LEGISLATIVE COUNCIL

Tuesday, November 21, 1972

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

MURRAY NEW TOWN (LAND ACQUISITION) ACT AMENDMENT BILL

His Excellency the Governor's Deputy, by message, intimated the Governor's assent to the Bill.

LAND AND BUSINESS AGENTS BILL

The Hon. T. M. CASEY (Minister of Agriculture): I have to report that the managers for the Legislative Council and the House of Assembly conferred last Thursday on the Legislative Council's amendments to the Bill, but no agreement could be reached. The conference gave its attention, virtually from the outset, to the amendments made by the Legislative Council to clause 61, which provides for the separation of the function of land agent and land broker. The managers for the Legislative Council were adamant in their opposition to this provision. It was indicated by the managers of the House of Assembly that the principle of separation of function was vital to the provisions of the Bill, which provided for the protection of the public in land transactions. It was also indicated that the managers of the House of Assembly would be prepared to have regard to arguments put by managers from the Legislative Council that the provision might cause problems to country residents who might not have the same range of choice of independent brokers and solicitors as metropolitan residents.

The managers from the House of Assembly indicated that in deference to these arguments it would be practicable to exempt stock agents and also land agent firms in areas where the public would not have a sufficient range of choice of independent land brokers or solicitors. It was further indicated that if the Legislative Council preferred, a provision could be inserted which would apply to all land agents whose place of business was in the country. This provision would enable such land agents, if they were land brokers at September 1, 1972, to continue to act as land brokers in relation to transactions in which they were acting as agent and would also enable land brokers employed by them at that date to continue in that capacity.

The managers for the Council indicated that this suggestion did not provide an acceptable basis for agreement and that they were not prepared to accept the principle of separation in either city or country. In these circumstances agreement could not be reached.

I regret the failure of the Parliament to pass this Bill. In my opinion, the protections for the public which it contained were vitally and urgently needed. It was, I believe, the most comprehensive measure for the protection of the public in relation to the sale and purchase of land and businesses that has been proposed in this country. The failure of the Parliament to pass it has deprived the public of protections that are vitally and urgently needed. I can only express the hope that this Parliament will have the opportunity of reconsidering its attitude in the not too distant future.

The Hon. R. C. DeGARIS (Leader of the Opposition): I regret that no agreement could be reached at the conference. I think the Council also regrets that the adamancy of the House of Assembly's attitude could not be overcome at the conference. Many of the changes contained in the Bill were strongly supported by honourable members in this place. Many of the so-called difficulties that have arisen would have been overcome with the passage of the Bill. The Minister of Agriculture has said that a compromise was suggested by the House of Assembly managers: that a radius should be drawn around Adelaide, the land brokers outside of which could be employed by land agents and those inside could not be so employed.

The Hon. T. M. Casey: I think it was a suggestion.

The Hon. R. C. DeGARIS: The Minister referred to this matter in this Chamber. Whether it was a suggestion or whatever else it may have been, the Minister referred to a suggested compromise offered by the House of Assembly managers. I consider that I am justified in giving the Council reasons why that compromise was not accepted. If they examined the matter for one moment, honourable members would see that, in relation to a matter such as this, such a compromise, which would involve one set of conditions outside a certain radius of the centre of Adelaide and another set of conditions inside that radius, would be futile.

The Hon. D. H. L. Banfield: It applies in many other things.

The Hon. R. C. DeGARIS: I am saying that in this matter it would be futile.

The Hon. D. H. L. Banfield: Yes, because it suits you.

The PRESIDENT: Order!

The Hon. R. C. DeGARIS: Indeed, the Council managers offered a compromise: that no land broker employed by a land agent should handle conveyancing for his principal in matters in which the principal was directly involved, but that was not accepted by the House of Assembly managers. Many of the provisions contained in the Bill are indeed vital, and measures that the Government is now rejecting would have overcome many of the problems that have become apparent in the last few weeks. It is not factual for one to lay the whole blame regarding the difficulties and problems being experienced on the employment of land brokers by land agents. Without this clause, the Bill would have gone a long way towards solving many of the problems that have arisen regarding land agents, and those provisions were strongly supported by this Council. I am disappointed at the adamant attitude adopted by the House of Assembly's managers on this matter, and I regret that this Bill will have to be laid aside.

The PRESIDENT: No agreement having been reached at the conference, the Council, pursuant to Standing Order 338, must either resolve not to further insist on its amendments or order the Bill to be laid aside.

The Hon. T. M. CASEY moved:

That the Council do not further insist on its amendments.

The Council divided on the motion:

Ayes (4)—The Hons. D. H. L. Banfield, T. M. Casey (teller), A. F. Kneebone, and A. J. Shard.

Noes (15)—The Hons. M. B. Cameron, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), R. A, Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, H. K. Kemp, F. J. Potter, E. K. Russack, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Majority of 11 for the Noes.

Motion thus negatived.

QUESTIONS

PROPERTY THEFTS

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

Leave granted.

The Hon. L. R. HART: Property owners over a large part of the Adelaide Plains are becoming most disturbed by the ever-increasing number of thefts and acts of vandalism occurring in the area. The amount of thieving is increasing, and much of it is of an unusual nature. One person had a tractor stolen and others are having ballcocks taken off their watering troughs, while thefts of sheep and lambs are quite common. In one case, the thieves let loose the sheepowner's own dog to help them catch the sheep. Two nights ago a large quantity of building material was taken from a building site south of Two Wells. A number of farm gates are being taken from their fixings, and one farmer had five gates taken from his property in one night, whilst another stud breeder had the gate taken from his property as well as 14 rams valued at about $50 each. Bullen's Lion Park at Two Wells has had portable barbecues stolen and the watering facilities in the pets section are being shot up (I assume by spotlight shooters). In addition, many signs in the park are being shot to pieces, and the management is fearful that some of the animals may be the next victims.

In making this statement, I am in no way being critical of the police officers in the district. They are doing what they can under the conditions of their employment. In an endeavour to counter these acts of theft and vandalism, will the Chief Secretary try to arrange for extra patrols to operate in this area in the future? Also, as shooting has always been a problem on the coast side of the Port Wakefield Road, will the Government look at the possibility of declaring some of the area west of the Port Wakefield Road a fauna and flora sanctuary?

The Hon. A. J. SHARD: There are two parts to that question. As regards the first part, every honourable member deplores the vandalism and thefts that go on in any part of Adelaide or the State. I will certainly draw the attention of the Commissioner of Police to this matter and ask him whether some extra patrols can be provided for the area. The second part of the honourable member's question I shall be happy to refer to my colleague, the Minister of Environment and Conservation, and Jet the honourable member have a reply as soon as possible.

ROAD MAINTENANCE CHARGES

The Hon. A. M. WHYTE: I understand the Minister of Lands now has a reply to my recent question about road maintenance charges.

The Hon. A. F. KNEEBONE: My colleague, the Minister of Roads and Transport, states that the report referred to by the honourable member is one of many made by various committees at the request of the Government. It is not intended that the report referred to shall be made public.

ADELAIDE RESIDENTS SOCIETY

The Hon. C. M. HILL: Has the Minister of Lands a reply to my recent question in which I asked whether he could obtain for me from the Corporation of the City of Adelaide that council's views on a zoning dispute on South Terrace?

The Hon. A. F. KNEEBONE: The reply is fairly lengthy because of the nature of the dispute. The Minister of Local Government states that, as a result of an article that appeared in the *Sunday Mail* concerning the acquisition of 142 South Terrace, Adelaide, by the law firm of Dunstan, Lee, Taylor and Lynch, the Premier requested a complete report on the matter from the Lord Mayor. The following is the letter received from the Town Clerk as a result of the Premier's inquiry:

As requested the following statement sets out the history in respect of property *at* 142 South Terrace. In July, 1971, an application was received from Dunstan, Lee, Taylor and Lynch advising that they had a contract to purchase property at 142 South Terrace, subject to the council's approval of their proposed building additions and the use of the property for office purposes. At its meeting on August 16, 1971, the council granted approval for the use of these premises for office purposes and also for the extensions thereto, subject, *inter alia,* to the following condition: This special approval shall lapse unless the erection of the additions be commenced on site within 12 months from the date of approval.

At that stage no building plans had been drawn up, but it was indicated that a two-storey building was contemplated. In July, 1972, plans were received for the erection of a three-storey office building at the rear of the existing residential building in lieu of the two-storey addition and the Building and Town Planning Committee recommended to the council at its meeting on August 14, 1972, that consent to the new proposal be not granted under section 41 of the Planning and Development Act. (In the meantime, at the council's request, it was recommended to Cabinet that a declaration under section 41 of the Planning and Development Act be made in relation to the city of Adelaide, and the city of Adelaide was given interim development control under that section.)

Prior to the council meeting, further representations were made by the architects and the owners of the building, Breton Holdings Proprietary Limited (the company that bought the property), in which it was stated that the building would still retain its residential appearance and the additions would have been fitted into a building of similar bulk covering less of the site than that originally proposed and approved by the council. The extension would not be seen from South Terrace and would be an improvement to the neighbourhood. Furthermore, in designing the current building, the future possible change of use of the whole to a town house had been kept in mind and designed for. The building was to be of domestic scale using materials of a domestic nature, and it was considered that the extension would be an improvement to the neighbourhood.

These further representations were considered at a special meeting of a committee of the council and subsequently approval was given to the amended project by the council at its meeting on August 14, 1972. Owing to an oversight, the committee's first recommendation that consent be not granted was allowed to remain on the notice paper for the council and both the negative and affirmative recommendations were adopted by the council. The daughter of one of the proprietors of 141 South Terrace approached the council, stating their objections to the proposal on these grounds: (*a*) that their premises and yard would receive less sun than formerly; (*b*) that windows in the new building would overlook bedrooms in 141 South Terrace; and (c) that the proprietors of 141 South Terrace were prevented from developing their site commercially because of the change in council attitude.

As a result of these representations, the matter was reconsidered by the council at its meeting on September 25, 1972, when it decided that it would adhere to its previous decision; that is, to permit the erection of a three-storey addition. In arriving at this decision, the council was influenced by its approval in principle given to the applicants prior to their purchase of the property. The council was also made aware that the western wall of the proposed office building had no windows except in a recessed light well. It is proposed to insist that a suitable screen be erected by Breton Holdings Proprietary Limited to overcome any problems of overlooking the adjoining premises.

Doubts having arisen as to validity and effect of the adoption by the council of these recommendations and also the council's approval of the plans under the Building Act, the matter was thoroughly reconsidered at a special meeting of the council held on October 10, 1972, when consideration was given to the following matters in so far as they relate to the application to erect extensions to the aforesaid premises: (*a*) the provisions of the Metropolitan Development Plan; (*b*) the health, safety and convenience of the community within, and in the vicinity of, the locality within which the land is situated; (*c*) the economic and other advantages and disadvantages (if any) to the community of developing in the locality within which the land is situated; and (*d*) the amenities of the locality within which the land is situated.

The council reaffirmed its previous decision and granted consent under section 41 of the Planning and Development Act, 1966-1971, for the proposed addition of a three-storey office building at the rear of the existing two-storey residential building at 142 South Terrace and for the use of the premises at 142 South Terrace for office purposes subject to the following conditions: (1) this consent shall lapse unless the erection of additions be commenced on the site within 12 months from the date of consent; (2) car parking space shall be provided within the site on the basis of one

vehicle space for each 500 sq. ft. of lettable floor space; (3) any signs displayed on the building shall be subject to the consent of the Town Clerk.

It is pointed out that, at the time when the first application was made and approved by the council, the premises were within zone 7 under the council's guide to land use, in which the use of premises for offices was subject to the the consent of the council and a large number of residential properties had been converted to office use. However, in May, 1972, the area within which the premises are situated was changed to zone 6, which is a residential zone wherein offices are not permitted.

The letter ends there and, in fact, there was no change in the zoning by-laws or regulations of the Adelaide City Council as reported in the *Sunday Mail.* The decisions made by the council were in accordance with the regulations and guides to land use that were current when application was made to the council. The objections which have been raised by the neighbouring proprietors were twofold. First, they said they would be overlooked. They also said there would be some loss of light, but loss of light is not provided for in the law of South Australia.

The problem of being overlooked has been partly solved by the submission of plans and by the council's decision. The second objection is that they are not allowed now to develop their property for commercial use, but, although it was zoned, under the council's guide for land use, for permitted development commercially, there was no application from the people at 141 South Terrace, for the development of their property in accordance with the kind of provision which had been made for other people during the period when the council did permit commercial development on South Terrace.

GLADSTONE HOSPITAL FACILITIES

The Hon. R. A. GEDDES: I seek leave to make a short statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. R. A. GEDDES: For a number of years the residents of Gladstone and the northern areas of the State have been endeavouring to get the necessary finance to build a hospital at Gladstone. Recently the Chief Secretary was kind enough to write to the hospital committee at Gladstone suggesting that, instead of an acute facility type of hospital, a nursing home be built there. The question arises whether a nursing home will be economically viable. Can the Chief Secretary say what is the bed subsidy for nursing homes, as against the bed subsidy for the acute facility type of hospital?

The Hon. A. J. SHARD: The honourable member was good enough to inform my office that he would ask this question. The reply is that a $2 for $1 capital subsidy would be available from the Commonwealth if a bed entitlement existed in the area under the Aged Persons Homes Act, up to a total of $7,800 a bed. Loose furnishings would be subsidized by the State Government on a $2 for $1 basis. If no bed entitlement existed in the area under the Commonwealth legislation, the State Government would give consideration to a subsidy. The following maintenance subsidy is available from the Commonwealth for nursing home benefits: intensive care, $45.50 a week; ordinary care, $24.50 a week. After January 1, 1973, if the patient contributes $18.00 a week towards his upkeep, an additional nursing home benefit of up to $14.00 per week is payable.

WALLAROO INDUSTRY

The Hon. E. K. RUSSACK: Has the Chief Secretary a reply to my question of last Tuesday about Wallaroo industry?

The Hon. A. J. SHARD: An officer of the Industrial Development Division of the Department of the Premier and of Development has had discussions with the companies concerned. Following upon this, the Premier wrote to the Chairman of the Australian Wheat Board stressing the importance of continuing to make wheat available for bagging at Wallaroo, so that the town of Wallaroo and its people will not be adversely affected by the loss of the work involved, and the valuable export market lost to the State. A reply is awaited from the board.

GRASSHOPPERS

The Hon. C. R. STORY: Has the Minister of Agriculture a reply to my question of November 7 about grasshoppers in the Upper Murray?

The Hon. T. M. CASEY: The Director of Agriculture has informed me that there have been a number of reports of locust activity in the Upper Murray, but all have been of very small infestations. The local agricultural adviser has assisted councils in locating and in advising landowners of treatment of these infestations. These locusts have resulted from eggs laid by adult locusts last March to May, when major concentrations of locusts in the district were sprayed by the Agriculture Department. The Director considers that this

spraying prevented extensive laying. Where required, supplies of lindane for landowners to apply to hoppers have been forwarded to district councils at half cost price. Departmental officers consider it unlikely that any extensive locust activity, of either hoppers or adults, will occur in the district.

CAMPBELLTOWN SEWERAGE

The Hon. C. M. HILL: Has the Minister of Agriculture a reply from the Minister of Works to my question of October 25 regarding sewerage being installed in the Campbelltown area?

The Hon. T. M. CASEY: My colleague states that work has started on the construction of a sewer main along Berry Avenue, then east to the corner of allotment 5, Farmer Street, Newton. It is expected that this work will be finished within the next seven days. With regard to the remaining streets, namely, Carr Crescent, Fry Crescent, Laura Drive and Thornton Drive, there is a total of 33 allotments, and the number of houses in existence represents a 40 per cent build-up. A site survey of these streets will be arranged to enable a sewer scheme to be designed. A statement of revenue will be prepared for evaluation so that consideration can be given to the feasibility of such a scheme. These studies should take eight to 10 weeks to finalise.

PORT PIRIE HIGH SCHOOL

The Hon. R. A. GEDDES: I seek leave to make a statement prior to asking a question of the Minister of Agriculture, representing the Minister of Education.

Leave granted.

The Hon. R. A. GEDDES: The Port Pirie High School Parents and Friends Association is greatly concerned about the lack of suitable accommodation for teachers and children at the school. The association points out that most of the classrooms are temporary prefabricated buildings, that the facilities for teaching the various crafts are inadequate, and that, with the expected increase in enrolments next year, the position will be further aggravated. In addition, the association points out that there is only one toilet for the 22 female members of the teaching staff. Will the Minister ask his colleague whether he is aware of the problems at the school, whether any action can be taken to alleviate the position in the short term, and when it is expected that the classrooms and other facilities will be upgraded to a more permanent nature?

The Hon. T. M. CASEY: I will refer the question to my colleague and bring down a report as soon as it is available.

AFRICAN DAISY

The Hon. R. C. DeGARIS: As a result of a report in this morning's *Advertiser* under the heading "Daisy spray not finished", I ask the Minister of Agriculture the following questions: can he say what type and quantity of herbicide was used; what were the constituents of the herbicidal preparation; what was the concentration of the constituents expressed as a weight to volume ratio; and what was the total volume of herbicide applied to the 120 acres referred to in the press report?

The Hon. T. M. CASEY: I will obtain a detailed report for the honourable member.

BREAD ACT AMENDMENT BILL

The Hon. A. J. SHARD (Chief Secretary) obtained leave and introduced a Bill for an Act to amend the Bread Act, 1954. Read a first time.

The Hon. A. J. SHARD: I move:

That this Bill be now read a second time.

It amends the Bread Act, 1954, by substituting, for references to avoirdupois weights, weights determined by the system international or, as they are more commonly called, metric weights. It is intended that metric measurements will be introduced into the domestic bread market on January 1, 1973; hence, it is important that this Bill pass during the present session of Parliament.

Clauses 1 and 2 are formal. Clause 3 amends section 3 of the principal Act by substituting as the minimum weight of bread as defined for the purposes of this Act 170 g for 6oz. avoirdupois. Clause 4 substitutes for the avoirdupois weights, used for ascertaining minimum and maximum dough weights for bread, weights expressed in metric measurements. I think the substitutions are clear from a reading of the clause. Finally, I indicate to honourable members that the conversions proposed are so close to the avoirdupois weights formerly used that the housewife will find the difference in the weights of her bread to be imperceptible, so this is one area in which metric conversion should cause no difficulty in retail trading.

The Hon. L. R. HART (Midland): It is refreshing to have before us a Bill that contains no complications. When Australia converted to decimal currency, there were many

complications with regard to prices. Now we are about to convert to the metric system of weights and measures, and in the next few months we will have before us other measures that will convert the avoirdupois system to the metric system. Under this Bill, I assume that there will be no cost to the small baker to convert to the metric system and that he will be able to use the same bread tins.

The Hon. A. J. Shard: The industry wants the Bill.

The Hon. L. R. HART: I appreciate that the industry wants this measure. All it will need is a different set of scales. I was interested to hear the Chief Secretary say that the housewife would find the difference in the weight of bread imperceptible. This is one area in which conversion to the metric system should cause no difficulty to the retail trade. I assume that, if there is any imbalance in favour of anyone, it will be in favour of the manufacturer and not the housewife. However, the imbalance will be so small that no-one on either side will benefit. I see no point in delaying the passage of this measure, and have pleasure in supporting the second reading.

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

CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 16. Page 3142.)

The Hon. R. A. GEDDES (Northern): I support this Bill. As the Minister has said in his second reading explanation, growers have appealed to the Government to increase from two to four the number of grower representatives on the Citrus Organization Committee. It seems poetic justice that it was in the closing stages of the 1965 session (indeed, in its very last week) that the then Minister of Agriculture (Hon. G. A. Bywaters) introduced the original Bill for the Council to debate. There was a degree of urgency at that time, and the Council, realizing (as, indeed, honourable members realize today) that there was a need for citrus fruit to be marketed efficiently, passed the Bill with little comment.

At some stage the Government must realize that the Citrus Organization Committee must have teeth in order to be able efficiently to carry out the function indicated by its name: the organization of the citrus industry. It is no good our having a committee if it cannot organize or market efficiently, which is the crux of the problem facing citrus growers in this State, particularly those in the Riverland district. The four grower representatives are to be elected without any reference to where they live, their vocation or the people whom they should represent, an aspect that deserves criticism.

The Minister would be aware, from the problems facing the wheat and barley industries (and, indeed, this will apply to the oats industry, when the legislation becomes operative), that the suggestion that there should be districts for which growers will be responsible has much merit. I understand that this has been tried before in relation to the Citrus Organization Committee but that it has not proved satisfactory. It seems to me that the four grower representatives could come from certain citrus growing areas of the State to the detriment of other areas. In saying this, I am not casting aspersions on anyone, but there could be an element of suspicion in this respect. I fail to see why there should not be some form of division, particularly regarding the remote areas, so that the grower representatives would be responsible regarding different zones. In this way, they could talk to the growers, from whom they could if necessary receive criticisms.

