could mention. The definition of "employee" in clause 6 (1) (*e*) also states:

> Any person who performs any building operation including painting in relation to any building or premises (not being such operations in the nature of repairs, additions to or maintenance of a building or premises used for residential purposes) pursuant to a subcontract with a contractor who has contracted for the performance of the building operations.

Such a definition would include any subcontractor or subcontractor's employees engaged by the prime contractor to carry out any work on any buildings. To the extent of the law, the number of cases that have taken place regarding whether a person is an employee or

an independent contractor would be legion. A generally applied test has been developed by various tribunals, even up to the level of the Privy Council, in the manner of determining the way in which the work is carried out. In other words, the control factor in this matter is that, if it can be shown that a person is controlled or is controllable in the manner in which the work is carried out with respect to the performance of the operation, such a person is looked at in law as being an employee. Where the person carrying out the work is not subject to the detailed control of the person paying for the job, then such person may be deemed to be an independent contractor. This has been held in practically every tribunal, and even the Privy Council has given verdicts on this matter. It is the definition that has been accepted in relation to the definition of "employee".

The examples I have given are used by law to illustrate the principles. I can put it this way: one would employ a chauffeur to drive a vehicle, probably together with other work. Such a person would be an employee because of the control factor that everything he does during the entire period of his engagement is at the will of the employer. Conversely, the taxi driver, who performs basically the same function for a number of individuals, must be deemed to be not an employee, but an independent contractor; that is, the person hiring his services has no control over the manner in which the service is performed. Here is an illustration of the definition which I believe has been accepted in law and by tribunals. One could give the illustration of a doctor. One would consult a doctor, and such a doctor remains an independent contractor inasmuch as he contracts to supply a specific service. Conversely, the doctor may be employed by a board, by a hospital, or by a company, and he would be deemed to be an employee because his work, although not in the technical sense, is directed and directable by the board of such hospital or such company for which he may work.

This illustrates the fundamental difference between the person who is an employee and the person who is an independent contractor. The fundamental difference between the two classes of people is that, under awards, the right to wages flows from the employment and is not limited to payment for work actually performed by the employee, but his right to wages is conditional upon the performance of his duties or upon an offer by him to perform them. If he neither performs his duties nor is prevented nor exonerated by his employer from performing them, there is no basis for or claim for wages on his behalf.

An independent contractor, such as those I have described (taxi drivers, taxi-truck drivers, cement and earthmoving truck drivers, many gravel truck drivers, and so on) is not in the main employed for specific weekly wages, for a specific number of hours of work, but contracts for a total sum which becomes due only on the determination of such contractual agreement. Historically, persons who perform work as independent contractors are not subject to awards of industrial tribunals. The independent contractor has been held to be a person who undertakes to perform work for another for a consideration and who, in the performance of that work, is his own master, subject only to the conditions of the contract, written or oral. There is some benefit to the community in maintaining the principle of independent contractors. The cost saving which occurs from the use of a subcontractor relates generally to the speed with which the work is carried out.

There is also a cost saving in that work is carried out without additional overhead. This legislation would remove to some extent any incentive which a principal contractor has to use subcontract labour. It will almost certainly result in the creation of industrial disputes, as the trade union movement, in my opinion, will seek to recruit that class of worker who has hitherto regarded himself as award free and has been prepared to conduct his own business.

In the definitions of employee and employer in the Bill, I find it very difficult to see any justification for the proposed amendment other than to create a great difficulty in defining who is an employer and who is an employee. No doubt it will create a pool of potential trade union members. I have got nothing against trade unions in any way whatsoever. I have said on many occasions that I believe in the right of an organization to represent people, but also we must believe in the right of the individual to conduct his business if he wishes and in the way he wishes. Reading through the definitions once again, we have in clause 6 under the definition of "employee":

> (*b*) a person engaged to drive a motor vehicle, used for the purposes of transporting members of the public, which is not registered in his name;

That takes in hire cars, taxi drivers, and people of this type. The definition continues:

(*c*) a person who is engaged in a full time capacity to perform carrying work for another person or body whether corporate or unincorporate and who for that purpose uses his own vehicle;

(d) any person (not being the owner or occupier of premises) who is, pursuant to a contract or agreement, engaged to perform personally the work of the cleaning of those premises;

Let us consider that for the moment. We have a person who, pursuant to a contract, cleans a building. That person, under this definition, is an employee. I claim that that person, under the definitions we have had from tribunals and the definition of the law, is a contractor, a person conducting his own business, a person who wants to contract for a price to do a certain job. We come to the next part of the definition:

(*e*) any person who performs any building operation including painting in relation to any building or premises (not being such operations in the nature of repairs, additions to or maintenance of a building or premises used for residential purposes) pursuant to a subcontract with a contractor who has contracted for the performance of the building operations;

It becomes very difficult to decide who is an employer and who is an employee. Let us consider this set of circumstances. We have a large contractor, a main contractor for a very large building. He lets a big subcontract to another person to do certain building work. That subcontractor, under this definition, becomes an employee, and the rest of the Bill dealing with employees applies to that subcontractor—annual leave, sick leave, and all the other things apply to that subcontractor. That subcontractor lets part of his subcontract to another subcontractor. This happens quite frequently. Here we have the situation of the main contractor, who is the employer, the subcontractor, who is an employee, at the same time being an employer by subletting part of his subcontract. The whole thing, to me, is going beyond what is reasonable in the definition and will cause a great deal of argument as to who is an employee, when he is an employee, and when he is an employer.

It drags into the net the whole range of people who have no desire other than to conduct their own business in the way they want to. Many decisions in law have been made on this matter, and the Government is doing a disservice in moving away from the accepted definitions of "employee" and "employer", a move that will cause much argument and difficulty in deciding in future what is the real position. The present, clear definitions in the Industrial Code have not caused much difficulty, and I suggest that the Government should revert to them.

Part II of the Bill, which deals with the constitution of the court, encompasses clauses 8 to 12, with which I can see nothing wrong. Clause 13 refers to the appointment of more than one person as an industrial magistrate. This relates merely to an increase in the number of officers to save borrowing an industrial magistrate from another body of the law.

Clauses 15 and 16 attract no comment from me. Clause 17, which deals with the powers of the court, is a redraft of sections 20, 22 and 41 of the Industrial Code. I refer to clause 17 (1) (*e*) and, although I am not advancing any arguments on it at this stage, I will refer to it in Committee. This provision states that the court shall, in addition to powers conferred on it elsewhere in the legislation or by any other Act, have power to admit as evidence matter that is not in law so admissible where in equity and good conscience it considers that the matter should be so admitted. I make the point that this provision would not normally be found in relation to any other court. The court must act not only according to the law but also according to equity and good conscience. Previously, this could be found in relation to the powers of the Industrial Commission only and not in relation to the Industrial Court. There may be good reasons for this, and I am not debating the matter. I merely make the point that this provision has not been included in the Industrial Code previously.

Clause 18 (2) (*c*) contains the words "equity" and "good conscience". Clause 18 (3) is a new provision whereby the jurisdiction is split. As a result, matters involving sums not exceeding $1,000 shall be heard by the Industrial Magistrate, and matters involving sums in excess of $1,000 shall be heard by a judge. This is an arbitrary provision. Although I would have fixed a figure other than $1,000, I do not raise any objection to it. However, the Government may like to say why it chose this figure. Subclauses (4) and (5) of clause 18 are good provisions and should have been included in previous legislation.

Division II of Part III, which relates to the jurisdiction and powers of the commission, deals with the dismissal of an employee. I

believe this is a complete redraft of the provisions in the existing Industrial Code. The Hon. Mr. Potter yesterday raised a point regarding the words "harsh, unjust or unreasonable". In the Industrial Code the words used are "harsh, unjust and unreasonable". This deals with the situation where an employee is dismissed and has the right to apply for reinstatement. No time limit is fixed regarding when a person can apply for reinstatement, which I consider to be unjust. However, having examined the Industrial Code, I know that the same provision exists therein. Despite that, it seems strange that, where a person who is dismissed (and not summarily dismissed) applies for reinstatement, the employer is liable for all his wages, annual leave and sick leave from the time the employee was dismissed. Although I realize that an employee must have some access to the court in relation to any harsh, unjust and unreasonable dismissals, to fix no time limit and to make the employer liable for wages and all other benefits seems to be harsh. Considering, however, that the Industrial Code provides for this, I cannot object to the provision. I should have thought that a time limit of one month—

The Hon. A. J. Shard: That would not be enough. I think this is intended to cover the case where an employee is sick for, say, six months. It has never created any problems.