I find it difficult to understand why clause 4 provides that on the prescribed day the members of the committee then in office will vacate their offices and the new members of the committee will take office. I notice in today's press that there is a fairly large advertisement asking all citrus growers who have 50 trees or more to register because a poll of growers is likely to be conducted soon. Obviously, the organization is expecting that Parliament will comply with the Minister's request, and pass this Bill soon. Does clause 4 mean that all offices will become vacant? Does it mean that, apart from the four grower members who are to be elected, none of the officers at present holding office will be asked to continue in office? Does it mean a complete shake-up such as we have seen in relation to the meat marketing corporation, so that the committee will be examined and perhaps changed? I should appreciate the Minister's answering these questions in due course.

The citrus grown in this State, particularly oranges, is one of the finest health foods that can be produced. It is portable and freightable, and has a reasonable life term. It is a crying shame that the grower receives only a pittance for his produce, despite the purchaser's having to pay the same in colour as the orange itself: he must pay nearly gold to buy oranges.

The Hon. C. R. STORY (Midland): I support the second reading of this Bill, which completes the turn of the wheel. The Minister is today doing what he was advised to do when he assumed office and, indeed, what his predecessor did: hastily having drafted ill-conceived and badly thought out legislation that has brought tremendous privations on the heads of citrus growers in this State. This has been an extremely costly and disastrous piece of legislation.

The Hon. L. R. Hart: Which we got in the dying hours of the session.

The Hon. C. R. STORY: The whole blame is to be laid completely at the door of a succession of Labor Ministers, who have, to say the least, been high-handed in the way in which they have gone about their business regarding the Citrus Organization Committee. They have never taken advice from people who knew something about the industry: they have peremptorily taken action without consulting growers by means of a poll to ascertain what they have wanted. They have gone blithely along and have each time got deeper into the mire. I support this Bill, because I have a feeling that this will, as far as the citrus growers of this State are concerned, just about cut off the Government's head.

The authority who has been brought forward in this matter is the member for Chaffey in another place (Mr. A. R. Curren), who has, apparently, carried out some sort of a straw poll and has made up opinions, none of which has been tabled in this Parliament or supplied to the citrus industry: they have merely been offered to the Minister as the requirements and as what could help the industry out of its difficulties. It would be very interesting to know just how many people furnished a return and whether or not at the request of the honourable member.

The Hon. M. B. Cameron: Or if everyone got one.

The Hon. C. R. STORY: I do not know how many people got them or whether this was just a sample, so to speak. I know, however, that the number of people who replied would not represent anywhere near the total number of citrus producers in the area. I am supporting the measure because it will put back into the hands of the growers at least some form of control and it will give the growers an opportunity to have what they should have been entitled to all the time, but what has been taken away from them from time to time. I refer, of course, to a vote, a free poll to decide whether or not they want to continue with this costly and inefficient system which has been characteristic of the citrus industry since the Minister, without reference to the industry, removed the grower members from the board.

I am not going to get another heart attack over fighting this matter. I put a tremendous amount of effort a couple of years ago into trying to advise the Minister, and it was at about this time of the year. I did not get any thanks for it, though at least those in the industry were grateful that we put up some sort of show. Every attempt made by the growers to take a poll to decide that they do not want to have anything more to do with this is fobbed off by something new, something different; and this is another difference.

Why it is necessary to have four grower members and three other people, I do not know. It seems strange to me. I have no objection to the Minister having the right to appoint the Chairman, but I believe the balance of the committee should be elected by the g owers and should be producer members. The growers can decide whether they are going to elect purely grower members or whether they prefer some executives of the industry. They will make that decision. They are not silly if they are given the opportunity to have their heads. The Minister and his advisers have bogged down the industry, saying what is good for it, and every time anyone steps out of line or has a different line of thought he is immediately accused of sabotaging the industry. Over the past 12 months many people have had their names taken for breaches of the Act, but no action has been taken through the court to remedy these obviously flagrant breaches. If there can be no backing to take action in these matters, what is the use of a statutory board? Its whole purpose is to do a job of work.

I support the legislation for one reason only: to get grower members on the board. We will have practically the same board as we had in the initial stages. Previously, the Minister said he was going to change it and make a clean sweep, but he reloaded the board with the same people with whom the industry was completely dissatisfied. He promised me (and it is recorded in *Hansard*) that he would not do this, but he put back a number of people who, in the opinion of the growers, were not satisfactory. I want the board to be reconstituted to enable the industry to have a poll to decide on the type of organization it

will have. It might be a good idea if the Minister were to read again the Dunsford report, which was an excellent one. All the Minister did with it was to choose the little bits he liked, the same as his predecessor (Mr. Bywaters) did when he was dealing with the wine grape industry. They took out the pieces they liked and left the rest quite alone. This is a great mistake. If a competent person is appointed to do a job for the Government his recommendations should be accepted completely or rejected; bits and pieces should not be picked out. I want to see a proper poll of growers to decide the fate of the citrus industry which, for the past five years, has been hamstrung and bugged and blighted by incompetence, while other people have been able to export as they wished and have been able to export to other States if they wished.

The Hon. T. M. CASEY (Minister of Agriculture): I do not wish to say very much except to clear up a few points made by the previous speaker. I am pleased to hear the Hon. Mr. Story say he will support this measure because he wants the growers to decide by a poll exactly what they want. I could not agree more. I wish the growers could have another poll. They had one in 1968, and voted overwhelmingly to continue with the Citrus Organization Committee. I hope the growers will have another to decide whether or not they want to continue with that organization. To me, so much politics has been played in this industry that it is not funny any more. I feel terribly sorry for the citrus growers in this State. They have been plagued by pressure groups, right throughout the River area, to their own detriment.

From the beginning, the committee experienced problems in gaining and retaining the confidence of the industry generally. Moreover, the inter-relationship of interests of members of the statutory body as originally constituted and of the board of directors of its marketing subsidiary (South Australian Citrus Sales Proprietary Limited) appeared to generate management difficulties and dissension amongst committee members until it was reconstituted in 1968.

It would seem that difficulties facing the committee have stemmed largely from some or all of the following factors:

(1) The alleged influence exerted over its functioning and decision-making in earlier years by packer representation (that is, by the co-operative packing sheds) on the committee.

(2) The need for the committee to conduct its business and marketing operations in competition with the established packing sheds in the Riverland district, some of which seem to exercise a strong influence over their grower members.

(3) Lack of integration and co-ordination within the citrus industry, giving rise to factions and schisms amongst growers.

(4) Strong opposition, particularly from Murray Citrus Growers Co-Operative Association Limited, to the exercise by the committee of its marketing powers.

Attempts by the Government to reorganize the committee from time to time to make it more effective and efficient have failed to eliminate these seemingly inherent problems. I make no apology for trying to do this, because at all times I have believed that the producer is the man to be considered. Everything I have done has been directed toward that end. Whether or not I have succeeded is another matter, but at least I have tried to do what I thought was best for the industry. A proposal by the committee to make a levy on growers for committee funds some months ago resulted in a petition from growers for a poll to decide the issue, and the voting revealed a substantial majority in opposition to the proposal, which had to be dropped.

Whilst the committee appears to have strong support in one or two areas along the river, influential sectors of the industry have demonstrated continued and determined opposition to the committee as a marketing organization. A significant proportion of individual growers appears apathetic to it or objects in principle to any form of statutory control of the industry. Yet we hear so often that the only way in which we can maintain our exports of primary produce is to have statutory boards, where those things can be controlled. That was mentioned even by Mr. Anthony (Deputy Prime Minister) last night in his policy speech. Those industry organizations that are opposed to the powers at present vested in the committee have indicated that they would be prepared to support a statutory body whose functions are limited to general advisory, promotional and research roles in the industry and which is prohibited from engaging in marketing operations or controlling marketing of citrus. Notwithstanding the determined opposition from the industry, which has plagued the committee from its inception, only one petition for the discontinuance of the legislation has been lodged in accordance with the relevant provisions of the principal Act. This was presented in February, 1968, and the

consequential poll resulted in a substantial majority of registered growers voting for retention of the legislation and (presumably) the continuation of the committee.

I point out to honourable members that, unless (and I really believe this in all sincerity) we get a statutory body for the whole of Australia for the marketing of fruit overseas, the citrus industry will always be plagued with problems. We have seen that happen to the apple industry; and the same thing will happen to the citrus industry before much longer unless we operate on a national scale. Today, companies marketing citrus overseas from Australia are competing with each other, which is absolutely ridiculous. In South Africa and New Zealand, which are big exporters, this is all done by statutory bodies that speak with one voice for the industry. Unless we have that here in Australia, our citrus industry will fare badly on oversea markets. I can give as one instance the market in Singapore. If honourable members like to find out what the score is there, they will see that what I have said is perfectly true. This sort of thing should be prevented at all costs. It is factual and is on the books of the C.O.C. that in its marketing operations of the last 12 months it has marketed successfully and returned to the growers who marketed through that organization a better return than any other organization has. That is what I have been told. The return has been greater, and I sincerely hope that the C.O.C. can operate to benefit the growers and the citrus industry in this State.

I may add that the draft of the original Citrus Industry Organization Act was discussed by and received the support of both grower organizations prior to its being introduced into Parliament in 1965. I am not going to mess around with this sort of chit-chat and political bias one way or the other: the industry is too important to the growers and to the State for me to adopt that attitude. I want to see the industry successful and the growers supporting an industry that can market to their benefit so that they will be the real winners in the end.

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

FOOD AND DRUGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 16. Page 3144.)

The Hon. V. G. SPRINGETT (Southern): I support this Bill, which has two main amendments. One concerns the increases in all the penalties in the Act, and the other concerns the testing of the alcoholic content of certain drinks. The amounts of the penalties have remained unchanged since 1908. It is hardly unreasonable to expect, therefore, that today's figures bear no relationship to the figures of similar penalties all those years ago, although I am slightly bewildered, bemused and I'm not sure what that at this time of the session, when so many urgent matters remain to be dealt with, something that has remained unchanged since 1908 should now be coming before the Council and taking up our time when, as I say, so many other pressing Bills are waiting to be dealt with.

The increased penalties mentioned in this Bill are, apparently, sought by the Public Health Department, the local boards of health, and people in the wine trade. The first point I make is that throughout the whole of this Bill more or less every penalty has been increased in keeping with modern costs and charges. In his second reading explanation, the Chief Secretary emphasized that the penalty of $100 will be increased to $400, that the penalty of $40 will be increased to $200, and so forth. So much for my first point. The second amendment proposed by this Bill is, apparently, at the urging of the Wine and Brandy Producers Association. The alcoholic content is determined by use of a Syke's Hydrometer, which we know from our laboratory days. As the Act now stands, the permitted strength for unsweetened spirits is 35° underproof and 45° for sweetened spirits. This is determined by the hydrometer.

I notice that certain additives to alcoholic drinks produce an alteration in the reading, so that a true reading of the alcohol content is not given. To offset the effect of the additives, it is necessary to add extra alcohol. So, the industry has been pouring extra alcohol into containers, and the recipients have been benefiting thereby and getting stronger nips than they thought they were getting; this is a pleasure that will be denied them in future. Apparently, in all the other States, distillation is used to determine the alcoholic content of spirits; this method gives a true picture of the alcoholic strength.

Naturally, the producers of alcoholic drinks prefer an accurate, scientific method rather than a hydrometer reading that causes them to use an excessive quantity of alcohol. It seems reasonable that justice should be done on both sides: not only should an alcoholic drink be up to strength but also the manufacturer

should not have to make the drink excessively strong in order to comply with the vagaries of a piece of chemical apparatus.

Clause 3 amends the long title to the principal Act, by deleting the reference to "sale" of food and drugs. There are times when the Act and the regulations do not relate to the "sale" of food and drugs. For example, the Act and the regulations may sometimes refer to the preparation and handling of food that is not necessarily for sale. Of course, sometimes drugs are in the possession of people, but not necessarily in connection with a prescription. It is thought that, by broadening the purposes of the principal Act, the problem I have referred to can be overcome. Clause 4 deals with disposable syringes, electro-therapy machines, and massage and slimming apparatus. The use of disposable syringes is becoming very important in all branches of medicine, whether for home administration of things such as insulin or in connection with sophisticated resuscitation rooms in hospitals. If syringes are not cleaned properly, they may carry viruses and germs, particularly hepatitis, and cause unnecessary tragedies. It is therefore vital that the regulations be rigidly observed in connection with the sterility and proper use of disposable syringes.

Slimming apparatus is dealt with in clause 4. Apparently, slimming apparatus comes within the ambit of the legislation, but I am not sure how food and drugs are related to the slimming apparatus. Of course, if one wants to slim, one has to go without some food. I hope that the Chief Secretary will clarify the point I have raised.

Clause 5 relates to controlled therapeutic devices, and clause 7 provides that in future analysts will have to state only their business address, whereas up to the present they have had to state their business address and also their residential address. Because, in practice, all analysts are officers of the Chemistry Department, it is sufficient that only their business address be stated. Clause 8 increases the membership to the advisory committee from seven to nine, by providing that the Director of Agriculture and a microbiologist will be additional members of that committee. Nowadays, when disposable syringes and minute organisms are so important, it is appropriate that a microbiologist be on a committee such as this.

Clause 12, which deals with the determination of the strength of spirits, is reasonable and straightforward. Clauses 13 to 32 inclusive increase penalties along the lines I have referred to. Clause 33 amends the principal Act in connection with the division and mixing of articles of food or drugs that are purchased as samples for analysis. Honourable members know that inspectors go into shops, take samples of food and drink, put them in a sealed container, and take them away. The inspectors give a similar sealed specimen to the proprietor of the business. It is very important that those formalities be observed, so that justice can be done in respect of the purchasing public and the business men. I support the Bill, but it seems a great pity that we have had to wait until two days before the end of the session before being able to deal with it.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

The Hon. A. J. SHARD (Minister of Health): In reply to the Hon. Mr. Springett's question about slimming apparatus, I point out that the authorities have control over slimming substances, and they want the same control over slimming apparatus, because they are all related to the question of hygiene.

Clause passed.

Remaining clauses (5 to 41) and title passed.

Bill read a third time and passed.

POLICE OFFENCES ACT AMENDMENT BILL (LOITERING)

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 is the last of a series of measures dealing with offences in relation to opal fields and is intended to facilitate the detection of offences akin to stealing opals and the apprehension of the offenders. Clauses 1 and 2 are formal. Clause 3 inserts a new section 18a in the principal Act which provides for the offence of loitering on land comprised in a precious stones claim at night. Loitering may generally be described as hanging about without being able to give a reasonable account of one's purposes. While, in principle, this activity is not of itself reprehensible, it is not unreasonable to assume that a man who is found in such circumstances on a precious stones claim in the middle of the night may well be there for some improper purpose. It is considered that the creation of an offence of this nature may well go some way towards the prevention of the commission of rather more serious offences.

The Hon. A. M. WHYTE (Northern): This legislation has been sought by opal miners throughout the State for some time, and the injustices referred to in the Chief Secretary's second reading explanation have taken place from time to time. There have been cases that would not be condoned by any community and there has been no proper control to protect the people in these areas. It is an unusual situation, in that extremely valuable properties are scattered over large areas. In the many years that I have known the opal industry, an unfortunate situation has arisen whereby an element that is not acceptable to the genuine miner has been able to make its presence felt; indeed, in many cases this undesirable element has gained an excellent living by pilfering opals, blackmail, etc.

A few years ago it was easy to apprehend opal thieves because most of the buyers and dealers in those areas could tell from what area the opal had been mined, and they were always on the look-out for stolen opals. It was not the done thing to steal opal 10 years ago because it was difficult to get rid of the stones. There are about 3,000 miners in the Coober Pedy area and a fewer number in the Andamooka area, all of whom suffer to some extent from these wrong-doers. I hope that the legislation will do exactly what the miners and the Minister expect that it will do. I support the second reading and hope that the legislation will be far-reaching enough to have the desired effect.

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

WHEAT DELIVERY QUOTAS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 16. Page 3144.)

The Hon. A. M. WHYTE (Northern): In speaking to this Bill, I think it is perhaps necessary to outline some of the circumstances that originally brought about the quota system. I believe that no matter what system had been introduced, it would have had some anomalies and would not have been quite fair to all the parties concerned. Since the promulgation of the legislation, the committees that have been formed have done their best (indeed, they have done an extremely good job) to sort out many of the problems that have arisen because of the necessity to introduce a quota system. Initially, there was discontent between the States regarding allocations. Western Australia had an allocation as high as 76.8 per cent of its production, whereas those of other States were as low as 60 per cent of their production. During all this time, it was necessary for the Act t® be amended to try to ensure that all growers received an allocation that related to their ability to produce and also to the necessity to keep their properties viable.

Two years ago, I considered it necessary to try to safeguard short falls, because many of the wheatgrowing areas in South Australia are not reliable in any given season, but they nevertheless produce much grain. Indeed, almost 40 per cent of this State's grain is grown in what one could term risky climatic conditions if one chose to refer to a certain season only. Given the opportunity to average out, these areas produce much of this State's grain and, what is more, they are capable, should the occasion arise, of producing millions of bushels more than they are at present producing.

It is important that I should refer to some of the outlying areas that produce much of our grain. I refer, first, to the county of Bosanko, which is well outside Goyder's line and which is a good producer. I refer also to the counties of Buxton and Jervois. In 1968-69 the latter county produced 8,338,956 bushels of wheat and, except perhaps for Gawler, this is possibly the most wheat produced by any county in this State. I cannot in my figures see any other district that has equalled the production of the county of Jervois.

There are 109 silo locations in this State as well as seven terminals. In most of the silo locations there is more than one silo. Indeed, there would be few locations in which there is only one silo. Of the silo locations to which I have referred, 39 are outside Goyder's line. I refer to this aspect, because this is an area of concern regarding this legislation. I understand the area well and I believe it has a wonderful potential. Indeed, it could produce many millions of bushels of wheat more than it is producing should the nation require it to do so.

It would be remiss, therefore, if we were to allow any slicing of quotas in this area merely because two or more seasons of below-average rainfall could occur. Such a season could well be followed by one of rust or frost or something else that plagues wheatgrowers. It is extremely costly to gear oneself for wheatgrowing. This is not an industry in which one can stop and start at a moment's notice. Indeed, the initial capital outlay is sufficient to make one watch the bank manager when thinking of quotas. Two years ago, I considered that quotas were eyed enviously by certain people who, prior to the quota

system, were not traditional wheatgrowers. Undoubtedly, these people had the potential to grow wheat but, because barley growing, hay cutting and fat lamb production were more lucrative, they were interested in those forms of enterprise. As a result, when quotas were introduced they found that their allocation was not sufficient, and this has been especially so since those in the fat lamb and wool industries have, because of low prices, turned their eyes to wheat. I considered that these people (some of whom could have grown more wheat on their land) would be envious of other people's higher quotas, especially if those people did not fill their quotas.

Many of the areas with large quotas are essentially wheatgrowing areas. By no stretch of the imagination could they be deemed to be pastoral land or pasture land: they are between those areas and rely for 80 per cent of their income on wheatgrowing. With this in mind, two years ago I played a major part in introducing an amendment to the Act which provided a safeguard for short falls, the idea being that a person with a short fall could not be denied the full right of his quota, plus his short fall and less a percentage of State short falls.

If there was not sufficient over-quota wheat to balance the State's quota, those growers who had short falls in a given season would have to bear the brunt of the short fall and, indeed, average it out amongst those with a discrepancy. Therefore, a man with a 30 per cent short fall in one year would the next year have his base quota plus a short fall based on the State short fall, and would not necessarily incur a 30 per cent deficit. Indeed, the position averaged out much better than that, and those with short falls were grateful for this protection. It therefore causes one some concern when one sees that section 49 (6) of the Act will be countermanded by the present legislation.

I realize the necessity of having a committee to review quotas. I have no desire in any way to restrict the operations of the advisory committee, which keeps a close watch on the situation and, if necessary, alters the quotas. In some areas people who have never planted wheat have wheat quotas. Since it is necessary for this State to make maximum use of its wheatgrowing area at a time such as this, when our nation cannot fulfil its oversea wheat orders, it is indeed necessary for some review to occur. I wonder whether a better method than that advocated in this Bill would have been for the advisory committee to have special power to deal with special circumstances and to leave the existing Act as it is, leaving as it is the safeguard for short-falls. As there is some danger that the present safeguard in section 49 (6) could be weakened or countermanded, I have suggested a new amendment, which has been circulated and for which I hope there will be some support. I am not quite sure that my amendment does all that is necessary to safeguard short-falls. However, it will safeguard them for three years; whether or not that is a sufficiently long period I am not sure. Much discretion will be left to the advisory committee even after the three-year period. On the other hand, my amendment could in some way restrict the advisory committee from making adjustments to the State quota by taking away entirely the short fall of people who had made no attempt to grow wheat and yet were holding wheat quotas.