The Hon. R. C. DeGARIS: That is good. On reading the Bill, this point occurred to me.

The Hon. A. J. Shard: Very few cases come up after any length of time. I think this is intended to cover extended periods of sickness.

The Hon. R. C. DeGARIS: I merely raise the point.

The Hon. A. J. Shard: I once had one member of a union who for 2½ years had a broken leg. That is why we cannot put a time limit on it.

The Hon. R. C. DeGARIS: The only other point I raise relates to the changing of the words from "harsh, unjust and unreasonable" to "harsh, unjust or unreasonable", which is a distinct change. Clause 25 (3) is a new provision that will allow the Full Commission to declare that a dispute, not being an industrial dispute within the meaning of the Act, shall be deemed to be an industrial dispute and can be heard by the commission if it considers that in the interests of the preservation and maintenance of industrial peace and harmony it is expedient to do so. I have examined this provision for a long time. I may have to leave any comments on this clause until I get to clause 145, which deals with actions for tort. However, I cannot see much reason for this provision being inserted. I have had some people suggest to me that this clause could even be used in cases of moratorium demonstrations in which employees and employers take part. That may be drawing the long bow on this clause.

The Hon. A. J. Shard: That would probably be a thousand to one shot.

The Hon. R. C. DeGARIS: Maybe, but someone has suggested it could go that far. This is a completely new provision, which I draw to the attention of those honourable members who would like to look closely at the inclusion of this new material in the Bill. Clause 26 provides that any person called upon to attend a voluntary conference may be paid expenses, provided his conduct both before and after the conference was to the satisfaction of the commissioner or the presidential member. Clause 27 deals with compulsory conferences. Subclause (6) provides:

> A person summoned under this section shall not, without reasonable excuse (proof of which shall lie upon him), refuse or fail to attend the conference in obedience to the summons and continue in his attendance as directed by the presidential member or commissioner presiding over the conference.

That deals with attending a compulsory conference and failing to attend without a reasonable excuse. Sub clause (7) provides that it shall be a defence to the proceedings if the summons was not brought to the attention of the person so summoned. There has been much talk in the last two or three years about providing a defence provision, but this appears to be a rather funny provision, where a person summoned to a compulsory conference has a defence if he says that the summons was not brought to his attention. That seems to be a little contrary to the State law, where a summons has been served in the correct manner and such a defence is not much good to the person concerned. Yet here it is a defence to show that the summons was not brought to the attention of the person summoned. Clause 29 (1) (*c*) provides:

> by award authorize that preference in employment shall, in relation to such matters, in such manner and subject to such conditions as are specified in the award, be given to members of a registered association of employees.

That provision will create considerable debate in the Committee stage. If it was in a separate Bill, it would still cause considerable debate.

I do not entirely disagree that there should be some preference in employment to members of an association, yet it does cut strongly across the principle that every one of us here holds dear. Many people have religious beliefs; we all believe that a person should have the right to follow his own desires in regard to his religion. We need to consider this clause carefully and to arrive at a provision that is reasonable in all cases.

Much has been said about the new British Industrial Relationships Act, 1971, in relation to several matters involved in this legislation. I shall now read from that Act. Part II is headed "Rights of workers; trade union membership and activities." Section 5 of the Act provides:

(1) Every worker shall, as between himself and his employer, have the following rights, that is to say:—

(a) the right to be a member of such trade union as he may choose;

(b) subject to sections 6 and 17 of this Act, the right, if he so desires, to be a member of no trade union or other organization of workers or to refuse to be a member of any particular trade union or other organization of workers;

(c) where he is a member of a trade union, the right, at any appropriate time, to take part in the activities of the trade union (including any activities as, or with a view to becoming, an official of the trade union) and the right to seek or accept appointment or election, and (if appointed or elected) to hold office, as such an official.