The Hon. T. M. Casey: You cannot do that.

The Hon. A. M. WHYTE: I am speaking of the overall situation. Perhaps someone else could suggest an amendment better than mine. It is of such serious consequence that I could not care less who gets the pat on the back for putting it straight, so long as we finish up with what the industry needs for its best operation. My amendment will go some way toward ensuring protection for short-falls, and I hope it does not inhibit the action necessary by the committee and the leaders of the industry to give South Australian growers the best possible legislation and the best opportunity to meet the State's commitments for oversea markets. I support the Bill.

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

HEALTH ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 16. Page 3145.)

The Hon. V. G. SPRINGETT (Southern): I support this Bill, which contains, as did the Food and Drugs Act Amendment Bill, many alterations to increase penalties that have remained unchanged for many years. Some penalties in the Food and Drugs Act have not been changed since 1908; many of the penalties in the Health Act have not been increased since 1956, so the latter is almost up to date by comparison. Until we come to clause 35, there is nothing to deal with other than increases in penalties for various offences. However, clause 35 brings about a change to enable a local board of health to make wider regulations covering registration of lodging houses. A board should be able to

specify minimum conditions required before a person can have a certificate of registration for a lodging house. It is only right that these certificates should be revocable if there should be a breach of the conditions laid down.

Running a lodging house for gain needs good control, as it is not difficult for the unscrupulous to take advantage of the people in the community who use lodging houses. We sometimes think of them as the flotsam and jetsam of life; many of them are, and they are most vulnerable to pressure from those in a position to apply it, because usually they are old, perhaps very poor, and generally speaking not able to stand up to the pressure from, say, an unscrupulous landlord. Clause 35 is a most reasonable one providing for the registration of lodging houses and the manner in which application for registration must be made, prescribing a registration fee, and referring to the provision for the inspection of lodging houses and a means whereby permission can be revoked or regulations withdrawn.

Clause 38 contains a provision at which I should prick up my ears. It provides for an increase in fees to a medical practitioner who informs a local board of a notifiable disease. The fee is to be prescribed by regulation. At present, the doctor receives the princely sum of 20c, so I do not think he is likely to run very far away if he is to have a small increase.

The Hon. A. J. Shard: I wondered how it was allowed to remain at that for so long.

The Hon. V. G. SPRINGETT: Obviously, they do not have a good union; they are in the hands of unscrupulous people, I am quite sure! Clause 54 deals with a most important point, the power to make regulations regarding irradiating apparatus. "Radiation" is a word increasingly used in medical and industrial circles. In purely medical terms, much treatment is now being applied to people with malignant growths by the use of irradiation sources, as a result of which we are getting cures whereas in years gone by people had to endure what could not be cured. Many types of business are using irradiating apparatus today in a way unheard of or non-existent years ago. Now it is simply a question of using and possessing such apparatus. People do not need to have licences for the use of this machinery, but of course it is necessary to remember that there are agents importing machines from overseas and firms that manufacture machines for supplying irradiating sources. They keep them in the appropriate shops for sale to hospitals, businesses, and other people who use radiation.

Clause 54 will enable regulations to be made for the granting of licences to people who import, manufacture, possess for sale or sell irradiating apparatus, just as they may be made with respect to radioactive substances. Clause 55 extends certain regulation-making powers in the Act to cover the fixing of certain fees. This clause also empowers the Governor to make regulations regulating and controlling the construction, maintenance and operation of swimming pools. We were dealing with swimming pools only a few days ago, and I presume that the Swimming Pools (Safety) Bill is in some ways to be linked up with this clause. I suppose so—I am not sure. However, one thing of which I am quite sure is the health hazard arising from the use of swimming pools if their control and maintenance are not regulated.

Honourable members are well aware of the danger and tragedy of the amoebic meningitis outbreak that hit the North of the State last year. It is not readily remembered that many people who attend doctors' surgeries these days during the swimming season have bad ears or bad eyes from infection acquired from public, and sometimes private, swimming pools. I am quite sure there is no greater risk to the average child or young person than swimming in an unclean, unfiltered or untreated pool for pleasure and then finding they have acquired what will be a resistant form of infection to either their ears or their eyes. Bearing in mind how the number of public and private pools is increasing all the time at a very fast rate, it is important that these pools be regulated to ensure a level of bacteriological safety, for the sake of the health of everyone. I support this Bill.

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

SOUTH-EASTERN DRAINAGE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 15. Page 3056.)

The Hon. R. C. DeGARIS (Leader of the Opposition): As the Minister's second reading explanation states, this Bill introduces amendments consequential on the Valuation of Land Act, which came into operation on June 1, 1972. On that part of the Bill, I make no comment now. As the Bill came on to honourable members' files only a few minutes ago, I have not been able to check it thoroughly with

the principal Act. The Bill also modifies the provisions of the principal Act dealing with the powers of the Appeal Board. Honourable members will remember that, when the Government made the change from a direct benefit assessment to an unimproved land valuation assessment, it was clearly stated in this Chamber that, although the Government was reducing its income from drainage in the South-Eastern Drainage Board area from about $300,000 a year to about $80,000 a year, nevertheless it was adopting a principle that would create difficulties in the future. When the Bill passed this Council last session, I explained the drainage situation in the South-East, and I should like to reiterate those points briefly.

There are two areas in the South-East—the Millicent District Council area and the Tantanoola District Council area—that are solely responsible for the rating and maintenance of the drains in their respective areas. They receive no subsidy from the Government; they rate the landholders on a direct benefit assessment at a certain figure and a rate is struck on that direct benefit assessment; and these schemes are self-supporting. The Eight Mile Creek area is rated on unimproved land values but administered by the Lands Department. This, too, is self-supporting. Then there is the South-Eastern Drainage Board area, where up till last year the assessment had been done on a direct benefit basis but last year it was changed to an unimproved land value basis, the income there dropping from about $300,000 to about $80,000 a year. This has created a grave problem over the whole of the South-East when we compare the drainage rates paid by the various landholders who may be on similar land but on the other side of a dividing border-line. The reason for the change in the system of assessment in the South-Eastern Drainage Board area is, in my opinion, that the drainage works were constructed over a longer period—I would say probably 70 or 80 years. The original assessments, done on a direct benefit basis, were much lower for the same benefit than those done 10 or 12 years ago. So, there was a large disparity, because of inflation, between the assessments done at the turn of the century and those done recently. We had the glaring anomaly of areas in the Western Division with a direct benefit assessment of up to $60 an acre, whereas in the areas assessed earlier the assessment could be as low as $2 an acre. The rate was charged on these assessments. So, one can see the tremendous disparity between the Western and South-Eastern Divisions of the area.

To overcome the problem, the Government decided to adopt the unimproved land value assessment for the area, and it adopted a blanket area for this to apply to. It did not matter whether the land received a direct benefit or an indirect benefit: it all came under this rating system. When the Bill went through, this point was made strongly to the Government. The Council pointed out that the Appeal Board would be hamstrung in upholding any appeal in connection with that Bill. After very long discussions with the Minister of Lands and the Minister of Works, some amendments were drafted, but they were then discarded. As we were then in the dying hours of a session, we decided that it was impossible at that stage to draft satisfactory amendments to cover the objections that this Council had raised to the Bill. A gentlemen's agreement was arrived at, and now this Bill is before us, dealing with the powers of the Appeal Board. It would be wrong for us to say, "We told you so." The co-operation we received from the Minister in this Council in trying to come to a satisfactory solution at that time was appreciated, but it was fairly obvious that the question of the powers of the Appeal Board would have to come back to this Council for renegotiation. In his second reading explanation, the Minister of Lands said:

> The Government considers it unjust that a land holder whose property had been benefited by the drains and drainage works only in a relatively small area, should be ratable as if the whole of the property had received a benefit from the drainage works.

The Government now considers that it is unjust, whereas 12 months ago it did not have that view. So, probably we have achieved something in this Council. The Minister continued:

> Consequently, the Bill provides that the Appeal Board may declare sections, part-sections or blocks comprised within a land holding not to be ratable for the purposes of the principal Act. If non-rateable land does not constitute a separate section, part-section or block, the Appeal Board is empowered to declare a proportionate rebate on the rates payable in respect of that land. This proportionate rebate is the proportion of the rates that would otherwise be payable on the land that the unimproved value of the non-rateable part of the holding bears to the unimproved value of the whole of the holding.

The only part that is necessary in that portion of the explanation is the second part: all that the Appeal Board needs to do, as far as the landholder is concerned, is to decide what proportionate rebate will apply to his land, rather

than go to all the trouble of declaring sections, part-sections or blocks (whatever "blocks" may mean) comprised in the land holding not to be ratable for the purposes of the legislation. The simple way is to empower the Appeal Board to declare a proportionate rebate on the whole of the landholder's area. I should think that the Appeal Board has already made a number of decisions; it has been listening to appeals for a considerable time, but I have not yet heard of any of the board's decisions being announced. That may be because there are difficulties or disagreements within the department in relation to the board's findings, but I trust that many landholders who at present are in receipt of rate notices and are being rated under the new system but have never before been rated over the past 70 years will find that the Appeal Board will now be able to exclude them from drainage rating in the area.

I refer particularly to people occupying high land on which drains have not been necessary since the beginning of settlement in the area. Those people should not be paying drainage rates, and I hope this Bill will allow the Appeal Board to remove them from rating under the legislation. It is untenable that high land that has not been rated in regard to direct benefit over the past 70 years should suddenly, because of amendments to the principal Act, be rated. I have not yet completed my research into this Bill and the principal Act, as the Bill was placed on honourable members' files only this afternoon, but I shall work on the matter as soon as possible. Whilst I am willing to support the second reading, I may well have more to say in the Committee stage.

The Hon. H. K. KEMP secured the adjournment of the debate.

CONSUMER CREDIT BILL

(Continued from November 16. Page 3151.)

Bill recommitted.

Clause 45—"Prohibition of procurement charges, etc."—reconsidered.

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

To strike out subclause (8) and insert the following new subclauses:

(8) For the purposes of this section, a fee or other consideration for the procurement of credit is recovered by a person to or upon whom any fee, commission, or other consideration or benefit, is paid, given or conferred by a credit provider, consumer or other person—

(*a*) for the procurement of credit;

(*b*) for the negotiation of a contract for the provision of credit between a person who seeks to obtain, and a person who is prepared to provide, credit; or

(*c*) for the referral of a person who seeks to obtain credit to a person who is prepared to provide credit.

(9) Notwithstanding the foregoing provisions of this section, where the vendor under a contract for the sale of chattels (not being a contract that includes provision for the sale of land), or any person who has negotiated any such contract, has referred to a credit provider a person who seeks credit in order to discharge his obligations under that contract, it shall be lawful for the credit provider to pay or provide a fee or other consideration to the person by whom the applicant for credit was so referred not exceeding in amount or value 10 per centum of the total credit charge or interest to which the credit provider is entitled under a contract for the provision of that credit.

Since the Bill was last in Committee, further consideration has been given to the difficult problems raised by the question of procurement charges for credit. Under clause 20 of the Consumer Transactions Bill, a credit provider is empowered to pay a commission of up to 10 per cent of his credit charge to a person who has referred an applicant for credit to him. In order to prevent inconsistency between the new clause 45 and this provision, subclause (8) was inserted to provide that the new provisions do not apply to the procurement of credit in the circumstances covered by clause 20 of the Consumer Transactions Bill.

This exception does not appear, however, to be wide enough as there may be cases (for example, where a purchaser obtaining credit is a corporation) to which clause 20 does not apply but in which a commission of 10 per cent should, in accordance with the policy of clause 20, be allowed. The present amendments are designed to overcome this problem. They remove subclause (8) and provide that a commission of 10 per cent is allowable where credit is provided to finance a sale of chattels. The amendment is also inserted to make it clear that clause 45 covers all forms of procurement fees and commissions. The amendments will render clause 20 of the Consumer Transactions Bill unnecessary. In due course, I shall, therefore, move for the deletion of that clause.

The Hon. F. J. POTTER: This is a very extensive amendment to subclause (8) of the redraft of clause 45, which the Committee considered at some length last week. As far as I can see, there is nothing objectionable in

the amendment, and it may well be absolutely necessary to cover the problem of the inconsistency between subclause (8) and the circumstances of clause 20 in the Consumer Transactions Bill, which is another measure altogether. For that reason, I support the amendment. I raise another problem altogether about clause 45, on which I should like information from the Minister. Honourable members will recall that the last time we were in Committee the new draft of clause 45 came speedily from the Minister and dealt with the problem that had been mentioned earlier, namely, the charging of procurement fees.

As a result, questions were asked in Committee about the Government's policy on procurement fees and the nature of this ambiguous clause. The redraft of clause 45 and the creation of another Part IVA in the Bill, which would apply to every transaction whether exempted or not, was a radical departure from what originally existed. This question concerns many people engaged in the business of arranging temporary home finance loans at rates of interest that normally would take the transaction outside the provisions of the Act (either because the loans were not obtained from a person required to be a licensed credit provider under the Act or because the loans were negotiated for more than $10,000 or at lower than a 10 per cent rate of interest). Nevertheless, this form of investment has assumed major proportions in Adelaide.

Indeed, it is to the advantage of the consumer that this money is available. Many people in the community have money they would like to make available on first-class mortgage security at rates of interest lower than 10 per cent and on comparatively short periods between one and three years. As a result of this, brokers and agents have built up quite a business in providing this kind of temporary finance, particularly to home purchasers. It is important that this has been done, otherwise people who wanted this kind of accommodation would have been forced to go to finance companies to borrow at interest rates of up to 14 per cent.

It has been the practice of agents or brokers to charge a procurement fee for arranging this finance, which involves considerable work. It is not merely a matter of introducing a borrower to a lender, because the lender must be satisfied that the security is there. Often various lenders must be joined together to put up a composite sum. It cannot be done easily on every occasion. The practice has been for a procurement fee to be charged. The basis of the fee in the past has been a commission basis established under a scale devised by the Chamber of Commerce.

This scale, which has been with us for many years and which has been increased from time to time according to the changes in the value of money, has in every case been adopted by the Real Estate Institute as the appropriate scale to govern these procurement fees. Considerable interest has been aroused among people who are doing this kind of work by the provision of new clause 45, because it now appears that the Government or the Commissioner, by notice published in the *Government Gazette,* will fix a scale of procurement charges for the purposes of this section. Concern has been aroused that the Government or the Commissioner might fix the original scale of charges at less than the scale fixed by the Chamber of Commerce.

If such a lower scale was fixed, it would have a damaging effect on agents, who say that the scale fixed by the chamber is virtually the minimum scale at which the whole operation can be effectively carried on. Consequently, can the Minister assure the Committee that it is the Government's intention to instruct the Commissioner initially to proclaim a scale in the *Gazette* of less than the current charges according to the scale fixed by the Chamber of Commerce? It may well be that the Minister will have to obtain instructions on this matter, which is of some concern to me. Will he say what is the Government's intention in this respect?

The Hon. A. J. SHARD: I cannot give any guarantee, because it is not within my province to do so. However, I should not think that the fees would be fixed at a level any lower than the existing Chamber of Commerce scale. Even if they were, one would have the right of appeal to a tribunal, which would fix a reasonable fee.

The Hon. C. M. HILL: I have followed with interest the submissions made by the Hon. Mr. Potter, with whom I agree totally. The matter boils down to this: those who have been involved in this kind of business in the past are fearful that under the Government's proposals the rate fixed by the Commissioner (which could be upheld on appeal by the tribunal, because under subclause (5) an appeal to the tribunal is permitted) may be considerably lower than the rates that have normally been charged in the past. The point made by the Hon. Mr. Potter, that the rates

which have been charged in the past have been fixed not by the business people concerned but by the Chamber of Commerce, is a strong one.

In reply to the Hon. Mr. Potter, the Chief Secretary said it is the Government's view that the rate ought not to be less than that charged in the past. In his defence, I must state that the Chief Secretary could not say more than that because it could involve Government policy. However, when legislation on the Statute Book gives a right of appeal to a tribunal, I do not think the Government can go any further. I hope the Government understands the fears that these people have. As I understand the position, if they can continue charging the rates that have been charged in the past, with normal adjustments being made for cost of living increases and general inflationary trends, they will be well satisfied. However, a fear of the unknown has caused great concern. The Chief Secretary has just admitted that it will certainly not be fair if, because of the new rates, the income of these people decreases considerably in future. It is this fear that has caused so much representation to be made, and I wholeheartedly support these business men in their claims.

The Hon. F. J. POTTER: There is some fear on the part of the business community regarding the proposed charges. I am concerned not so much with the business men involved charging the fee but that, if they find the fee unprofitable, they will simply not conduct this business any more. If that happens, what, then, of their clients, who have been placing money out on loans? They will be forced to say, "If I want to get this rate of interest, I will have to invest my money with a finance company in debentures". That may be very well for them: they will probably get their rate of interest, although they may have to put out their money for a longer period to obtain a commensurate return.

If this money is not available at a reasonable rate of interest, the consumer will have to pay a much higher rate if he has to obtain bridging finance from a finance company. If we reduce the existing scale of charges for procuring finance, we will be not so much reducing the income of brokers or agents but may well be affecting the consumer, about whom I am mainly concerned.

The Hon. R. C. DeGARIS: The Hon. Mr. Potter's point has given me concern. It appears that the Government is trying to control, in what may become unreasonable terms, the fees charged by a person in business for services rendered where loan moneys are being provided by private investors through a credit provider. The work of the latter is an integral part of his business, and he provides, on behalf of his clients (most of whom are of long standing), considerable sums of money on security on first mortgage. These loans are usually provided over a short period for people wishing later to obtain long-term loans for house purchase. This is the main field in which these people work and, indeed, it is a most important area of finance.

If, as the Hon. Mr. Potter said, the Government, through the Commissioner for Prices and Consumer Affairs, lays down a scale of charges for the credit provider, under which he finds it impossible to work, he will be unable to provide bridging finance at a rate of interest considerably lower than that on any other form of finance one can obtain. Many of these credit providers deal with clients who want to invest money and, although they may not actually underwrite the loan, they morally underwrite it: in other words, their business depends on their integrity.

This provides a given source of finance that should not be affected in any way. As the Hon. Mr. Potter said, if this area of finance is affected, the person who has money to invest and lend on first mortgage will tend to look towards finance company investment at a rate of interest of, say, 7½ per cent or 8 per cent. Then the person requiring bridging finance will be forced to go to the finance companies and pay probably 12 per cent or 13 per cent to gain money while he awaits his long-term loan. This is the point that concerns me about clause 45. We may be tampering with an area of finance most important to the home owner. If my fears are reasonable, and if a person is forced to go to a finance company for bridging finance with interest at finance company rates, the repayment of bridging finance for an ordinary home will go, in many cases, from $60 to more than $80 a month. Here we are dealing mainly with young people establishing their homes.

The Committee should look most carefully at the question before it accepts clause 45. I am not thoroughly satisfied with it. This is the second time the Bill has been recommitted, and it is one of the things that happens in the dying hours of a session with complex legislation coming before us. The Bill has wide ramifications, and I ask whether the Chief Secretary would be prepared to report progress to allow the Committee to see what is involved in clause 45.

The Hon. A. J. SHARD: I do not want to force anything through the Committee. It is true, as the Leader says, that the amendment has been on file only this afternoon. I do not know whether the Government can take it any further. However, I am willing to ask that progress be reported and we will return to it later in the evening.

Progress reported; Committee to sit again.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (MINING)

Second reading.

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

That this Bill be now read a second time.

It inserts a new section in the Criminal Law Consolidation Act, 1935, as amended, and provides for an offence of stealing precious stones from mines. Honourable members will be aware that considerable difficulties have been caused in the opal fields of this State due to thefts of opals. A peculiar feature of these precious stones is that they are extremely valuable and readily portable and it is somewhat difficult to identify the mine from which they were obtained.

Clauses 1 and 2 of the Bill are formal Clause 3 inserts a new section 152a in the principal Act. In form this section follows section 152, which deals with gold stealing, except that in this case the penalty has been increased from two years to five years. Clause 4 amends section 153 of the principal Act which deals with the fraudulent removal of gold or ore from a mine and the amendment proposed is to include precious stones. Clause 5 inserts a new section 153a in the principal Act and provides definitions of "mine" and "precious stones" which are related back to the Mining Act, 1971.

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill which, as the Chief Secretary said, is a brief one which should not delay the Council for very long. The problem dealt with by the Bill is allied to some extent to the problem we had earlier today about how to deal with a criminal who is pilfering or stealing from a mine between the hours of sunset and sunrise. In that case we had to bring in an offence of loitering. Here we are dealing with the offence itself. Clause 3 inserts a new offence relating to precious stones, providing for the person who steals or severs with intent to steal precious stones from the land comprised in a mine. The clause creates this as a felony with a fairly stiff penalty, which one would expect to be attached to any felony. The rest of the Bill is consequential on that main clause and seems to be one to which no objection could be taken.

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

NARCOTIC AND PSYCHOTROPIC DRUGS ACT AMENDMENT BILL

Second reading.

The Hon. A. J. SHARD (Minister of Health): I move:

That this Bill be now read a second time.

It makes two principal amendments to the Narcotic and Psychotropic Drugs Act. Certain difficulties have been experienced by the courts in the interpretation of the evidentiary provisions contained in section 14. Subsection (7) of that section provides for the admission in evidence of a certificate under the hand of an analyst appointed under the Food and Drugs Act. It provides that the certificate is to be evidence of the analysis of a substance and of the results of that analysis. The provision is deficient, however, because it does not contain evidentiary provision for the identification of the drug or substance that was submitted for analysis. The Bill overcomes this deficiency and in addition provides for a certificate to be given by a botanist as to the genus of a plant submitted to him for identification. This amendment is necessary in view of the provisions of the principal Act dealing with the cultivation of prohibited plants. The two new evidentiary provisions are similar in form.

Secondly, the Bill repeals section 14a of the principal Act. This section was inserted by the amending Act of 1970. It was an innovative provision, which has unfortunately led to certain problems in sentencing drug offenders. Some judges have felt that it requires a court to impose a suspended sentence upon an offender in almost every case. While this interpretation is very much open to argument, it is felt better that the provision should be removed and the matter of sentencing left to the ordinary discretion of the court. The Government has, in fact, looked at a number of proposals designed to preserve the spirit of the original amendment without leading to the difficulties of the present provision. However, after full consideration the conclusion has been reached that the matter of sentencing drug offenders is best left to the discretion of the court, which is, of course, to be exercised in accordance with the established precedents.

Clauses 1 and 2 are formal. Clause 3 amends section 14 of the principal Act by striking out subsection (7) and inserting new subsections (7) and (7a). New subsection (7) provides for a certificate to be given by an analyst appointed under the Food and Drugs Act of the results of an analysis to which he has submitted a drug or substance. New subsection (7a) provides for a certificate to be given by a botanist identifying the genus of a plant or part of a plant submitted to him for examination. Clause 4 repeals section 14a of the principal Act.

The Hon. V. G. SPRINGETT secured the adjournment of the debate.

INDUSTRIAL SAFETY, HEALTH AND WELFARE BILL

Adjourned debate on second reading.

(Continued from November 15. Page 3084.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which can be fairly described as a Committee-type Bill because it deals with several factors, each of which will tend to increase the welfare, health and safety of workmen engaged in various occupations throughout the State. When we get to the Committee stage, several clauses will perhaps evoke questions from honourable members and provoke one or two amendments.

To some extent, the Bill comes to us after much work has been done on it. As honourable members know, a Select Committee of the House of Assembly was appointed earlier this year, in the previous session of this Parliament; it met many times and conducted a comprehensive inquiry into the whole situation. As a result, this Bill came before another place, where it was further reviewed in the light of the Select Committee's report. The Bill leaves much of the administrative side of the law to be incorporated in regulations. In fact, the real test of the efficacy of the Bill will, I think, be the regulations made under it. Listed in the schedule to the Bill are many matters which deal with all facets of safety at work, in respect of which the regulations will have to be made. Undoubtedly, those regulations will be closely scrutinized by the Joint Committee on Subordinate Legislation and by this Council, because they will, as I said just now, really be the effective legislation rather than this Bill, which will be only an enabling Act in many respects, setting up some machinery to enable the regulations to be promulgated and brought into effect.

Any Act, and any regulations made under that Act, designed to further the safety, health and welfare of workers in this State will meet with a fair amount of approval from honourable members. Little more needs to be said on that aspect, because it is obvious that we as a Parliament should do all we can to reduce the rate of industrial accidents and the injuries that flow from those accidents, which cause, in many cases, problems both from the health point of view and from the economic point of view of the workman who happens to be injured. An injury at work affects not only the employer's production but also the family life of the injured person. There is no need to say much more about the Bill generally, but I want now to look at some of its provisions so that the Minister can be alerted to one or two problems that may need to be examined and dealt with in the Committee stage.

Clause 7 is a fairly lengthy definition clause. I am wondering about the definition of "constructor". Perhaps this definition is not altogether satisfactory, although I know it is lifted virtually from the present legislation, which is to be repealed. Sometimes, it is awkward for us when we raise a point in the Committee stage and say: "Look at this definition—is it satisfactory? Does it do all we want it to do or what it should do?" The Minister replies, "Of course; it is in the existing Act." One feels that the wind has been taken out of one's sails when that happens. I hope we shall not necessarily have to fall back on that old chestnut because, if the definition is unsatisfactory, it should be looked at again irrespective of the fact that it may not have caused much trouble in the past. Clause 7 provides:

> "constructor" in relation to construction work means—
>
> (*a*) a person who has undertaken or agreed to carry out the work;

It seems to me that that definition covers a person who is a principal contractor. Many works of sizeable proportions are undertaken by principal contractors who may be located in Adelaide. Construction work may be undertaken at Oodnadatta or Woomera by a principal contractor who is situated in Adelaide, yet he is held to be the constructor within the meaning of this legislation, although he may be a long way from the actual site of the work. There is something to be said for making someone on the site actually responsible for the safety of the construction work. The principle ought to be established that the

employer on the site should have the general responsibility for the industrial safety and welfare of his men. A building contractor may engage a subcontractor, who in turn may employ workmen; they ought to have a joint responsibility if they are jointly engaged on the construction site. We should look at this matter, because in this respect the definition of "constructor" is unsatisfactory. The definition of "employer" is very wide; it is as follows:

"employer" includes any person or body whether corporate or unincorporate who or which on behalf of himself or itself employs one or more persons in an industry.

This really means that anyone at all who employs a person comes within the definition. Clause 7 further provides:

"industry" means any activity, that is for the time being declared by proclamation to be an industry for the purposes of this Act:

So, it is open for the Government to proclaim any activity whatsoever an industry for this purpose. Some country members of this Council may like to be alerted to the fact that primary industry and farm work can be declared an industry for the purposes of this Bill; all sorts of things can follow as a result of that. For example, I can imagine that safety provisions may be promulgated by means of regulations to deal with the driving of tractors on farms.

The Hon. V. G. Springett: Doesn't that apply at present?

The Hon. F. J. POTTER: No; there are no provisions in South Australia requiring the fitting of frames or seat belts to tractors, but there is a Victorian Act to that effect. That Act very sensibly provides that the fitting of safety frames to tractors is to be introduced over a staggered period. It provides that safety devices are to be introduced on new tractors in two years time, and it is hoped that all tractors under the legislation will be equipped with safety devices by 1984. I am reliably informed that fitting a frame to a tractor will cost from $200 to $500; so, one can expect some antagonism from people who have to meet that kind of expense. I am told that an extensive education and conciliation campaign has been undertaken by the Victorian authorities to sell the idea of safety to Victorian farmers. As there is no provision in this Bill for a staggered introduction of this kind of safety device, I wonder whether the Government intends to allow such a breathing space if and when regulations are brought in. Clause 7 further provides:

"worker" in relation to an industry, includes any person employed or engaged for reward in that industry, whether or not the person is so employed or engaged under a contract of employment.

That definition will include a principal contractor and also subcontractors. I wonder whether the extent of the definition was clear to the Select Committee that recommended the introduction of this Bill. The definition will throw a very wide net of responsibility. Clause 19 provides for extensive powers of entry for inspectors. They may enter premises at any time for the purpose of exercising their powers; inspect and take copies of any books, papers or documents; require answers to questions; inspect photographs; make tests on what they find in the premises; and even remove things for the purpose of making an inspection or an examination. As this is a wide power, I wonder whether in Committee we should not consider some of these stringent provisions. For instance, it seems to me that the power given to an inspector to remove certain things for inspection might create a hazard rather than have the opposite effect of furthering the end of industrial safety. It could well be that the removal of an item of equipment for inspection would weaken the structure of a certain building.

Clause 24 provides that a person shall not occupy any industrial premises unless they are for the time being registered in accordance with the Act. I would have thought that it would be more sensible to provide that an owner or occupier shall not occupy the industrial premises, as "person" could be expanded to mean the workman himself, and that is not the Bill's intention.

Clauses 27 and 28 deal with work injuries and with the reporting of certain accidents. I wonder whether the provisions in clause 27 that require certain reports to be furnished forthwith have not overlooked the problem which could arise in remote areas of the State. I think that "forthwith" might be a little harsh in this respect. Clause 28 (2) provides that, after an accident, it is prohibited for anyone to use, remove, repair or alter the scaffolding or shoring in connection with which the accident occurred. It is surely remarkable that scaffolding or shoring must be left untouched, because there may be some immediate danger in which it is essential that the scaffolding or shoring should be interfered with.

Clause 30 provides a penalty for an employee. There is a remarkable difference between the penalty imposed under clause 29, in which the constructor is liable for a penalty of $200 if he does not do the things necessary

to ensure that the provisions of the Act are complied with, whereas if a workman by some act or omission renders less effective the action taken by the employer he will be mulcted to the extend of only $10. This seems to be in line with the Government's philosophy regarding the responsibility of employer as against the employee.

Clause 31, which provides for a workers' safety representative, causes me some concern. First of all, it is mandatory for the workers to elect from time to time one of their number to be a safety representative for the purposes of the Act where 10 or more workers are employed in any industrial premises. I would have thought it would be preferable, instead of being made mandatory, that it be at the discretion of the persons employed, and particularly of the employer.

I think that the appointment of a safety representative as such is unnecessary where a full-time safety officer is employed, as is often the case in big establishments. Where that is not the case, I think that the function of a workers' representative should be primarily one of spokesman for the workers. The idea of someone, perhaps the most popular man on the site, being elected the safety representative and roaming around virtually in the same way as shop stewards sometimes roam around trying to pick up matters on which there may be argument does not appeal to me. Not only that, but the most popular man on the job is not necessarily always the best man.

His job might be driving a crane but, if he is looking around at some safety aspect in another part of the works at a time when he ought to be on his crane, he might by that very act create some danger. We should take a further look at clause 31 in Committee. Clause 32, which covers the construction and sale of machinery, provides:

(1) A person shall not sell, let on hire, offer to sell or let on hire, or advertise for sale or letting on hire, either as principal or agent—

(a) any machinery intended to be driven by mechanical power, unless—

(i) every set-screw, bolt or key on any revolving part of the machinery is so sunk, encased or otherwise effectively guarded as to prevent danger;

(ii) all spur and other toothed or friction gearing of the machinery is effectively guarded so as to prevent danger or is so situated as to be as safe as it would be if so guarded;

and

(iii) the machinery complies in all respects with the prescribed requirements applicable to it;

or

(*b*) any transmission machinery, any wheel or pulley of which does not have a solid wheel or disc centre, unless the wheel or pulley is effectively guarded so as to prevent danger or is so situated as to be safe as it would be if so guarded.

That is fine, and I have no quarrel with it, but there must be many pieces of machinery in use that could not possibly comply with those provisions. Of course, manufacturers in the future must design machines to comply with the provisions. The Government should say exactly when these provisions are to be enforced, because any attempt to enforce them now would lead to chaos.

Honourable members will be able to see from the points I have raised that this is really a Committee Bill. When we get into Committee (and I hope we do not do so today because I want an opportunity to draft amendments, and I think other honourable members will want an opportunity to examine the matters of which I have been speaking) we will be able to see whether any useful amendments can be moved. The general purpose and intention of the Bill has my wholehearted support, and I hope it will do much to reduce industrial accidents in South Australia. I support the second reading.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

CONSUMER TRANSACTIONS BILL

In Committee.

(Continued from November 16. Page 3155.)

Clause 15—"Rescission of consumer contract."

Clause as amended passed.

Clauses 16 to 19 passed.

Clause 20—"Prohibition of commissions."

The Hon. A. J. SHARD (Chief Secretary): As this clause is tied up with the Consumer Credit Bill, I ask that consideration of it be deferred until after clause 51 has been considered.

Consideration of clause 20 deferred.

Clause 21—"Information to be included in a consumer lease."

The Hon. A. I. SHARD: I move:

To strike out paragraph (*g*).

This amendment removes a provision from clause 21 which deals with the matters to be disclosed in consumer leases. Paragraph (*g*) at present provides that a consumer lease must

disclose the expected value of the goods at the expiration of the term of the lease. It has been found, however, that this kind of disclosure is not possible in every case. Accordingly, the requirement is removed by this amendment.

Amendment carried; clause as amended passed.

Clauses 22 and 23 passed.

Clause 24—"Amount payable on termination of lease."

The Hon. A. J. SHARD: I move:

In paragraph (*b*) to strike out "a formula prescribed" and insert "the principles established by regulation".

This amendment enables regulations to be made establishing the principles under which a rebating formula can be operated. Considerable discussion has taken place on the manner in which rebating is to be applied to consumer leases. The matter appears now to have been virtually solved, and regulations dealing with this matter will be promulgated when the Bill has passed both Houses of Parliament and becomes law.

Amendment carried; clause as amended passed.

Clause 25—"Abolition of Hire-Purchase."

The Hon. A. J. SHARD: I move:

In subclause (4) before "Credit" to insert "Consumer".

This is merely a drafting amendment.

Amendment carried; clause as amended passed.

Clauses 26 and 27 passed.

Clause 28—"Notice to be given to consumer when goods repossessed."

The Hon. A. J. SHARD: I move:

In subclause (2) (*a*) to strike out "agreement" and insert "mortgage".

The amendments to this clause enable the Commissioner, instead of the tribunal, to give his consent to the disposal of goods under clause 28. They also provide that there is to be no appeal against a decision of the tribunal taken under clause 28.

Amendment carried.

The Hon. A. J. SHARD moved:

In subclause (2) (*b*) after "by" to insert "the Commissioner or"; in subclause (4) (*b*) after "of" to insert "the Commissioner or"; and to insert the following new subclause:

(6) There shall be no appeal against a decision of the Tribunal to grant its authority for the purposes of subsection (2) or subsection (4) of this section.

Amendments carried; clause as amended passed.

Clause 29—"Possession of goods to be retained for certain period."

The Hon. A. J. SHARD: I move:

In subclause (1) to strike out paragraph (c) and insert the following new paragraph:

(*c*) where the consumer has made an application for relief under Part V of this Act until the application has been disposed of by the Commissioner, or if he has referred the application to the Tribunal, until the application has been disposed of by the Tribunal.

This amendment provides that, where goods have been repossessed by a mortgagee and the consumer has applied for relief under Part V, the goods are not to be disposed of by the mortgagee until the Commissioner has disposed of the application or, if he has referred the application to the tribunal, until the application has been disposed of by the tribunal.

Amendment carried; clause as amended passed.

Clause 30—"As to consumer's rights and immunities when goods repossessed."

The Hon. A. J. SHARD: I move:

In subclause (1) (c) to strike out "would" second occurring; and in subclause (2) (*b*) (iii), after "goods", to insert "or awarded to the mortgagee against the consumer by order of the Tribunal or any court".

The first amendment is simply a drafting amendment, and the second enables a mortgagee to recover costs that he has incurred in proceedings against the consumer relating to the enforcement of the mortgage.

Amendments carried; clause as amended passed.

Clause 31—"Consumer may require mortgagee to enforce consumer mortgage."

The Hon. A. J. SHARD: I move:

In subclause (2) (*b*), after "by", to insert "the Commissioner or"; in subclause (5) (*b*) to strike out "and" and insert "on"; and after subclause (5) to strike out "Division II—Miscellaneous" and insert "Part IIIA. Provisions generally applicable to consumer mortgages and consumer leases".

The first amendment enables the Commissioner to decide on a place at which goods may be returned to the mortgagee under the clause. The last amendment inserts a heading which will precede sections which are to be made generally applicable to consumer mortgages and consumer leases.

Amendments carried; clause as amended passed.

Clause 32—"Statement of where goods are situated."

The Hon. A. J. SHARD: I move:

In subclause (1), after "mortgage", to insert "or a lessor under a consumer lease"; and in subclause (1) *(a),* after "mortgagee", to insert "or lessor".

The amendments are designed to make these provisions generally applicable to consumer mortgages and consumer leases.

Amendments carried; clause as amended passed.

Clause 33—"Power of Tribunal to allow goods to be removed."

The Hon. A. J. SHARD: I move:

In subclause (1), after "mortgage" first occurring to insert "or consumer lease"; after "mortgage" second occurring to insert "or lease"; and in subclause (2), after "mortgage", to insert "or lease".

The same explanation applies as for the amendments to the previous clause.

Amendments carried; clause as amended passed.

Clause 34—"Fixtures."

The Hon. A. J. SHARD: I move:

After "mortgage" first occurring to insert "or consumer lease"; and after "mortgage" second and third occurring to insert "or lease".

The explanation for the amendments to clause 32 applies to these amendments.

Amendments carried; clause as amended passed.

Clause 35—"Power to order delivery of goods unlawfully detained."

The Hon. A. J. SHARD: I move:

In subclause (1), after "mortgagee" first occurring, to insert "or lessor"; after "mortgage" to insert "or lease"; after "mortgagee" second occurring to insert "or lessor"; in subclause (1) (*a*), after "mortgagee", to insert "or lessor"; and after "mortgagee" last occurring to insert "or lessor".

The same explanation applies.

Amendments carried; clause as amended passed.

Clause 36 passed.

Clause 37—*"Bona fide* purchase for value."

The Hon. A. J. SHARD: I move:

In subclause (1) to strike out "and has been invested with apparent ownership" and insert "in circumstances in which he appears to be the owner".

This is merely a drafting amendment.

Amendment carried.

The Hon. C. M. HILL: I move:

In subclause (2) to strike out "the purported acquisition of title to goods by a person who carries on a trade or business in which he trades in goods of that description" and insert the following new paragraphs:

(*a*) the purported acquisition of title to goods by a person who carries on a trade or business in which he trades in goods of that description;

or

(*b*) the purported acquisition of title to goods from a person who acquired those goods for the purposes of a trade or business in which he was, at the time of the acquisition of the goods, engaged.

The purpose of this amendment is to introduce into this clause the position of goods such as refrigerators and other plant in shops and businesses generally acquired by the business proprietor. When that proprietor places the business on the market it is available for sale together with stock and goodwill.

Subclause (1) provides that a person obtains a good title to goods if he buys in good faith and for valuable consideration, even though those goods are subject to a consumer lease or consumer mortgage. In other words, the title the purchaser receives is a good title and that interest, once acquired, cannot be changed as a result of action by the consumer mortgagee. The Government has exempted the situation where a person trades in machinery and goods: that person does not obtain a title without question from the mortgagee when those goods are part of his stock in trade.

This further exemption which I seek has been sought by people involved in the business of financing shop purchases and established business sales. They have pointed out to me that in some cases where shops are placed on the market the vendor, because of ill health and the urgent need to sell, sometimes finances the plant himself. It may be financed by a woman whose husband has died and who must give up the shop business that they both owned and ran as a joint venture.

If such a person attempts to make an urgent sale and finances the plant in the shop, it seems unfair that the purchaser of the business and plant can sell that plant without the knowledge of the consumer mortgagee, and the purchaser of that plant obtains a title or interest that cannot be questioned.

The security of the consumer mortgage is to be transferred and the consumer mortgagee, who may be a widow, has no claim on the security. We are here considering not trading in small goods but business transactions where contracts and normal business activities should be completely understood.

Surely, some security should be left with the consumer mortgagee in the cases I have referred to. If the Committee accepts paragraph (*b*) of my amendment, that security will be provided. Paragraph (*a*) is identical to the present subclause (2) of this clause.

The Hon. A. J. SHARD: This amendment is unacceptable. It would mean that a consumer buying goods from a person carrying on a trade or business could not be sure of obtaining a good title to the goods. This amendment would almost completely destroy the principal purpose of this clause. I ask the Committee not to accept the amendment.

The Hon. C. M. HILL: Refrigerators and cabinets would come within the definition of "goods". I am talking not about ordinary goods found on the shelves of shops but about plant and equipment. To include plant and equipment in the definition of "goods" is ridiculous. Does the Chief Secretary intend that plant and equipment found in shops shall come within the definition of "goods"? To lump things like a pound of sugar with a refrigerator under "goods" is being unrealistic.

The Hon. A. J. SHARD: I shall not carry the argument further. The amendment is totally unacceptable to the Government.

The Hon. R. C. DeGARIS: If a person has an item of equipment (say, a refrigerator) under a consumer mortgage and he sells that piece of equipment to another person for a consideration of its total value, the second person acquires an absolute title and the mortgagee has no right to claim repayment in relation to it or to repossess it. That is how I understand subclause (1). For instance, a refrigerator may be valued at $250 and there may be a consumer mortgage on it for $200: it can be sold for $200 and the seller can get the money. The person who buys that refrigerator has a clear title to it. Then subclause (2) exempts from that provision any person who is carrying on a trade or business in which goods of that description are bought and sold. So there is no protection for any person engaged in business, but a person who is not a trader has absolute protection under subclause (1). Is that what the clause does?