(2) It shall accordingly be an unfair industrial practice—

and this is the term used throughout this Act; there are sanctions against a person if before the court he is found to be involved in an unfair practice—

for any employer, or for any person acting on behalf of an employer—

(a) to prevent or deter a worker from exercising any of the rights conferred on him by subsection (1) of this section, or

(b) to dismiss, penalize or otherwise discriminate against a worker by reason of his exercising any such right, or

(*c*) except in accordance with the next following section, to refuse to engage a worker on the grounds that, at the time when he applied for engagement, he was a member of a trade union or of a particular trade union, or that he was not then a member of a trade union or other organization of workers or of a particular trade union or other organization of workers or of any of two or more particular trade unions or other such organizations.

That whole section continues, in Part II, to deal with the rights of workers, and it clearly sets out the situation that I believe we should follow in South Australia: that a person has a right to belong to any association, and that association has the right to represent that person, but the individual at the same time has the right, if he does not wish to, to not belong to any organization. I know we have heard the argument for a long time in this Chamber about the work of the trade union movement and what it has done for the workers of this State. I admit that; but it does not follow that we must say that, because that organization has done such a good job for the workers, therefore everyone who works must belong to the organization. It does not follow, any more than it follows in the work of the United Farmers and Graziers of South Australia, of the Stockowners Association of South Australia or of any other association, including the Australian Medical Association, that because an association has done a good job the people working in that field should be forced to belong to that association.

The Hon. D. H. L. Banfield: This Bill does not say that either, you know.

The Hon. R. C. DeGARIS: I know it does not, but we are taking the step of saying that there shall be preference in employment to those people who belong to a trade union.

The Hon. D. H. L. Banfield: That applies in awards already.

The Hon. R. C. DeGARIS: Yes, but perhaps the Hon. Mr. Banfield may care to look at some of these awards. For instance, clause 42—"Preference of employment"—of the Clothing Trades and Dry Cleaning Award states:

As between members of the Clothing and Allied Trades Union of Australia and other persons offering or desiring service or employment at the same time, preference shall be given to such members at the time of engagement or retrenchment, other relevant things being equal.

That is somewhat different. Then there is the Pastoral Award that we debated at great length in this Chamber when the Kangaroo Island dispute was being discussed. I intend to say more about that before this Bill goes through. That award also includes that phrase. Clause 19 of the Pipe (Reinforced Concrete) Making Award states:

Preference in employment shall be given to financial members of the Australian Workers Union, other things being equal.

Nothing in the Bill instructs the commission to say that preference shall be given to unionists, other things being equal.

The Hon. D. H. L. Banfield: The court can put it in if it wishes.

The Hon. R. C. DeGARIS: Yes, and the court can put in that, all other factors being ignored, preference shall be given to those who belong to a union. That can happen now, but I believe that the court and the commission should be given specific instructions consistent with the rights of an individual, as has been written into the Industrial Relations Code in Great Britain, an Act of 1971. The Hon. Mr. Banfield interjected on the Hon. Mr. Potter and made a cogent point that I will answer later. The British Act lays down clearly and specifically that, if a person does not wish to be a member of a trade union or other organization of workers, his right not to belong is recognized. However, under the Bill his right not to belong is not recognized.

The Hon. D. H. L. Banfield: You used that as a bible on that provision, but will you use that as a bible on the others?

The Hon. R. C. DeGARIS: Obviously, the Hon. Mr. Banfield has difficulty in following me. The question of preference appears first in clause 29 (1) (*c*) and again in clause 69 (1) (*c*). I have some feeling for the argument that the Hon. Mr. Banfield has put up that, because the trade union movement has represented workers very well, there should be preference in all matters in employment to those who belong to an association, but I do not think that it quite follows. The other most important provision concerns retrospectivity, and this could provide a most interesting situation. I think I am correct in saying that, under the present Industrial Code, an award can have effect back to the day the application was lodged. However, under the Bill power is given to go well beyond that point if the commission so desires. The provision in the Bill would allow a commissioner a completely free hand to set whatever date of operation he desired.

Where an award has been set for the life of, say, two years and has continued in operation by virtue of the Act for a continuous period of a year or two years, a commissioner, on application, may feel obliged to back-date the date of operation of the new award to the expiry date of the previous award. This may even allow an association to seek an agreement for over-award payments for certain employees on expiry of the first award, then later go to the commission and ask for retrospectivity of the new award, thereby getting two pay increases operative at the same time. I know that is complex, but I see that this possibly could happen.

The Hon. D. H. L. Banfield: You think the commissioners are generous, but have you found a generous commissioner yet?

The Hon. R. C. DeGARIS: I do not know, but in comments I have heard I know that many people are unhappy about the operation of industrial matters in this State.

The Hon. F. I. Potter: I think there was a time when a commissioner was very generous, but he had to be put right.

The Hon. R. C. DeGARIS: That may be correct, but I do not know. I am not skilled in this matter. I have listened to people who have had wide experience in these matters, and I find that what I have said is true. The Hon. Mr. Potter also referred to this matter in his second reading speech and, if the Hon. Mr. Banfield wants more accurate information, he should reread the Hon. Mr. Potter's speech, and he may see my point. I see nothing wrong with clauses 30 to 34. Regarding clause 45 (2), the previous practice has been that a decision of the court or the Industrial Commission must be read by the commission and published in the *Gazette;* this no longer applies, but I wonder why this change has been made.

If one looks at section 49 of the old Code and compares it to clause 45 of the Bill, one will see a big change in this matter. It may be a good idea, but the Bill also deals with the question of a new industrial gazette. This has some possibility of being desirable; on the other hand, we must be sure that this is not a way of getting away from the public eye. I wonder how many people would take a separate industrial gazette. At present, the notice must be published in the *Government Gazette,* but anyone concerned with anything in relation to these matters would have to take the special gazette.

The Hon. D. H. L. Banfield: They would take a special one, too, wouldn't they?

The Hon. R. C. DeGARIS: I am not sure, because the *Government Gazette* has a wider circulation than a new industrial gazette would have.

The Hon. D. H. L. Banfield: If it goes only to the interested parties, they would take it.

The Hon. R. C. DeGARIS: I am not concerned about the question, but I believe that the industrial gazette would have a more restricted circulation than the *Government Gazette;* this matter is covered by clause 146. We are getting away from the fact that,

according to the old Code, a decision of the court or the Industrial Commission must be read by the commission and then published in the *Government Gazette.* However, as I understand this matter, it will be published in the new industrial gazette to be introduced. Clause 69 deals with the jurisdiction and duties of conciliation committees. Once again, we have the problem of the preference for unionists clause, and also the question of retrospectivity. In Part VI, dealing with general conditions of employment, clause 78 deals with equal pay for males and females in certain circumstances. Previously, equal pay could be awarded only by the Full Commission, but under this Bill a single commissioner, acting within an industry, can award equal pay. The major problem I see in this clause is that the guidelines laid down by the South Australian commission many years ago, and accepted today throughout Australia, and by a Commonwealth Conciliation and Arbitration Act, have been amended in respect of one section; section 79 (6) (*b*) of the Industrial Code states that equal pay cannot be awarded in industry where the work is usually performed by females—that is, typistes and some production line work. This provision should be borne in mind.

The main point, however, is that previously this was in the hands of the Full Commission, but under this Bill it is in the hands of a single commissioner. This is a matter of which the Council should take due note in considering this Bill. I believe the Hon. Mr. Potter also mentioned this point. Clause 80 deals with sick leave. A number of matters will be raised regarding this clause, and most of them were touched on yesterday by the Hon. Mr. Potter. However, I wish to make one or two further points. First, we are going beyond sick leave that is prescribed, as far as I know, in any award in Australia, with the possible exception of the nurses award, where there is provision for 10 days sick leave a year with an accumulation period for as long as one wishes.

The Hon. A. J. Shard: But that is only in certain institutions, isn't it?

The Hon. R. C. DeGARIS: At the present time?

The Hon. A. J. Shard: Yes.