The Hon. A. J. SHARD: I think the matter should be investigated. I shall discuss it after the adjournment.

\Sittins suspended from 5.58 *to* 7.45 *p.m.*

The Hon. A. J. SHARD: This clause must be read in association with the Bills of Sale Act Amendment Bill that is at present before the Council. The effect of this clause is to assure a purchaser of a good title to goods where he purchases in ignorance of a consumer mortgage. But the Bills of Sale Act Amendment Bill provides that an unregistered bill of sale that constitutes a consumer mortgage is to be good against the Official Receiver and execution creditors. Thus a credit provider will be able to save the cost of registering the Bill of sale under the Bills of Sale Act. The Australian Finance Conference is satisfied that the money saved in registration fees will be adequate to enable the credit provider to insure against losing title under this clause. Thus the clause improves the position of an innocent purchaser who purchases goods without knowing that a consumer mortgage exists over the goods. On the other hand, the mortgagee does not lose anything because the money that he saves on registration fees can be applied to insuring against possible loss of title.

The Hon. F. J. POTTER: I do not know that the Chief Secretary's explanation is altogether satisfactory; it sounds very good in theory and no doubt it would suit very well a finance company that advances money on bills of sale, but there are many transactions by ordinary people where security is obtained by means of a bill of sale. Probably it would not occur to those people that they could insure against loss by using the money that they would normally pay for registering a bill of sale. This matter has wide implications. People who are well schooled in the finance field may happily insure against loss. However, I am not sure that the position is entirely satisfactory. In practice, there may be great difficulties.

The Hon. C. M. HILL: I thank the Chief Secretary for his explanation but, like the Hon. Mr. Potter, I am not convinced by it. The argument advanced by the Chief Secretary might apply to big finance companies, but the case I mentioned earlier was the case of a widow who had to sell her business because her husband had died and, as an urgent sale was necessary, she herself had to carry the finance on the plant and equipment. She is left stranded by this Bill. Even though the purchasers of the plant owe money on it and even though the widow is holding a consumer mortgage, the purchasers get a clear title, and the widow does not have any claim at all against the security.

The Chief Secretary said that the amendment cuts across the general concept of the Bill. I do not think much of the concept of the Bill if a person holding security for a loan does not have any claim at all on that security; that is what it boils down to. All that the widow can do is stand by while some action may be taken against the mortgagor for selling goods that had been subject to a bill of sale, but that does not help her at all; or, she can take out a separate action at law to recover money due to her, but by that time the person who sold the goods will probably be in Queensland

or will have spent the money. So, when we talk about protection, surely we should look at protection for all parties. As I am concerned about the little people in the business world, I am disappointed with the Government's treatment of the situation, and I ask honourable members to support the amendment.

The Committee divided on the amendment:

Ayes (5)—The Hons. Jessie Cooper, R. A. Geddes, C. M. Hill (teller), C. R. Story, and A. M. Whyte.

Noes (11)—The Hons. D. H. L. Banfield, T. M. Casey, M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, L. R. Hart, A. F. Kneebone, F. J. Potter, E. K. Russack, A. J. Shard (teller), and V. G. Springett.

Majority of 6 for the Noes.

Amendment thus negatived.

The Hon. R. C. DeGARIS: I voted against the Hon. Mr. Hill's amendment because I considered that paragraph (*b*) does not carry out the purpose I want in this clause. Clause 37, as it stands, is somewhat confusing and does not give protection in many of the fields to which honourable members have referred. Therefore, I will vote against the clause as a whole.

The Committee divided on the clause:

Ayes (6)—The Hons. D. H. L. Banfield, T. M. Casey, M. B. Cameron, R. A. Geddes, A. F. Kneebone, and A. J. Shard (teller).

Noes (11)—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), G. J. Gilfillan, L. R. Hart, C. M. Hill, F. J. Potter, E. K. Russack, V. G. Springett, C. R. Story, and A. M. Whyte.

Majority of 5 for the Noes.

Clause thus negatived.

Clauses 38 to 40 passed.

Clause 41—"Powers of court or Tribunal in relation to prescribed contracts of insurance."

The Hon. A. J. SHARD: I move:

In subclause (1) after "prejudiced by the" to insert "breach or"; in subclause (2) before "failure" second, third and last occurring to insert "breach or".

These are purely drafting amendments.

Amendments carried; clause as amended passed.

Clauses 42 to 47 passed.

Clause 48—"Nature of writing."

The Hon. A. J. SHARD: I move:

In subclause (3) after "contract" to insert "or consumer mortgage".

This amendment enlarges subclause (3) so that it deals with a consumer mortgage as well as a consumer credit contract.

Amendment carried; clause as amended passed.

Remaining clauses (49 and 50) passed.

Progress reported; Committee to sit again.

MINING ACT AMENDMENT BILL

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

The Hon. A. F. KNEEBONE (Minister of Lands): I move:

That this Bill be now read a second time.

It makes miscellaneous amendments to the Mining Act, 1971. The major amendment concerns the opal fields. Honourable members will be well aware that amongst the population of the opal fields there is an unlawful element that tends to cause or provoke violence and other criminal activity. These fields are situated far from the centres of population and tend to attract a certain number of avaricious and unscrupulous people who are anxious to get rich at any price without regard to any form of social obligation or restraint. I should make it clear that I am speaking only of a small minority of the total population of the opal fields, but the trouble caused by these people is out of proportion to their number. What is necessary, therefore, is a power to exclude from the opal fields people who have proved that they are trouble makers. The Bill inserts such a power providing at the same time necessary safeguards to ensure that it is not used in a capricious or unjust manner.

The Bill also inserts amendments providing that the Minister may reject an application for a private mine where the area to which the application relates has, since the commencement of the Act, been subject to a mining tenement. Thus, where a mining operator had established a tenement before the commencement of the Act, he cannot be deprived of his vested rights by an action on the part of the owner of the land. The Bill sets out in greater detail the procedural powers of the Warden's Court. These had previously been determined by reference to the powers of a court of summary jurisdiction. However, the Warden's Court is not a punitive court and so, rather than confer on the court power to punish for contempt of a summons, it was considered better to set out the powers of the court expressly and to provide that failure to comply with a summons of the court would expose the person in default to prosecution before a separate court of summary jurisdiction.

Clauses 1 and 2 are formal. Clause 3 amends section 19 of the principal Act. The amendment enables the Minister to reject an

application for a private mine where the area to which the application relates was at the commencement of the Act, and at the date of the application, subject to a mining tenement. Clause 4 amends section 59 of the principal Act. The effect of the amendment is to bring section 59 into line with the original intention that subsection (1), which provides a prohibition against the use of declared equipment except upon a registered claim, should extend to a precious stones field.

Clause 5 amends section 65 of the principal Act by inserting the procedural powers of the court in the section. Clause 6 amends section 74 of the principal Act by inserting new subsections. New subsection (2) provides a penalty for a person who is on a precious stones claim for the purpose of illegal mining. New subsection (3) empowers the Minister to prohibit a person from entering or remaining upon a precious stones field. The following provisions provide that an order may be made against a person who has been convicted of certain specified offences. Offences under section 74 are to be dealt with in accordance with the procedure prescribed by the Justices Act for minor indictable offences. Clause 7 amends section 91 of the principal Act. This amendment is consequential upon the amendment to section 74.

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

TORRENS COLLEGE OF ADVANCED EDUCATION BILL

Adjourned debate on second reading.

(Continued from November 15. Page 3073.)

The Hon. T. M. CASEY (Minister of Agriculture): All honourable members who have spoken on this Bill have commented favourably on the transfer of Western Teachers College to Torrens on the new site at Underdale. They have recognized the fragmented structure of Western Teachers College operating on a number of sites with inadequate buildings and facilities. Criticism has been levelled at the proposal to include the South Australian School of Art in the Torrens College of Advanced Education. Much of this criticism is unfounded, and much of it rests on assumptions that are just not factual.

We in South Australia have fallen into the habit of referring to the South Australian School of Art as a college of advanced education. The fact is that the Commonwealth has never accepted the School of Art fully as a college of advanced education. That school has been accepted only in part as a college that has some courses of tertiary level qualifying for support, and the college has therefore been supported in only portion of its activities. Even at the present time, the common first year of the diploma courses and some other work in the School of Art are not yet acceptable for Commonwealth financial support. There also seems to be an assumption that the professional art courses will become confused with and subordinated to the courses designed in Western for the training of art teachers. There never has been any proposition that this will happen. The educational preparation of professionals in many fields is a basic function of a college of advanced education.

Another assumption seems to be that the School of Art will be swallowed up or swamped by Western Teachers College. This is not so. The future of the School of Art as an integral part of Torrens is assured in the Act. What has not been generally recognized is that it will be Western Teachers College that will, as such, disappear. In fact, if present and expected trends continue, it will be the teacher education component of Torrens that will contract in size and the art component that will expand in areas which have never been catered for in the School of Art. In this connection, it is worth noting that since diplomas have been awarded by the School of Art diplomas in art (teaching) have dominated over other diplomas. The detailed figures are as follows:

DIPLOMAS AWARDED BY SCHOOL OF ART

	Diplomas of Art (Teaching)	Other
1958	16	2
1959	9	7
1960	8	4
1961	4	3
1962	13	11
1963	17	5
1964	27	15
1965	27	15
1966	24	7
1967	36	16
1968	39	15
1969	45	25
1970	50	22
1971	62	18
Total	377	165

Since 1958, 377 Diplomas of Art (Teaching) have been awarded while only 165 other diplomas have been gained by students at the school. The 165 other diplomas comprise 60 awarded in Fine Art (Painting), 18 in Fine Art (Sculpture) and 87 in Advertising Art. If the argument that professional art teaching would be swamped in the proposed Torrens College has validity, one would have expected

that such teaching had already been swamped within the School of Art as a consequence of the dominance of the numbers of students studying the Diploma of Art (Teaching). That this is not so has been attested to by the members who have spoken of the traditions of the School of Art.

The total concept of Torrens is as a multi-purpose liberal studies and art college operating at the professional level in all appropriate areas. It will complement the South Australian Institute of Technology by providing South Australia with a college of advanced education which will make a wider provision for the population in liberal education. Commencing with the present solid base in art and teacher education, the college will be encouraged to branch out in other fields, as has the South Australian Institute of Technology. It is probable that, within a decade, the expansion in other fields will mean that teacher education will no longer provide the majority of students. The college will cater for private students and scholarship students in its relevant areas in the same manner as do the universities and the South Australian Institute of Technology in their areas.

All of the kinds of courses mentioned by honourable members during the debate become possible; indeed, they are anticipated. Expansion into the performing arts, music, stage production, film industry, television, as well as proper and adequate provision for appropriate courses in industrial design are all envisaged. We see Torrens as the South Australian tertiary are centre for the education and training of professionals in all these fields. The timing and order of development will depend on the building programme and the way in which the council of Torrens sees the priority needs as it settles in to control the college and its future. Of one thing I am certain, and that is that the provision of a total facility for all these activities in one integrated liberal studies college will provide a far better educational environment for the development of the arts in all their forms than trying to maintain little specialist groups in splendid isolation.

Some mention has been made of association between Torrens College and those groups interested in art, for example, the South Australian Theatre Company, the Arts Council and others. This kind of association should be encouraged. In the last analysis, the extra mile or two to Underdale will not be a barrier. Association of the college with sections of the community will depend very much on the enthusiasm and activity generated by the college itself. I believe that I should comment on the distinction between mono-purpose and multi-purpose colleges. The college of advanced education system has developed from the Martin report in 1961 and, since that time, the advantages of the multi-purpose college as an educational medium have been stressed time and again. The Commonwealth has accepted the multi-purpose college as the norm and has made continuous representations to the States with respect to such units as the School of Dental Therapy and the School of Art.

This policy has been indicated in reports of the Australian Commission on Advanced Education and has again been stressed by the Hon. Malcolm Fraser, Minister for Education and Science, in an official communication to the South Australian Government relating to the conditions of Commonwealth financial support for teachers colleges, as follows:

> While it is willing to support single-purpose teacher education institutions within the advanced education programme, the Government continues to favour the provision of teacher education in multi-purpose institutions wherever possible.

Whilst this relates to teachers colleges, it also points out the views of the Commonwealth respecting mono-purpose colleges generally—a view which the Commonwealth has consistently held. Our Government concurs in this view, especially as it relates to the small mono-purpose college with a very limited range and number of academic staff.

If it is a valid view with respect to a teachers college with an academic staff of 80 and a full-time student strength of over 1,000 attending students, how much more valid is it with a college such as the School of Art with its very much smaller staff and student numbers?

In this connection, the point made by the Hon. V. G. Springett, who said, "I believe that academic isolation can breed sterility", is completely valid. This is a major and powerful reason favouring the multi-purpose college. It is so with our universities and the South Australian Institute of Technology. I have not heard any convincing argument that art education is so different that it requires a different environment. In the multi-purpose college, there is a meeting of minds from differing disciplines at academic board level, at education committee level and just simply in the day-to-day personal contact. The interplay of minds, even the clash of minds, is fruitful in the spread and testing of ideas. No discipline, not even art, can be an island in its own right. Indeed, the various art forms are inter-related and reflect our society and our times.

It would be a brave man who would try to maintain that art had nothing to give, nothing to contribute, and nothing to learn from literature and other fields. If nothing else, Torrens will bring together the literature departments of Western with the art departments of the School of Art, with benefit to each. As it is with staff, so it is with students, only more so, as these are at the formative years of their lives. At this stage education must introduce the students to the wider world around them rather than isolate them in the small tidy corner which is becoming their own speciality.

The School of Art has at last and at least recognized this by introducing liberal studies into its own diplomas. This is to be applauded. But, shall we now increase the academic isolation of the School of Art by appointing one or two or three lecturers in liberal studies? Or is it far preferable to give the students the wider options and the opportunities of rubbing shoulders with other students in the wider atmosphere of Torrens? The philosophy and practicability of education both permit only one answer. In the academic decision-making area, the advantage again rests heavily in favour of the multi-purpose multi-disciplinary college. Normal university and institute of technology procedures are for a new course to be worked out in the closed shop atmosphere of a particular department. It is then exposed to the scrutiny and question of a faculty or academic board representative of a large group of departments. Finally, it runs the gamut of the education committee (representative of the whole academic community) and then of the council.

The result is that, when a course is accepted, its standing is assured as meeting the standards of the institution and it is offered to the community on a par with the established courses in other fields. By contrast, the small mono-purpose college suffers because of the impossibility of interdisciplinary consideration of its courses. We can expect that the council of Torrens, containing a majority of people with academic knowledge and expertise, will establish a viable system for testing the courses proposed within the college. Besides this fundamental philosophy of education, there are many practical reasons for bringing the two colleges together as Torrens. Some other States have already abandoned the concept of trying to establish one centre for art and associated studies. Even Victoria, so much quoted, has introduced art education into several colleges of advanced education and is not putting all its eggs in one basket. Torrens will give room for growth and diversification in art.

To attempt to put two separate colleges on one campus is to invite disaster. A college is more than classrooms, laboratories and art studios. It involves libraries, eating facilities, places for relaxation, student and staff amenities, parking areas, delivery areas, playing fields and a host of other things. It is rather glib to say, "Let's have two separate colleges with one set of everything else." But if that is so, why have separate colleges? Only one authority can accept the responsibility for laying down the statutes and by-laws, for the day-to-day administration, maintenance, repairs, control of staff in all areas and the 101 things that go with this. Add to these practical problems the educational philosophy of the multi-disciplinary campus and the argument for separateness disappears. Since the debate in the Council last week, the Minister of Education has been in touch with the Chairman of the Australian Commission on Advanced Education in relation to the suggestions that were made during the debate. As a consequence, the Minister has received the following letter from Mr. T. B. Swanson:

You asked me in your telephone call of yesterday what would be the reaction of the commission to a proposal to separate the Torrens College of Advanced Education into two constituent parts. As I understood it, the possibilities were to have both the Western Teachers College and the School of Art as separate institutions on the Torrens site, or that the School of Art might occupy another site or remain in its present location with only Western moving to the new area.

First, I am sure you are aware of the problems which would arise from the fact that the commission recommended, and the Commonwealth accepted, support for the formation and development of Torrens College of Advanced Education. No mention is made in the recommendations of our report or in the schedules to the Act of either Western Teachers College or the School of Art. A change of the nature proposed would, even if acceptable, require a substantial amendment to the States Grants (Advanced Education) Act.

Secondly, and more importantly, the proposed change would run counter to the policies of both the Commonwealth and the commission—namely, that colleges of advanced education should be encouraged to develop as multi-discipline rather than single-discipline institutions. The commission's recent report in fact made a specific reference to Torrens (paragraph 3.49), which indicated concern that the college should not remain content with the streams of teacher education and art but would develop additional disciplines in due course.

We discussed this aspect of Torrens College of Advanced Education in the early stages of

its planning and we both agreed that its development might take this form. Against this background the commission would need to have presented to it very powerful educational and financial reasons to recommend support for so radical a change in the plans for Torrens College.

I have in my possession a copy of this letter if any honourable member should wish to peruse it.

I am informed that a former Minister of Education (Mrs. Steele) was approached on several occasions by a former Chairman of the Commonwealth committee, Sir Ian Wark, in relation to the future of the School of Art. He expressed dissatisfaction with the proposal to expand the School of Art on its existing site at North Adelaide. When acquisition notices for additional properties at North Adelaide were served and the protest from the North Adelaide community developed, the current Minister was again approached by Sir Ian Wark. Sir Ian suggested that, rather than continue with the North Adelaide proposition, the School of Art should be transferred to the Institute of Technology at The Levels. It was a direct result of that suggestion, together with the difficulties being experienced at North Adelaide, which led Mr. Hudson to develop the proposal for Torrens. Whatever opposition there may be from the School of Art to the Torrens proposal, I can assure honourable members that absorption by the Institute of Technology would have been far less acceptable.

Some honourable members have accused the Government of discourtesy in not presenting this legislation to Parliament at an earlier date. The whole proposal was dependent on Commonwealth agreement, as the extent of Commonwealth support determines the financial viability. For the triennial 1973-75, the financial support from the Commonwealth consists of $3,500,000 towards capital costs and about $2,300,000 towards recurrent costs. The legislation embodying this support in the States Grants (Advanced Education) Act was passed by the Commonwealth Parliament only on November 2 this year. In the schedule to that Act, as confirmed by Mr. Swanson's letter, no mention is made of Western Teachers College or the School of Art. The only reference is to Torrens College of Advanced Education.

I should like to refer to the resolution of the staff of the School of Art quoted by the Hon. Mr. Springett. This resolution criticizes the Minister of Education, in that he "promised a separate School of Art with its own advisory council". I think this was mentioned by other honourable members, too, during the course of the debate. This Bill does in fact in clause 15 maintain the separate entity of the School of Art within Torrens, and it is the only separate entity so designated. In order to leave the council of Torrens with as much autonomy as possible, clause 15 provides that the council may establish such divisions, schools or departments as it deems necessary, but it must maintain the division of the School of Art. This was done in redemption of the Minister's promise.

It is on all fours with what happens in universities and the Institute of Technology. Does any honourable member really think that the Medical School or the Law School of the University of Adelaide loses its separate identity by being part of the university as a whole? Does any honourable member think that the School of Accountancy, Mechanical Engineering, or Chemical Technology loses its separate identity by being part of the Institute of Technology? This is normal academic procedure but, in the case of Torrens, the School of Art is enshrined in the legislation as a very special provision. Clause 15 provides that the Torrens council may establish such boards or committees as it deems necessary. It is expected that one of the first of such boards or committees will be that related to the School of Art. It is considered desirable to leave to the new council the establishment of such advisory boards.

The charge in the same resolution that "the Bill fails to establish the safeguards promised by the Minister for professional art training to proceed in a free and unencumbered atmosphere" is rejected entirely. The Bill establishes Torrens with the same kind of autonomy of operation that applies to either of our universities and to the Institute of Technology. If these institutions are able to create a free and unencumbered atmosphere for many diverse schools under the institutional umbrella, I am at a loss to know why, given good will, Torrens would be unable to do the same thing. In fact, I have every confidence that it will. With regard to the remainder of the staff resolution, I note that the association accepts the provision of joint facilities and amenities.

In changing times people are often rather fearful of new ideas. They sometimes tend to cling to the world they know whilst clutching also at the apparent benefits resulting from change. In the long years that this school has been part of the Education Department,

its conditions of work have been akin to those of secondary schools—largely 9 a.m. to 4 p.m., three sets of holidays a year, and evening work as paid overtime. Tertiary conditions in universities and colleges of advanced education are not like that. Evening work with appropriate time off during the day is normal in colleges of advanced education, as is one holiday period a year. And, of course, colleges of advanced education salaries are higher. Perhaps the staff is nervous of these changes. It need not be. The colleges of advanced education salaries and conditions will arrive together at July, 1973, and each staff member has a free right under clause 19 to elect which conditions he will choose. The big benefit comes from the college's removal from the department, with the consequent responsibility of running the affairs of the college internally.