The Hon. R. C. DeGARIS: I have a note here that that award provides for 10 days sick leave, and it is the only award at present where 10 days is involved. The most generous provision is in the Metal Trades Award, where there is provision for five days in the first year and eight days thereafter with an accumulation, I think, for eight years.

The Hon. F. J. Potter: It is for five years.

The Hon. R. C. DeGARIS: Thank you. So we are going well beyond the standard in any award I can find in existence, and we are writing this into legislation. Another very interesting provision is that clause 81 deals with sick leave in relation to employees who are not subject to State awards, or perhaps not subject to any award. Here there is no accumulation. In other words, if a person is under an award he has an accumulation of 10 days sick leave. If he is not under an award then he has no accumulation at all. In my mind, this raises the question of fairness to all concerned, and I ask the Minister why sick leave for people under an award has full accumulation for as long as one wishes, yet, where there is no award applying, there is no right of accumulation of sick leave.

The Hon. A. J. Shard: If there is no award they are not entitled to any wages or anything else. There is no provision at all if there is no award.

The Hon. R. C. DeGARIS: Surely a person is entitled to wages.

The Hon. A. J. Shard: But they can pay what they like.

The Hon. R. C. DeGARIS: That is so. Then why should the Government legislate in this area and say, "If you are under an award you must have 10 days sick leave a year and you may accumulate for as long as you wish, but if you are not under an award you must be given 10 days sick leave but you must not accumulate"? What basis of logic is this? If we are going to lay down that there shall be 10 days sick leave with no accumulation, it will not be able to be accumulated by anyone in the work force in South Australia.

Another question regarding clause 80 relates to a large industrial concern operating in South Australia, and at least one of its industrial agreements has no provision whatever for sick leave. Employees are covered by that agreement. It does, however, have a sickness and accident scheme which covers those employees and is built into the pay structure to provide for sickness and accident pay. Subclause (5) of clause 80 would mean that it would have to continue with its sickness and accident fund for the duration of the industrial agreement, and at the same time provide paid sick leave under this clause. I would like to know what the situation will be, if this Bill becomes law, as it affects people (and there may be those in this situation) who are employees

and covered by an agreement, their sick leave is covered by an agreement, yet suddenly we find legislation coming in where both will apply.

The Hon. F. J. Potter: I think the situation can be covered by an amendment to that clause.

The Hon. R. C. DeGARIS: I am wondering whether the Hon. Mr. Potter dealt with this when he spoke in the debate.

The Hon. F. J. Potter: I said I had a number of other amendments, but I did not elaborate. That is one of them.

The Hon. R. C. DeGARIS: Thank you very much.

The Hon. A. J. Shard: How long will the conference take?

The Hon. R. C. DeGARIS: I do not think there will be any need for a conference as long as we have a co-operative Government. The question of sick leave and certain matters raised by clause 145, dealing with certain acts or omissions not torts, will take some time to cover, and at this stage I seek leave to conclude my remarks.

Leave granted; debate adjourned.

ENVIRONMENTAL PROTECTION COUNCIL BILL

Adjourned debate on second reading.

(Continued from October 17. Page 2079.)

The Hon. M. B. DAWKINS (Midland): In continuing my remarks, I draw attention to the fact that I said yesterday that the suggested council of eight members appeared to be quite a well-balanced council. I stand by that statement. However, I have had an opportunity to examine briefly the report, and I find that the recommendation of the report varies from that quite considerably. Yesterday I said that I understood the report was voluminous. I find that it contains over 200 pages and, of course, it follows that in the limited time at my disposal I have not been able to examine it properly. Indeed, much more time would be required to do that. However, I wish to make a few comments about it.

I wish to refer to the size and composition of the council, as recommended by the Jordan committee. It recommended a council of five to seven members with an independent chairman. It also recommended that none of these people ought to be a public servant. Apparently, it considered that no Government department, other organizations or interests should be directly represented on the council. I believe that the implication was that the council should represent people. When one thinks in practical terms, this may seem vague or somewhat idealistic, and members may with some justification have mixed feelings about it. However, I wonder why the Government has departed so much from the Jordan committee's suggestion.