I turn finally to the appointment of Dr. Ramsey as the Director-Designate of the new college. It is pleasing to note that no honourable member has commented adversely on Dr. Ramsey's undoubted talents. However, the desirability of the Government's decision to appoint a Director-Designate at this stage has been questioned. It should be noted that it is not a new procedure. For example, Professor Karmel was the Principal-Designate of Flinders University, and the Flinders University Act confirmed his appointment as the first Vice-Chancellor.

The months prior to the formal establishment of the college and the first months of operation of the new college cover an absolutely vital period. During this time many decisions affecting the working of the college and its building programme will be necessary. It is considered undesirable that the college be left without leadership during this vital period. The question of the appointment of the Director-Designate and the calling of applications was considered earlier this year. However, as the Australian Commission on Advanced Education had not presented its report at that time and no legislation was before the Commonwealth Parliament, it was decided that no guarantee of tenure to any prospective applicant could have been provided. By the time an appointment was possible it had become urgent. As Dr. Ramsey was clearly the outstanding person available, the Minister of Education recommended to Cabinet that his appointment as Director-Designate should proceed immediately.

It is worth noting that, in the Budget presented to Parliament this year, provision was made for the early establishment of the Torrens office. That establishment can now proceed immediately with Dr. Ramsey's appointment as Director prior to the passage of the Bill and the constitution of the council of the new college. The Government is confident that, once this Bill is passed and the new council constituted, everyone concerned with the college will come to appreciate the wisdom of this decision. In conclusion, I ask once again for the support of honourable members for this Bill so that the work necessary for the establishment of the new college can proceed as a matter of urgency.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Establishment of the College."

The Hon. R. C. DeGARIS: The Minister's reply to the second reading debate had a sneering quality that I do not believe impressed any honourable member here. Moreover, it contained many statements that do not give a complete picture that would assist honourable members to consider the Bill during the Committee stage. The School of Art has been a fully accredited college of advanced education since 1966. The Minister's reply says that some courses at the school were not accredited; that is the case with almost every other college of advanced education in Australia. The only difference was that the staff of the South Australian School of Art was not paid college of advanced education salaries, and that is a State Government responsibility. Also, the School of Art was without autonomy, also a State Government responsibility.

Art teaching diplomas have been awarded since 1970 by Western Teachers College, not the School of Art. Since then third-year and fourth-year diploma students have been taken at the School of Art because Western Teachers College has neither the facilities nor the staff to cope with them. Because of the places taken by these students, the school has been forced to apply entry quotas to other diploma areas. Thus, only one-quarter of the applicants can gain admission to the School of Art. Therefore, School of Art space has already been sacrificed to the demands of teacher education. The diploma areas in the school have expanded in recent years—for example, diplomas in ceramics, product design, and print making will be awarded next year. The Minister is correct: the school has been swamped by teacher training and, because of the insistence on shared facilities at the Torrens college, this will continue to be the case at the Torrens college.

This is the first time we have heard mention of expansion into the performing arts,

music, stage production, films, and television, in the context of professional training—not just as a brief option for teacher training. If the Minister is serious, I am certain we will welcome his suggestion, but we are doubtful that the site limitations (already concerning the planners of the new Torrens college) will ever permit the suggestion to materialize. The Minister stressed the concept of multi-purpose institutions, and no honourable member would disagree with that concept. It has been maintained all along that the type of multi-purpose institution that would be appropriate is not one tied to teacher training; it should be linked with all other major areas of professional art training. The Minister has already conceded that the School of Art, as it stands now, is a multi-purpose institution, not a mono-purpose institution. The Minister said:

We can expect that the council of Torrens, containing a majority of people with academic knowledge and expertise, will establish a viable system for testing the courses proposed within the college.

Does this mean that a group of laymen will make the final judgment about the introduction of new courses within the School of Art? I am certain that no honourable member would want that situation to develop. The South Australian School of Art is the only art school in South Australia. In other States, where art schools are part of larger institutions, there are several schools of art, except in Tasmania, where the only School of Art is on the same campus as are other schools. The concept of separate facilities as originally expressed by the Minister, went no further than library, staff and student facilities, and a theatre; no intention to share studio facilities was undertaken. The question of sharing studio facilities is one of the most important points. Dr. Ramsey has often made the point that the training of art teachers and the training of professional artists are incompatible and should not be mixed; to compromise to suit both institutions, by sharing studio and workshop facilities, will end up in suiting neither group. In his reply to the second reading debate, the Minister referred to the concern that had been expressed that the college should not remain content with the streams of teacher education and art, but should develop additional disciplines. The Minister said:

We discussed this aspect of the Torrens College of Advanced Education in the early stages of its planning and we both agreed that its development might take this form.

The Minister got himself into this position, because he failed to consult with the experts in the field who would be most vitally affected by the move, namely, the staff of the School of Art. The same applies to the suggestion to amalgamate the South Australian Institute of Teachers at The Levels. The Minister referred to the fact that the School of Art is enshrined in the legislation as a special provision. The Bill enshrines only the name of the School of Art, not its independence; without the independence the name is quite pointless. I am certain that the council will accept the original concept of joint library, theatre, staff and student facilities; this is reasonable, and there is no argument about that. However, I think the council will not accept the sharing of studio and workshop space, as proposed in the Bill.

It seems to me that the Minister is afraid of new ideas. Throughout his reply he dealt with the idea that we were afraid of change, but that is not so. It seems to me that the Minister is afraid of new ideas, that is, a tertiary complex for the professional in the performing and visual arts, such as in America and as is now the trend in Victoria. Before we dealt with clause 4, on which the Hon. Mr. Hill has amendments to move, I thought I should like to make those points, because clause 4 relates to the establishment of the new college.

The Hon. JESSIE COOPER: I support the Leader's statement. The Minister's statement was confusing and, though verbose, did not answer the objections to the submersion of the School of Art in the complex of Torrens college. Honourable members have expressed concern that the fine arts in their best sense, that is, painting and sculpture, will be swamped by teacher training, but this evening we heard that they are just as likely to be swamped by the money-making propositions of commercial art, advertising art, the performing arts, stage and film production, and television.

There is in every civilized community a place for an academic institution interested mainly in fine arts—art for art's sake. The Minister's long pseudo-philosophic explanation has only convinced me that this merger is designed to provide a control for all art facilities at the cost of the fine arts, in order to make money for the students in various professional fields. I still maintain that South Australia is far enough advanced and has sufficient population to support an academy in which the fine arts would be the primary field studied. I do not believe that fine art should be subjugated by the short-term forces in borderline artistic

activities. The Minister has said, "No discipline can be an island in its own right, not even art."

This proposition is a distortion of the true situation today. There is an ever-growing necessity to recognize the fact that only by specialization can we develop people who will be at the top of their spheres and who will be able to produce work claiming the attention of all Australia, if not the world. This applies in art just as in medicine or atomic physics. The proposition that all standards should be reduced so that all people can claim a hotch-potch of half-baked specialized knowledge in very wide fields has been proved a wasteful fallacy. If the Minister is interested, I can give the basis from which this variation of a quotation comes. John Donne said:

No man is an *Iland,* intire of it selfe; every man is a peece of the *Continent,* a part of the maine; if a Clod be washed away by the *Sea, Europe* is the lesse, as well as if a *Promontorie* were, as well as if a Mannor of thy friends or of *thine owne* were. Any man's death diminishes me, because I am involved in *Mankinde,* and therefore never send to know for whom the *bell* tolls; it tolls for *thee.*

We must not let the Minister's statement divert us from the sound proposition that only by specialization and concentration towards one objective can man reach the highest peaks. Surely we can accept the fact that, by the time students have reached tertiary education, they will have acquired a background of general knowledge and philosophy and that they are then interested in the refinement of their specialized field of study.

The Hon. V. G. SPRINGETT: The Hon. Mrs. Cooper referred to the fact that by the time people reach a certain age they have a background that fits them to go on to specialized study. I suppose medicine is one of those subjects which is more specialized than most; yet I maintain that the average person who leaves school at the age of about 18 years (and with all due respect to education) has studied in a somewhat narrow institution. He goes to a medical school, which is a faculty of the university. That faculty is so narrow that people there are looking at the world through a pair of blinkers. Within the faculty they learn the speciality and within the university they learn to be citizens of the world. Therefore, I believe there is a place for multi-purpose disciplines. The Leader said that there is a multi-purpose discipline at present within the School of Art. I do not agree with him entirely, because they are facets of one type of speciality: they are all facets of arts; there is no geographical, historic, legal, medical or journalistic aspect. All these things put together make for a multi-purpose training.

The Hon. R. C. DeGaris: The Minister said that, not I.

The Hon. V. G. SPRINGETT: In that case, I disagree with the Minister.

The Hon. R. C. DeGaris: Don't you think it is mono-purpose for the teacher training college.

The Hon. V. G. SPRINGETT: No more than a university.

The Hon. T. M. Casey: He disagrees with the Leader once again.

The Hon. V. G. SPRINGETT: Specialization is the secret of today's education, and one of the tragedies is that we are all taught so much about so little; outside that subject we know very little. We must face up to the fact that sooner or later civilized communities must look for a wide liberal education in addition to specialization. I believe that the facilities should be shared by both those who are doing arts and those in teacher training, wherever possible. I was given to understand by representatives of the staff of the teachers college that that would be the case. If it is not the case, it will be a tragic waste of material, space and time which the world can ill afford.

About 250 students and 30 teachers—a lovely number, an excellent faculty, school and discipline with a wider university status. I cannot see any Government supplying money in this day and age of high costs for a school of about 250 students completely isolated from everything else in a State the size of South Australia. I wondered a few minutes ago where those 250 people, if they are all pure artists, are going to find their living in the future. I cannot see how they will. Linked as part of Torrens, there is a great future for them and for the art faculties of this State.

The Hon. M. B. DAWKINS: Like the Hon. Mr. Springett, I raised some queries in my second reading speech and expressed some misgivings regarding the combining of the School of Art and the Western Teachers College into the Torrens College of Advanced Education and, to a point, I stand by those queries. Since then I have listened carefully to submissions from both sides. I have also read much literature that has been supplied, and I have had telephone discussions on the matter. I consider that, although this suggested arrangement is by no means ideal,

it is probably far better than honourable members at first thought.

I am sorry that the Minister prepared such a long reply to the second reading debate. I believe, with respect, that the Minister of Education in another place has yet to learn that a soft answer turneth away wrath, and that he protesteth too much. Many of the misgivings that have been generated have been generated because of his attitude and his tendency to bulldoze things through. Nevertheless, although I disagree with some of the things the Minister said when closing the second reading debate, I believe that on balance the suggested arrangement will be better than to continue the School of Art in complete isolation. I know that the School of Art has had a long history. Having heard both sides of the question, I do not think that it will suffer by going onto the campus with Western Teachers College. I therefore considered that I had to make this explanation regarding my attitude. I will not be able to support the Hon. Mr. Hill's amendment, although later I may be able to support that of the Hon. Mrs. Cooper.

The Hon. C. M. HILL: I move to strike out subclause (2) and insert the following new subclause:

(2) The educational institution known immediately before the commencement of this Act as the "Western Teachers College" is incorporated with and shall form part of the College.

As I said last week, this is intended to be a testing amendment because, if the Committee believes that these two institutions should remain separate, major surgery will be required to the Bill and, rather than go to all that trouble at this stage, I have moved this first amendment. I intend to test the feeling of honourable members on it. I thank honourable members for their contributions, particularly during Committee. All that has been said has been worth while. One major factor about this whole affair that has concerned me is that in my view the Minister came to this decision concerning amalgamation last year.

He can come forward, as he has done tonight, and quote the Commonwealth Government to prove financial arrangements that at present exist. Unfortunately, however, the present Government and the Minister agreed upon this merger last year, and they have since then had to come forward to seek Parliament's view upon the matter. They saw fit, for reasons best known to themselves, not to do that until now. In the dying days not only of this session but also of the Parliament as a whole, they have come forward and are simply seeking ratification. They want a rubber stamp to be placed on an arrangement upon which they have decided.

They have known that this arrangement has caused much discussion and ill feeling, and they knew when it was made (and they would have known this ever since) that it would be a contentious issue. I find it difficult to come to a decision on the issue. I firmly believe that the only way in which this Committee could have informed itself fully on the matter would have been to refer it to a Select Committee.

However, if the Government does not want a Select Committee to be appointed it introduces a Bill in the last few days of a session, when it is then useless for Parliament to refer the matter to a Select Committee. Such a committee would have to advertise, hear witnesses and report by tomorrow. It could, of course, go on taking evidence from witnesses right up to the date of the next election, but it could not make a report to anyone. Therefore, that procedure would be useless.

Although the Minister was fully aware of this situation and that he had ample time to seek the views of Parliament upon it, he has not seen fit to do that, and has placed honourable members in the predicament (and I use that word advisedly) that they are in at present. I have done my best as a layman to inform myself on the issues that arise, and I commend those on both sides of the question who put very well their cases in writing and verbally. I appreciate and understand to a certain extent the views that have been expressed.

However, it means that it is impossible for honourable members to gather an overall picture and to come to the decision that they ought to be coming to on this matter without hearing from a great number of interested parties and weighing up with due caution and with time the various submissions that must be considered if a wise decision is to be made. It worries me when I hear the Minister giving the sort of reply he gave tonight, on which other honourable members have commented. To me, it had a conclusive, dictatorial tone about it.

The Hon. T. M. Casey: That was the way I delivered it. I must apologize. Don't hold that against the Minister of Education.

The Hon. C. M. HILL: I shall be content on this occasion to blame the Minister whom the Minister of Agriculture represents, because I am sure that the Minister of Education wrote it. I would expect, on a matter such as this,

to sense a ring of sensitivity about the Minister's speech. I expected him to be fully understanding of the human problems involved in this proposed amalgamation. Therefore, I was not impressed by the manner in which the speech was prepared.

As a layman, I cannot get out of my mind my vision of an expanded School of Art being part of the Adelaide scene, an expanded School of Art as an independent entity and not associated with the proposal before us. Here in Adelaide the love of the arts must always be fostered. Cultural development must always be encouraged.

The Hon. T. M. Casey: Who wrote that for you?

The Hon. C. M. HILL: We should have a School of Art. I know I am a bit out of the Minister's depth, but if he strains himself he might be able to get to the level I am attempting to reach. The strain will be greater on him than on me.

The Hon. T. M. Casey: You are a layman, just as I am.

The Hon. C. M. HILL: That is so. We have this tradition of the School of Art, established 111 years, and possessing a record of which it and Adelaide can be proud. Despite the Minister's endeavour in clause 15 to retain the name, it seems to me that with the passing of time we will see the passing of the School of Art as the separate identity that it has been and as the separate identity that it ought to be in the future. That is a great shame.

It could be expanded. I do not think the argument can be sustained that it is too small to stand on its own feet in the future. It could be expanded as a separate school. I am not in any way critical of Western Teachers College, and I do not want to damage its plan for expansion or the plan for the establishment of the Torrens College of Advanced Education. However, I am not convinced by the Minister's reply that the Commonwealth would be final in its decision not to separate this aggregated sum of money which this month it has approved towards the existing proposal as contemplated in the Bill.

The Hon. T. M. Casey: There is the Act.

The Hon. C. M. HILL: I know the Minister has a copy of the Act, and I heard what he said.

The Hon. F. J. Potter: Acts can be amended, you know.

The Hon. C. M. HILL: The Minister ought to know that Acts can be amended. I am not satisfied. Indeed, I sense a cautious reply to the Minister's question from the Commonwealth public servant, that reply being included in the Minister's speech. I believe the financial aspects could be overcome and I believe that, in the best interests of Adelaide and of the traditional School of Art in South Australia, a division of the two institutions would be the better course for this important project to take.

The Hon. T. M. CASEY: There is little I want to say, except that naturally I oppose the amendment and I sincerely hope that honourable members likewise will oppose it.

The Hon. R. C. DeGaris: Why?

The Hon. T. M. CASEY: I think it has been covered adequately with the reply I gave to conclude the second reading debate. I think the Leader should have taken note of what has been said by other members on his side of the Chamber. I do not agree with the Hon. Mr. Hill when he speaks of the human problems that will be caused by the integration of these two colleges. After all, he is looking at it only from the point of view of the existing School of Art. What about the personnel of Western Teachers College? He does not give them any consideration whatsoever. He completely isolates them.

The Hon. D. H. L. Banfield: They are a greater number.

The Hon. T. M. CASEY: It does not matter. That is not the point. The situation revolves around this human problem the Hon. Mr. Hill has been speaking about. He wants to concern himself with only one section. Why not be humane (since we are talking about human problems) and look at the other point of view as well? Does the honourable member think the other people have no problems with the integration of the colleges? I think he has completely missed the point. If he is genuine in what he says about human problems he should be equally concerned about the other people to be integrated into this Torrens College of Advanced Education. If he is to isolate himself with one section then I am surprised that he could orientate himself along these lines.

I agree with the Hon. Mr. Springett. He is a man who has had a university education in other parts of the world. He is a very widely travelled man, and he knows the score. To get an education today, the widest possible field should be the ultimate aim. That is my philosophy.

The Hon. R. C. DeGaris: We agree with that.

The Hon. T. M. CASEY: That is what we are trying to do.

The Hon. R. C. DeGaris: We are not so sure, though.

The Hon. T. M. CASEY: I think we are. The Minister of Education (and it was his reply because it is his Bill) has given a guarantee in clause 19 that this will be taken care of. I believe this will be in the interests of both sections—not just one, but also the personnel of Western Teachers College. One cannot be isolated from the other; the two must be integrated. The Leader and the Hon. Mr. Hill are speaking of only one. I ask the Committee not to accept the amendment.

The Committee divided on the amendment:

Ayes (4)—The Hons. Jessie Cooper, R. C. DeGaris, C. M. Hill (teller), and C. R. Story.

Noes (13)—The Hons. D. H. L. Banfield, T. M. Casey (teller), M. B. Cameron, M. B. Dawkins, R. A. Geddes, G. J. Gilfillan, L. R. Hart, A. F. Kneebone, F. J. Potter, E. K. Russack, A. J. Shard, V. G. Springett, and A. M. Whyte.

Majority of 9 for the Noes.

Amendment thus negatived.

The Hon. R. C. DeGARIS: Can the Minister of Education assure me that the sharing of facilities will go no further than the sharing of library, staff and student facilities and the theatre, and that there is no intention that studio facilities will be shared in the new Torrens College of Advanced Education? Whilst I have no objection to the sharing of the facilities I have mentioned, I could advance an argument that might detract from the School of Art's sharing library facilities. As the total membership of the college will be 2,600 students, of which only about 200 will be in the School of Art, the whole of the library could well be orientated towards providing books for teacher training and not books concerned with the fine arts.

Studio facilities and workshop space should be completely separate in that institution. Whilst I am sorry that the Hon. Mr. Hill's amendment was not carried, I seek from the Minister an undertaking in this Chamber before this Bill passes that studio facilities and workshop space will be completely separate from whatever other teaching facilities are provided in the new college of advanced education.

The Hon. T. M. CASEY: I will pass on the Leader's request to the Minister of Education and see what can be done, but I draw the honourable member's attention to what I said during my reply to the second reading debate:

This Bill does in fact in clause 15 maintain the separate entity of the School of Art within Torrens, and it is the only separate entity so designated. In order to leave the council of Torrens with as much autonomy as possible, clause 15 provides that the council may establish such divisions, schools or departments as it deems necessary, but it must—

and I emphasize "must"—

maintain the division of the School of Art. This was done in redemption of the Minister's promise.

If the Leader is prepared to accept that as the undertaking given by the Minister, we can get somewhere, but I will undertake to pass on his comments to the Minister, and no doubt he will receive a reply.

The Hon. R. C. DeGARIS: That does not satisfy me at all. Clause 15 maintains the School of Art in name, and name only: it does not continue any guarantee of independence.

The Hon. T. M. Casey: You want a separate campus?

The Hon. R. C. DeGARIS: No, I do not. That matter has been resolved in this Chamber. I am not talking about a separate campus. The Minister has said that studio and workshop space will be established for all the students at Torrens. I am not complaining about that, although I said I could advance a strong argument about sharing library facilities, in view of the greater size of one group of students in the new college. What I am seeking is an undertaking from the Minister that, in the plans put forward to the Public Works Committee, separate studio and workshop space will be available to the School of Art.