As I have stated, the Government has provided for four top public servants to be members of the council and for it to be much larger than the Jordan committee suggested. It will be interesting to hear from the Government in reply why it has departed so much from the suggestions in the report. Although no-one would expect that the Government would follow in every detail all the recommendations made by the committee, one queries why it has varied the composition of the council to this extent. I said yesterday that I understood the report was voluminous and that I would not have time to examine it in detail. I believe that some other honourable members will have more time than I to examine this report and that, therefore, they will be able to comment on it in more detail. However, I believe that the report is certainly a forward-looking one.

The Hon. C. M. Hill: "Progressive" is the word.

The Hon. M. B. DAWKINS: It could be "progressive", depending on what the honourable member means. I heard a good definition of "progressive", as meaning "intelligent use of experience and wisdom".

The Hon. A. J. Shard: Would some people you know qualify?

The Hon. M. B. DAWKINS: Some people think it means "permissive", but they have not come clean on that point.

The Hon. A. J. Shard: Are you referring to the L.M.?

The Hon. M. B. DAWKINS: I could be. However, I will not get into that dog fight at present. The report is forward-looking but contains some contentious matters. I refer, for instance, to the recommendation that South Australia's population should be limited to 3,000,000 people; that could be a contentious matter. Admittedly, it is not so many years ago that we thought Australia could sustain only 15,000,000 to 20,000,000 people. However, if South Australia's population is to be limited to 3,000,000 people, it will mean—

The Hon. A. J. Shard: Do you mean South Australia or just the metropolitan area?

The Hon. M. B. DAWKINS: I am talking about South Australia.

The Hon. A. J. Shard: I think it said the metropolitan area.

The Hon. M. B. DAWKINS: It said that the present metropolitan area should be limited to 1,000,000 people and that South Australia's population should be limited to 3,000,000 people. If we are talking in terms of South Australia's population being limited to 3,000,000 we are talking in terms of Australia holding approximately 10 times that number of people—possibly 30,000,000 people. I wonder whether this takes sufficient notice of the technological and scientific advances that may be made in the next 30 years. Perhaps the committee limited itself too much to present horizons. I believe the suggestions that Adelaide should, if possible, have its population limited to 1,000,000 people is probably a good suggestion.

It is possible for us to establish other cities such as the city of Elizabeth and the suggested city of Murray New Town (which has not yet been named), and this is probably a good idea. However, the suggestion that South Australia's population should be limited to 3,000,000 people could be a cause of considerable contention. The report contains a number of recommendations about the city of Adelaide and its planned development. We have had plans since 1962 (and much thought was given to it prior to that) regarding certain aspects of the city's development. I am sure other honourable members will give their attention to matters concerning the city of Adelaide. I do not intend to enumerate some of the suggestions contained in the report regarding the present metropolitan area.

I noticed the report stated that new electricity and telephone cables should be placed underground and that those now existing overhead should also be placed underground in due course. I wonder whether the committee has given sufficient thought to the economics of this proposition because I understand that the placement underground of all cables, desirable though it may be, is certainly beyond our present resources. If the committee examined the possibility of this State's having sufficient resources to do that sort of thing, it should also have examined the possibility of our having sufficient resources to sustain a population of more than 3,000,000 people in due course. Although problems are associated with the explosion of the world's population, certainly this will not be a problem in Australia, as we have always been under-populated. We have heard the cry in this country for many years, "Populate or perish." Certainly, we will have to look at this population matter not in relation to the world but particularly in relation to this country.

One other matter to which I refer is the provision of a water supply for the State. The report states that the State Government must harness all possible avenues of water supply such as the Murray River and, as I and I think the Hon. Mr. Hart have suggested, the very many small streams that exist in this State. We must also consider the provision of desalination facilities; we will probably have to consider distillation procedures and, in due course, probably the recycling of water, to provide the necessary amount of water needed by a State of 3,000,000 or more people. There are many other matters in the report that honourable members will have an opportunity to discuss. However, I do not intend to delay the Council any further at this stage, as I know that other honourable members will wish to deal with those other matters. I support the Bill.

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

ADJOURNMENT

At 6.5 p.m. the Council adjourned until Thursday, October 19, at 2.15 p.m.