The Hon. V. G. SPRINGETT: It seems to me impossible at present to say how a studio will be used. In schools, universities and institutions of learning where there are laboratories for chemistry and physics, they are set up for certain standards. Sometimes they can be used generally. I imagine that certain studios and facilities for an art school will be suitable only for that art school, whereas other facilities will be useful for all training. In view of the great cost of establishing these facilities, they should be used as fully and wisely as possible. As regards libraries, our own Parliamentary Library has as wide a selection of books as possible; they are not all related to politics—they deal with many other matters, too. I am sure that the future of Torrens, like the future of all education institutions, will depend in no small degree on the breadth and depth of knowledge it can accumulate on the shelves of its library. There should be a strong comer in the library for books dealing with art for those who wish to study art, even though they are a small

minority of the total number of students in the college. What the Hon. Mr. DeGaris is seeking to achieve must come about in time. If it does not, Torrens will fail.

The Hon. G. J. GILFILLAN: The plans for the buildings at the new college will no doubt be closely scrutinized, particularly by the School of Art. There will certainly be specialized areas that the School of Art will want to use exclusively; this will be taken into consideration by the architects. Of course, plans for the buildings will have to be approved by the Public Works Committee, and all interested parties are eligible to give evidence to that committee. The Commonwealth also assists in connection with standards. So, protection is built into the system in connection with some of the fears that have been expressed this evening. On balance, I believe that Western Teachers College and the School of Art could both benefit greatly by the improved facilities that will be provided.

Clause passed.

Clauses 5 to 7 passed.

Clause 8—"The Council of the College."

The Hon. JESSIE COOPER: I move:

In subclause (2) (*j*), after "persons" first occurring, to insert "(not being persons employed on the staff of any college of advanced education)".

The Director of the college will be appointed by the college council. The Minister has power to appoint eight other persons to the council in accordance with subclause (2) (*j*). If those persons are already in the employ of the college or other colleges of advanced education, the Director could well find that he is in his position only because of the sufferance of the staff.

The Hon. T. M. CASEY: I accept the amendment.

Amendment carried; clause as amended passed.

Clauses 9 to 14 passed.

Clause 15—"Internal organization of the College."

The Hon. C. M. HILL: I seek from the Minister an undertaking that there shall be an advisory committee within and for the South Australian School of Art and that on that committee there shall be a majority of persons associated directly with the School of Art. We know, of course, that there must be only the one council for the overall college. When the Minister discussed the matter last week with some honourable members (I am speaking from memory), I believe he said he would be happy with the School of Art having its own advisory committee.

The Hon. T. M. Casey: You are trying to put words into my mouth.

The Hon. C. M. HILL: Apparently the Minister did not hear what I just said: I said that I was speaking from memory. In this clause there is the machinery by which the college council can appoint committees, but the council could appoint an advisory committee on which there might be only a minority of members associated with the School of Art; that kind of committee would be only a sop to the School of Art. I want on the committee a majority of members associated with the School of Art. I do not believe that it would be unreasonable for the Minister to give that undertaking.

The Hon. T. M. Casey: I cannot direct the college council.

The Hon. C. M. HILL: If the Minister cannot direct the council, Parliament can direct it.

The Hon. T. M. Casey: Provision is already there.

The Hon. C. M. HILL: No; it is not. Subclauses (3), (4) and (5) are very wide. In his reply to the second reading debate the Minister said:

This Bill does, in fact, in clause 15 maintain the separate entity of the School of Art within Torrens, and it is the only separate entity so designated.

I agree with that. The Minister continued:

In order to leave the council of Torrens with as much autonomy as possible, clause 15 provides that the council may establish such divisions, schools or departments as it deems necessary, but it must maintain the Division of the School of Art. This was done in redemption of the Minister's promise.

Where did the Minister say that there would be an advisory committee for the School of Art? I am sure the Minister appreciates the problems about which we have been talking. He has agreed in the Bill to maintain the name and, if the school cannot have autonomy, surely it can have an advisory committee.

The Hon. T. M. Casey: It's up to the council.

The Hon. C. M. HILL: If the Minister is taking the attitude that he is willing to leave that question entirely in the council's hands, I do not think it is unreasonable for the Committee to consider writing it in so that the council would have to appoint such an advisory committee.

The Hon. F. J. Potter: Wouldn't the school be able to do it itself?

The Hon. C. M. HILL: It could, if it were instructed. If one does not provide checks

such as these, the council may not appoint such an advisory committee. If the Bill goes through in its present form, the council need not appoint such a committee for the School of Art.

The Hon. F. J. Potter: Isn't this a case where "may" really means "shall"?

The Hon. C. M. HILL: I do not agree to legislation that provides "may" when it is intended that it be "shall". I think it could be done by one of two means. The Minister could undertake that this will be done, or clause 15 ought to be amended so that the Committee is certain that it will be done. I believe that the Minister of Education would be happy with that, because I firmly believe that, when he discussed the matter with us last week, he said that he would allow such an appointment. I am sure that it would be a great morale boost to the people concerned.

The Hon. V. G. SPRINGETT: No institution of tertiary education of any kind runs without some kind of overriding council, but beneath the council every faculty, school, body or section must have its own controlling body. Flinders University has schools, each of which has its own committee or council of management: similarly, the University of Adelaide has certain faculties. Even schools appoint committees under the overriding school council.

The Hon. C. M. Hill: Where is the guarantee?

The Hon. V. G. SPRINGETT: We must have faith occasionally. We must accept that we cannot have a separate School of Art within the overall institution unless it has some direct controlling body answerable to the council but running its own day-to-day affairs.

The Hon. JESSIE COOPER: There is justification in what the Hon. Mr. Hill has said. The Minister of Education, who has great knowledge of university affairs and structure, told us the other evening when we discussed this matter that he would support the formation of an advisory committee. This is different from the structure of staff associations, boards of schools, etc. It seems to me that the Minister was aware of something different in the set-up of the School of Art within the complex of the college of advanced education. I do not think it need be written into the Bill, however. I am content to leave it in the Minister's hands, without any provision in the legislation.

The Hon. F. J. POTTER: What I am concerned about is who the advisory committee will advise—the council, or the board controlling the school. It seems to me that the Head of the School of Art could appoint his own advisory committee if he wished. There is nothing in the Bill to prevent him from doing that. Naturally any prudent head would want some advice. There could be a whole series of advisory bodies, and that is the great trouble with our university set-up. We have control from the council and from the departmental or faculty point of view, but I sometimes think there are too many advisory committees. The advisory committee here could be set up to advise the board controlling the School of Art, and that advice would filter through to the council. I do not think the Act inhibits the creation of that kind of advisory committee.

The Hon. C. M. HILL: My colleagues who have trained at the university are very trusting; they seem to have joined with the Government in being satisfied with the position. This does not satisfy me.

My point still stands: that the new South Australian School of Art deserves a separate advisory committee. Those associated with it and who have, as honourable members know, had to swallow a bitter pill surely deserve to know that when the transfer is effected their school will have a separate advisory committee. It is as simple as that. This is all I ask of the Minister: that he should either give the Committee an assurance or allow himself sufficient time to ascertain whether his colleague will give an undertaking along those lines.

The Hon. T. M. Casey: I think the Hon. Mrs. Cooper gave you that undertaking.

The Hon. C. M. HILL: The Hon. Mrs. Cooper cannot accept this responsibility. I am looking to the Minister in charge of this Bill in this Council to take charge of it. I ask him for such an undertaking and whether he will look favourably upon an amendment so that the Committee can be assured that such an advisory committee will be set up. I agree with the Hon. Mrs. Cooper, who confirmed my belief concerning the thinking of the Minister of Education.

When I advanced the view that I thought he indicated, I assure the Minister that I was not making up a story or concocting anything. I do not do that sort of thing: I understood that that is what the Minister said. In view of all this, and so that honourable members can be far more certain of future planning at the advisory committee level, I ask the Minister to report progress for a short time so that someone can obtain the opinion of the Minister of Education on this important matter.

The Hon. T. M. CASEY: As the honourable member said, this is an important matter. The

honourable member has already been told by his colleagues, who have had experience on university councils, which in many ways this will emulate, that this is acceptable. How much more assurance does the honourable member want? He is either wasting time or trying to prove something that does not need to be proved.

The Hon. C. M. Hill: Not at all. Don't accuse me of wasting time.

The Hon. T. M. CASEY: I think the honourable member is wasting time. I have not had experience on university councils, and I do not think the honourable member has either. However, we ought to consider the opinions of people who have had such experience. They have discussed this matter with certain personnel, who say that there is nothing wrong with it. It is difficult to go beyond that. I am not willing at this stage to report progress, because I do not think it is necessary to do so.

Clause passed.

Remaining clauses (16 to 28) and title passed.

Bill read a third time and passed.

STATE BANK ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 15. Page 3087.)

The Hon. M. B. CAMERON (Southern): This is a relatively simple Bill which, in the words of the Minister's second reading explanation, has been introduced to clarify and codify the application to the State Bank of the provisions of the Public Service Act. Committees have been set up to administer certain features of the relationship between employees and the board of the State Bank. However, it has been decided, at the request of the Australian Bank Officials Association, to have people on the board who are representative, at least to some extent, of the association.

It is interesting to note that the committee set up to deal with disciplinary appeals has has never had to function. This is a credit to those employed by the State Bank and to its management. A new classifications committee is also to be set up; to the personnel of the bank this is indeed an important committee, which will decide under what classifications certain jobs will fall. In this way, the salaries and conditions of the various positions are decided.

There is also an appointments appeal committee, which is an important part of the bank because, as with many other parts of the Public Service, it is important that when an appointment is made people who consider they have been passed over in employment should have the opportunity of appealing if they consider that their qualifications are better suited to the job which has been advertised and to which an appointment has been made. The Act has been amended allowing for an official of the Australian Bank Officials Association to represent the State Bank employees in any of its negotiations on classifications with the State Bank Board. It is a good move, because the State Bank employees do not have a large representation on the Australian Bank Officials Association, and there could be a more expert person available from the Bank Officials Association in the matter of classification. I have been told that if there is a person of sufficient skill in negotiation in the State Bank then quite clearly he will be appointed, but if there is not, and the people in the State Bank are quite happy with the provision, then the person will come from within the bank itself.

I cannot see any problems within the legislation. The only fault I can find is that there is no clause 12. I assume this is a matter of renumbering the clauses once the Bill passes. I trust no hidden provisions will be added at a later date.

The Hon. D. H. L. Banfield: Unseen conditions!

The Hon. R. A. Geddes: This would not help the bankers.

The Hon. M. B. CAMERON: Quite clearly the bankers, in their normal process of wanting everything to balance at the end of the day, would not then be happy with the Bill. It is clear there is a need for someone from the bank officials to join the numbering fraternity in this place. I see no problems in the Bill, and I support the second reading.

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

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from November 15. Page 3060.)

The Hon. R. A. GEDDES (Northern): I rise with not a great deal of pleasure in having to support this Bill in any shape or form. I make this reference to the apparent loss of the privilege and right enjoyed by the owner of land since the days of *Magna Carta,* the old English cry that an Englishman's home is his castle, the right of the man who owns the land, whether freehold or leasehold, to care for it as he wishes, to abuse it as he

wishes, or to handle it in any way at all. This right is being further whittled away by the provisions of the Bill.

The Hon. A. F. Kneebone: You have no objection to his abusing it?

The Hon. R. A. GEDDES: In reply to that interjection, I was on the Soil Conservation Board for some years before I entered Parliament, and I saw many instances of tens of thousands of acres of land abused by man. The Government of the day set out to educate, but not by control or legislation. Admittedly, it set up a board, but the function of the board was to educate the farmer as to the introduction of clovers, raising the nitrogen level of the soil, and the provision of contour banks, and much land was brought into better production than it had shown before the ravages of nature by man had occurred.

That was after the Second World War, and the farmer in those days had inherited the problem of the 1930's, with wheat fallow and converting of stock. There had been a general depletion of the fertility of the soil. I do not like to see a man deliberately desecrate his land, but until now it has been traditional for him to do just that. Whether he wants to wash his car each week or not to wash it at all has still been his privilege, although nowadays he cannot wash it in some streets. However, it is the ownership point that bothers me. In his second reading explanation, the Minister said:

The owner of any allotment will be permitted to divide that allotment, provided that the applicant can prove to the satisfaction of the Director of Planning that each allotment proposed to be created will comprise, and be used for, an independent economic unit for the business of primary production.

Other members have referred to this. What is an economic unit at Coober Pedy, at Cummins, at Peterborough, at Renmark, or in any other part of the State? Why should the Director of Planning be given this authority, this power to decide what should be an economic unit for subdivision? Why should the primary producer have to prove that what he is subdividing will be an economic unit? There is an old saying that you cannot prove anything in agriculture because circumstances always change. I could not prove to the Director of Planning that a certain area of land would be a viable economic unit, because the person who goes on to that land could be completely at a loss. It is difficult to make such a statement. Again, we were told during the second reading explanation:

In order to provide for the needs of a farmer wishing to allow, for example, his son or relative to build a house and secure a separate title for that house, it is proposed that the Director of Planning shall approve plans submitted by owners of land held in a single current title existing at the date this amendment comes into operation which create only one additional allotment not greater than one hectare in area.

One additional allotment not greater than one hectare in area! If a man has a large holding and more than one son or relative and if he wants to subdivide it and give title for a house for his children, he must come down to Gawler Place, to the Director of Planning, and get approval to do so. This is in South Australia, in 1972! Those are the things coming before the Council right now. It has been the right of a man with sufficient land to build a house for his son or anyone else as long as he can afford it, his bank is prepared to stand by him, and he can find a builder. Now, not only does he have to find these things but also he has to get approval from the people in Gawler Place.

Also, we are losing the right to plan for the future development of the land, because clause 10 provides that the authority may grant permission for a building to be erected, subject to the condition that a belt of trees in front of the building be maintained. The next owner of the land will be obliged to maintain those trees, too. I am a lover of trees and plant many of them. I suffer pangs on behalf of the trees when the summers are hard, the trees need care and attention and they do not grow as well as I should like them to grow. Bordering my property I have a row of pine trees which I planted and which are now growing up into telephone lines. I had a notice from the Postmaster-General's Department that those trees must be lopped.

The Hon. C. M. Hill: Underground cables would be the answer.

The Hon. R. A. GEDDES: Yes. There are many miles of underground telephone cables in my area and there are many miles of white ants that have had a good time with the underground telephone cables. So the department is not to continue with its underground work. The State has no authority over the Postmaster-General's Department for it to order me to cut, remove or lop my trees, but the State has authority over me or the next owner who takes over my property. He is to be told he must go cap in hand for instructions to Gawler Place and say, "Dear Sirs, my trees are upsetting the communication system of the area. They must be handled in some way. Please may I have a permit?"

This is carrying control of the ownership of land right to the end of the line for me; I strongly object to it.

The second reading explanation states that the Bill is designed to "stop haphazard development adjoining the highway between Adelaide and Murray New Town". This, of course, is a good argument; but then it is clearly stated that the legislation is designed to be operative throughout the whole State. The second reading explanation states:

All parts of the State are now included within a planning area, and development plans are in course of preparation or have been authorized for each of the 12 planning areas proclaimed. The Government proposes to introduce interim development control immediately for the area between Adelaide and Murray New Town. Other country towns, too, will benefit where such controls may be necessary in lieu of zoning by-laws made under the present Building Act, which is shortly to be repealed.

One does not need a long memory to recall the fight that this Council had when the Government tried to bring in the Building Act embracing every area of South Australia. The amendments moved here were such that only those council areas that wished to have the Building Act proclaimed would be covered and those that did not make their request to the Minister did not come under the Building Act. It was designed in that way because it was considered that the cost to many council areas, small towns and farming properties could be excessive. That argument will still stand. It will not be the Building Act that will be worrying us: it will be the State Planning Authority in Gawler Place, from which we shall have to get permission. We can look forward to dictatorial days in the future if it is allowed to continue. Permission will be needed to erect a windmill, a tank, a shed, a sheep pen or stockyards; all these things may have to be put on files. I notice that plans must be submitted, which could well involve architects' fees, which was an unheard of thing in many rural areas of the State.

And so the control goes on. There is a story that I cannot substantiate, but I have it on good authority that in the Hills face zone area, which the Government and the State Planning Authority are trying to protect, a man wanted to paint his roof a certain colour, and he had to get a permit for it, but was told that the colour he wanted to use was not permissible. If that sort of story is correct in Adelaide, where will it all end? It will surely spread into the rural areas. Why should this legislation be applicable to Oodnadatta and the surrounding land as much as it applies to that land on the highway between Adelaide and Murray? The councils are most concerned about many parts of this Bill, about which other honourable members will speak. I do not wish to handle those things. Some rights of appeal that people should be allowed to have should be written into the clauses; they are not there now.

Almost adding insult to injury is a letter received today praising facets of this Bill. It makes the firm suggestion that land tenure be changed from fee simple to Crown leasehold, and that the development of land be taken out of the hands of the private developers. The removal of the right of the individual and of private enterprise to create work is the next step in the suggestions we may yet hear. I object to it strongly.

The Hon. L. R. HART secured the adjournment of the debate.

CONSTITUTION ACT AMENDMENT BILL (FRANCHISE)

Adjourned debate on second reading.

(Continued from November 15. Page 3065.)

The Hon. R. C. DeGARIS (Leader of the Opposition): The way the second reading explanation of this Bill was given and the words it used deserve some comment. I begin by quoting the opening sentence:

This Bill ... is designed to widen the field of Legislative Council electors from the narrow confines of land and leasehold owners and their spouses to the broad field of House of Assembly electors.

One can see from the choice of language in that opening sentence that the second reading explanation tends to create a false picture of the franchise applying to the Legislative Council. Indeed, the franchise is not in the "narrow confines of land and leasehold owners". It is much wider than that; indeed, it is not a narrow franchise, in relation to some other Upper Houses. So, one can see from the opening sentence that the Government does not intend to present a clear or correct picture in relation to this matter. The arguments advanced in the Chief Secretary's second reading explanation illustrate the fundamental difference between the Australian Labor Party and the Liberal and Country League in South Australia.

The Hon. D. H. L. Banfield: What about the Liberal Movement?

The Hon. R. C. DeGARIS: Even people in that organization have a fundamental difference with the Labor Party on this question.

The Hon. D. H. L. Banfield: They agree with adult franchise.

The Hon. R. C. DeGARIS: So does the L.C.L. The A.L.P. wishes to create a mirror-image House and has always wanted to do so, with Party control in this Council.

The Hon. M. B. Dawkins: In order to abolish it.

The Hon. R. C. DeGARIS: That may be so. In the opinion of most honourable members and, I am certain, most South Australians, Party control in this Council would not be in the best interests of the democratic process. This question has been debated many times before; if one looks dispassionately at the record, one cannot deny that the franchise for this Council (which includes landowners, leasehold owners, inhabitant occupiers and their spouses, whether they pay rent or not, and ex-servicemen) covers between 85 per cent and 90 per cent of the people who are compelled to be on the House of Assembly electoral roll.

The Hon. D. H. L. Banfield: Do you want to deprive the minority?

The Hon. R. C. DeGARIS: No-one wants to deprive anyone of anything but, if the honourable member will contain his impetuosity, he may see reason in what I am saying. The question of franchise has allowed other important factors to continue in relation to this Council—voluntary enrolment (which is most important) and, to a lesser degree, voluntary voting. If we produce an Upper House under the extremely narrow confines of this Bill, we will produce here a mere mirror image of the House of Assembly, and that would not be in the best interests of the democratic process. As I have said many times before (and I have supported my remarks by quotations from eminent Parliamentarians), a second Chamber must be structured so that it can perform its historic function and not be a mere extension of the Lower House and a tool of the Party machines.

The Hon. D. H. L. Banfield: How do they get on in Victoria?

The Hon. R. C. DeGARIS: No-one is talking about Victoria, the House of Lords, or the Canadian Senate—we are talking about the Legislative Council in South Australia, which has performed its function as a House of Review with distinction for many years. The existing franchise has produced an Upper House that has been capable of doing this, irrespective of the colour of the Government in the Lower House. To produce an Upper House elected on the same franchise on the same day, with compulsory voting (in the practical sense, at any rate) does not take into account the other factors that distinguished Parliamentarians and political scientists have deemed to be part and parcel of a second Chamber. The Government's view is that only the same franchise as that existing for the Lower House is acceptable and in line with its definition of democracy. We have tried over the years to explain that this concept is not necessarily correct. On September 9, 1969, in a paper presented to a Conference of Presiding Officers in Ottawa, the British Lord Chancellor, Lord Gardiner, a Socialist, said:

> The variety is indeed so great that one might well be tempted to think that no general conclusions at all could be drawn about the form and uses of a second Chamber. On closer examination, however, it gradually becomes clear that second Chambers can be classified, according to their methods of appointment, in two ways. First, there are those that are, in the main, nominated, like the Canadian Senate and the British House of Lords; though in the latter we still have the distinctive feature of hereditary peers, which most of us think is no longer defensible in the modern worlds. Secondly, there is the much larger group of second Chambers which are based on election, whether direct or indirect, and often linked in some way with regional or local government, or with a federal system.

Many successful Parliamentary democracies with a much longer record than ours do not share the Government's view that the only democratic Upper House is an Upper House elected under compulsory voting, compulsory enrolment and exactly the same franchise as that of the Lower House. Lord Gardiner is one Socialist with whom I agree. The Government has always adopted a narrow, uncompromising view in relation to the franchise for this Council, which view gives no credence whatever to any possibility other than the same franchise as that of the House of Assembly, the same boundaries, the same system—down to teams of two, with a total transfer of preferences from one to the other.

Although the view of this Council has been that there is no absolute case for any Upper House to have exactly the same franchise as that of the Lower House, we have agreed that the same franchise will be accepted, provided that certain other essential differences between the Houses are maintained; that has been made perfectly clear in recent speeches on this matter. In relation to adopting full adult franchise, an important matter that should be included is a system of election by proportional representation, with large electoral districts (preferably two such districts). This gives the opportunity for a much wider cross-section

of political opinion to be elected to this Council and does not confine political representation to the narrow limits of a two-Party system. I believe in an Upper House and that every opportunity should be given to a cross-section of political opinion to be represented in it. I have always maintained that position. Proportional representation is the only democratic method of election; no other system can claim the same element of democracy as proportional representation. The idea of one vote one value, of which we hear so much, is not enshrined in single-man electoral districts.

There is no one vote one value in that system, but there is in proportional representation, which is the only system that can claim to go anywhere along the line of one vote one value. The first principle we ask to be accepted is proportional representation. The other matter that we think is vital to the continuance of preventing a mirror image being presented in this Chamber is the preservation not only in theory but also in fact of voluntary voting. As honourable members no doubt appreciate, the only thing that will happen when we reach the stage of accepting the same franchise as that for the House of Assembly (which is not full adult franchise, as there are restrictions in a somewhat different way from those on the Council) is that, as soon as we achieve the same role as the House of Assembly, we will reach the stage where voting is, in fact although not in theory, compulsory for this Council and we will produce a political mirror image of the Lower House. They are the two points which, as far as the Council is concerned, are vital to the acceptance for this Council of the same franchise as exists for the House of Assembly.

If we can reach agreement on these two points, it is possible that the Government's insistence on the same franchise for the House of Assembly can be achieved. On both these two principles, namely, voluntary voting in fact as well as in theory, and proportional representation, the Government cannot find one shred of evidence that that is not a more democratic system than the system which exists in relation to the House of Assembly at present.

I intend to seek leave to conclude my remarks so that I may seek your advice, Mr. President, on whether in Committee I shall be able to move the amendments that were contained in a Bill that passed this Council (Bill No. 10A) in this session, that is, in relation to proportional representation and the enshrining of voluntary voting in fact in the Bill.

Leave granted; debate adjourned.

LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 15. Page 3085.)

The Hon. G. J. GILFILLAN (Northern): The main provisions of the Bill were outlined by the Minister in his second reading explanation. I can add little to what he said. At first glance, one of the hardships appeared to be regarding those who held a wine licence. However, on investigation I have found that some of these people who have had a wine licence have converted it into a retail storekeeper's licence. As they had a five-year warning that this change would take place, they have taken advantage of the provisions in the legislation. The holders of the remaining wine licences can renew them if they provide substantial food or, if they do not wish to continue the licence, it can be transferred to someone else who is willing to supply substantial food. This does not mean the immediate end of wine shops, because some wine licences still have some time to run. Provisions are made for clubs whereby it will no longer be necessary for a club member to supply his guests with wine at the member's own expense; it will now be possible for the guests to buy in turn. That is a sensible provision. The changes the Bill proposes are reasonable and do not interfere unduly with the rights of others, particularly hotel licensees, about whom concern has been shown in the past. The Bill makes for easier administration of the Act, and I support it.

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

ROAD TRAFFIC ACT AMENDMENT BILL (ALCOHOL)

Adjourned debate on second reading.

(Continued from November 15. Page 3075.)

The Hon. C. M. HILL (Central No. 2): As the Minister said in his second reading explanation, this Bill brings back into the Chamber some of the measures that were contained in a previous Bill to amend the Road Traffic Act which did not pass. I support the Bill.

The whole question of the effects of alcohol in relation to our road toll ought to be considered against the background of expert information and facts that have emerged as a result of the Pak-Poy report on road safety and the quarterly statistical report issued by the Road Safety Council.

The first of the major recommendations in the Pak-Poy report (and it is unnecessary for me to stress the importance of that report, because it was an important expert investigation

into the whole matter of road safety in South Australia) dealt with alcohol. I refer to the first few brief paragraphs that comprise the first major recommendation, as follows:

Research findings increasingly demonstrate that alcohol is involved in a large percentage of automobile accidents. The committee is concerned at the need for effective detection and treatment of drivers affected by alcohol. The committee recommends that the incidence amongst drivers involved in accidents and moving traffic offences should be ascertained be defining police powers to screen and, if necessary, to submit these drivers to a more accurate test for blood-alcohol concentration. Drivers and other road users who are involved in motor vehicle accidents and attend hospital before it is possible for breath samples to be taken should be tested at the hospital.

The results of these tests should be used for legal purposes, and also analysed to assess the alcohol problems amongst South Australian drivers. A study of offenders should be undertaken to define the characteristics of those most likely to respond to remedial measures. The public should be made aware, by means of specific publicity, of the problem caused to society by the drinking driver.

Then, on page 7 of the report, where it deals with human factors, alcohol again heads the list. The first two paragraphs in this chapter, under the heading "Human factors", are as follows:

There has been considerable research into the role of alcohol ingestion on the ability of the driver to control his vehicle effectively. These effects are well documented and most countries have enacted legislation setting legal limits on blood alcohol levels for drivers of vehicles. The order of the potential gains from attacking the problem of the drinking driver can be gauged from estimates indicating that alcohol may be a contributing factor in one half of all traffic fatalities. In South Australia this represents 100-150 lives annually.

One sees from reading the Road Safety Council report of October 16, 1972, that in the first six months of this year there were 157 deaths from road accidents in South Australia, and that, in the first nine months ended September 30, there were 220 deaths. I ask honourable members to cast their minds back to the point made in the Pak-Poy report that alcohol may be a contributing factor in half of all road fatalities.

In the Road Safety Council report, when referring to the cancellation of driving licences for the first six months of this year, Mr. Boykett, its Chairman, discloses that offences for driving under the influence or driving with a blood alcohol content of .08 per cent or more involved the cancellation of 1,522 licences, or 23.5 per cent of the total cancelled licences in this State, the total number comprising 6,463 cancellations. Mr. Boykett said that an average of 92 road crash victims were given attention in the Royal Adelaide and Queen Elizabeth Hospitals every week. From those statistics one must accept that alcohol plays an important part in the whole question of road safety and fatalities in this State.

I accept that the main purpose of the Bill is that outlined by the Minister, when he said that it was an important measure designed primarily to ensure that adequate statistical evidence was available to assess the importance of alcohol as a causative factor in road accidents. Two principal clauses of the Bill need close study, the first of which is clause 5, which provides that a person must submit to an alcotest for breath analysis. This clause means that police may require one or both of these tests to be carried out. The actual requirement is stated in clause 5 (3), which provides:

When a person is required under this section to submit to an alcotest or breath analysis he shall not refuse or fail to comply with all reasonable directions of a member of the Police Force in relation to the requirement and in particular shall not refuse or fail to exhale into the apparatus by which the alcotest or breath analysis is conducted in accordance with the directions of a member of the Police Force.

Therefore, the policeman involved can cause a motorist to do that if the motorist is behaving in a manner indicating that his ability to drive the vehicle has been impaired or if the motorist has been involved in a road traffic accident. The offences for refusing to take either of those tests are spelt out in paragraphs (*a*) and (*b*) of subclause (3). These penalties include, for a first offence, a minimum disqualification by the courts of the drivers licence for a period of not less than six months and not more than 12 months and, for a second offence, not less than 12 months or more than two years.

I have received a letter from the Royal Automobile Association, which honourable members know cares for the welfare of motorists generally in this State. The association has queried the need to state a minimum period for such cancellations. The Minister dealt with this question in discussing clause 5, and gave this explanation:

Where a driver refuses to submit to an alcotest or breath analysis, the new section provides for compulsory minimum periods of disqualification to be imposed by court. These minimum disqualifications are necessary because of legal difficulties that have been raised by the courts in assessing the period of disqualification where there is no direct

evidence of intoxication but the driver has merely refused to submit to the test.

I accept that explanation. It should be necessary for a driver to submit to these tests and generally this kind of legislation must be tough to be effective. The public, generally speaking, favours and supports strong legislation in this area of alcohol affecting the driver, and I do not oppose the Government's proposal that has been queried by the R.A.A.

Clause 9 is important, dealing with the question of compulsory blood tests being taken by medical practitioners in hospitals. The hospitals which will be involved in such compulsory testing are to be prescribed by legislation. I have been asked whether or not smaller hospitals and doctors' consulting rooms or surgeries, where accident victims might be taken, would come under this category. However, it appears that regulations are to be brought down specifying the hospitals in which the tests must be taken.

Clause 9 makes it compulsory for a person injured in a road accident, whether a pedestrian, driver, or passenger in a car, to submit to such a test. However, subclause (2) provides that, where a doctor believes that such a test might be injurious to the patient, he shall not take the sample. The medical practitioner is obliged to point out to the patient the risk the patient runs in refusing to permit the doctor to take a sample of his blood. This does not seem unreasonable.

In the general realm of personal freedom no doubt there will be some objections to it. I know from those who have endeavoured to investigate the problem of road accidents and alcohol that in the past there has been difficulty in compiling satisfactory statistics. There is a need for a continuing intense scientific study into this matter, and the Bill will provide an opportunity for scientists to continue that study.

I am not opposed to the imposition of strong penalties in this area. I have always favoured strong legislation to cope with the ever-increasing problems in this regard. If one takes the report of the experts that half the road fatalities may be involved with the question of alcohol, and if one realizes that in the first nine months of this year 220 deaths have occurred in South Australia as a result of road accidents, one begins to gauge the number of road deaths that could be avoided if people who drive were to drink less.

Anything that can be done to discipline people who will not learn of the great dangers involved in trying to mix drinking of alcohol and driving, any strong legislation that can curb them, is worth while. If we must stretch our concern a little in considering personal freedom, then this is one time when it should be done.

The Hon. V. G. SPRINGETT secured the adjournment of the debate.

REAL PROPERTY ACT AMENDMENT BILL (STRATA TITLES)

Adjourned debate on second reading.

(Continued from November 16. Page 3141.)

The Hon. C. M. HILL (Central No. 2): I support this short Bill, which runs side by side with other legislation before the Council to amend the Planning and Development Act. In the amendment to that Act, the Government is increasing from $100 to $300 an allotment the contribution by subdividers of land where the subdivision includes less than 20 allotments. In the second reading explanation of that Bill, reference was made to the fact that an amendment to the Real Property Act would be brought down in relation to strata titles, and that is the Bill before us at the moment.

It simply means that, whereas at present those who are involved with the development of home units and who seek strata titles for such units must pay $100 to the Planning and Development Fund, that contribution is increased hereby to $300 for each strata title. I make only one observation, and I will not pursue it at length because I have argued the point previously in the Council without being able to impress the Government. It is a point in which no-one can deny that an important principle is involved.

The money going into the Planning and Development Fund is used by the State Planning Authority for the purpose, within the metropolitan area, of purchasing what might be called mass recreational areas. These are large areas intended to serve, as well as the people within one municipality, those within the whole region of metropolitan Adelaide, which would comprise several municipalities. There has been a need for local government to provide its own parks and gardens as well as for the over-riding authority, the State Planning Authority, to provide much larger areas for recreational purposes.

One such area is the National Park at Belair, which serves many people from the various municipalities. The funds to provide mass recreational areas comparable to National Park come from the Planning and Development Fund, and contributions under the provisions of this Bill go into that fund.

By far the majority of purchasers and occupiers of home units are elderly people, not concerned with are benefiting from recreational areas serving regions of metropolitan Adelaide. The parks and gardens they want for their leisure time are the small municipal parks or gardens at the end of the street, or near their place of residence, their home unit. It is the provision of such small parks and recreation areas that these people who buy home units really want to contribute to.

The money for such small local parks and gardens comes from a joint venture between the Public Parks Act, under the Minister of Local Government, and the council itself on a 50/50 basis, or thereabouts. It is, therefore, a great pity that the contributions made by the developers of home units do not go into the public parks funds because, if they did, the money would be used for providing the local parks, which in turn would be used and enjoyed by the occupants of the home units. It is those people who ultimately meet the cost of these $300 contributions.

The developer of the home unit, of course, passes the charge on to the purchaser, so the occupier, who is usually a retired person, in effect makes his contribution; yet his money is not used for a purpose that, generally speaking, directly helps him: it is used for some mass recreation area far distant, usually, from home unit development and it is of no great benefit to him. It is a principle that ultimately these contributions should be used for the purpose I have outlined and not for the purpose for which they are used.

I hope the time will come when some change can be made in the legislation so that a principle can be adopted and the people who make the contributions will receive real benefits from them as they go down to their local parks and gardens in their leisure time and enjoy themselves there. I support this short Bill.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from November 16. Page 3149.)

The Hon. C. M. HILL (Central No. 2): Time and time again during each session of Parliament for the past few years we have been receiving Bills to amend the Local Government Act. We have been told on those occasions that the provisions of the respective Bills are simply to keep the Act up to date as far as possible pending the introduction of the new Act. Honourable members will recall that the Government in 1965-68 set up a committee to look into the whole matter and report upon a new Local Government Act. That committee made its report, copies of which were sent to the councils, which were asked to send their opinions back to the Local Government Office. For the last two years honourable members in this Council (and especially those on this side of the Chamber) have been waiting to hear some announcement of what the present Government intends to do about the proposed new Local Government Act.

But the present Government is a Government of indecision; it is renowned for indecision. Here again we have a glaring example of that. When the Minister replies to the debate I should like him to indicate what decision the present Government has taken in the last three years about the new Act, because all people in local government throughout the State are waiting patiently to hear what the present Government will do about it. I suppose their patience can be tried a little longer provided we receive Bills in this Council that make only minor amendments to the present Act. However, in this Bill we jump into the whole realm of sophisticated local government; we jump into a realm that will allow local government to make changes that a few years ago it did not dream it would be able to consider.

I stress the great changes contemplated. The first is contained in clause 17, which will allow a council to rate its property under both the unimproved land value system and the annual value system. In other words, a council can make two separate forms of assessment: some of its area can be rated under the unimproved system while some can be rated under the annual value system. That in itself presents a considerable challenge to local government.

Under clause 31, local government can be given the opportunity to fix differential rates in either of those two forms of assessment. So, first, the assessment books of a council can be split into two in future, with the unimproved land value system operating in some wards, zones or townships, and the annual value system operating in other areas; and then under, for instance, the annual value assessment area, provided three-quarters of the council approves, there can be a system of differential rates. This means that the main

street of a town can be rated at one figure and the residential area of the town, a little behind the main street, can be rated at a different figure from what I may call the commercial rate.

Also, under clause 31, if a council wants to undertake certain development or if it wants to retain buildings of some historic worth, rebates or concessions in rates can be given. We begin to see the difference in the form of the assessment book if all these changes are implemented compared with what the form of the assessment book would have been in the past, when none of these changes was envisaged.

Then, to present further challenges to the council clerks of today, the Government proposes, by clause 32, to permit a council to fix separate minimum rates throughout its district. Councils will perhaps enter an era where assessments do not mean much, anyway. The minimum rate can be varied at the whim of a council, and a series of minimum rates could be fixed in respect of different parts of a district. Then, for good measure, payment of some rates can be postponed if people find difficulty in paying them.

I have spoken of local government Bills being introduced session after session as a matter of routine to make relatively minor changes, pending the major Bill. However, we certainly have complicated and sophisticated machinery set up under this Bill. It might prove most difficult for some councils to implement.

The Hon. A. F. Kneebone: They do not have to implement all the provisions.

The Hon. C. M. HILL: No, but when council clerks are given the opportunity for changes of this kind there is a tendency for them to do a little experimentation. There can be two systems of rating, differential rates, and rebates or concessions (where the Government wishes to encourage development). I hope that local government will feel its way cautiously through the maze and find some advantage from this Bill.

The Hon. D. H. L. Banfield: Are the changes for the better?

The Hon. C. M. HILL: History will show whether they are for the better. Perhaps some of the changes should have been deferred until the whole of the principal Act has been rewritten. I draw honourable members' attention to clause 13, dealing with officers of councils. The Government has made decisions in regard to superannuation and long service leave for employees of local government.

The Hon. M. B. Dawkins: Do you approve of the changes?

The Hon. C. M. HILL: I approve of the principle of superannuation and long service leave, but the Government has not set out in the Bill how those matters will be implemented: it has merely set out a broad framework. What does the Government intend to do in regard to the credits that must pass from council to council as an employee moves from council to council as he climbs the ladder of promotion? There is no provision in the Bill in this connection.

The Hon. D. H. L. Banfield: There would have to be a central fund, wouldn't there?

The Hon. C. M. HILL: Each council must put forward a proposition for its own superannuation scheme.

The Hon. M. B. Dawkins: How should obligations for superannuation be apportioned between the various councils?

The Hon. C. M. HILL: I do not know. The Minister may find that a central scheme, in conjunction with the South Australian Superannuation Fund, will have to be used. The Bill does not contain any details that a council can follow in regard to superannuation, and the same point applies to long service leave. Clause 13 (11) provides:

> Where a council grants long service leave, or payment in lieu thereof, to an employee of the council and the service in respect of which the leave, or payment in lieu thereof, is granted includes service in the employment of another council, the council by which the leave or payment in lieu thereof is granted may recover from that other council a contribution towards the cost of granting the leave, or the payment in lieu thereof . . .

So, some thought has been given to the situation where an employee moves from council to council, but the provision is not sufficiently clear. Perhaps the Minister will consider an amendment providing that a transfer of a credit must be made within three months of the transfer of a man's employment; the man, in effect, carries to his credit in the council in which he is employed his total aggregation of long service leave benefits. If a man retires from his position as Clerk of the Woodville council after 40 years in local government service, the Woodville council then has the task of going back to the Enfield council, for which the man was an Assistant Clerk. Then, it has to go back to the Victor Harbour council, for which he was an employee perhaps 30 years ago.

The Hon. D. H. L. Banfield: That makes 70 years.

The Hon C. M. HILL: I am assuming that the man retires at 65, and that he commenced with the Brown's Well council when he was in his early twenties. The Woodville council has to go back to the various councils where the man was employed over a period of 50 years and say to each council, "This man was employed with you, and somewhere there must be a credit for long service leave." Perhaps it will be found that a council has been amalgamated with another council. Then, the employee will suffer.

The Hon. D. H. L. Banfield: That would be your biggest concern!

The Hon. C. M. HILL: That is why I am dwelling on this point, but the Government does not seem to be concerned about it, because the need for transfer of credits is not written into the Bill. I hope that, if the Government does not do it, it will be done by some honourable member. I may do it myself. That is the only way in which these credits can be transferred and for a man to know where he stands. What worries me is that the Government has rushed in under these two headings of superannuation and long service leave because it believes it is good politics. The Government must set out the detailed framework by which it intends to help employees under this measure, because the two plans for superannuation and long service leave are too vague.

The Hon. M. B. Cameron: What about the increasing move in superannuation to have a built-in increment each year? That would be difficult.

The Hon. C. M. HILL: That is where it will be completely impossible for individual councils to do it—certainly the smaller ones.

The Hon. A. F. Kneebone: I have a high regard for the skill of town clerks.

The Hon. C. M. HILL: I have, too. When one thinks of the council at Brown's Well that 40 or 50 years ago set aside a credit for a man's superannuation, since when all kinds of increment have been written into the machinery of superannuation, someone must track it all back. When the employee adds up his credits, he might not be getting what he is entitled to under present-day superannuation. The bigger councils, which are the ones that finish up employing senior men, must have the right to seek credits from the other councils. It is a question of accepting the principle (and I accept it), but I hope that all honourable members will assist me in setting up a detailed plan so that the provisions will work.

The Hon. M. B. Cameron: Do you believe in a system operated totally by the Government instead of having local government running it.

The Hon. C. M. HILL: I have always favoured the principle of local councils being given as much right and power as possible to manage their own affairs.

The Hon. D. H. L. Banfield: Now you're asking the Government to do it.

The Hon. C. M. HILL: I am only asking the Government to write the legislation. Clause 17 deals with the two different kinds of rating system that will now be permitted. Does paragraph *(d),* which refers to "any zone", include any part of any zone, because under zoning within the planning and development regulations the various classifications are set down, but they are not all contiguous? A council's zoning plan can, for example, have zoning for commercial development in one part of the municipality; then there can be a strip of residential zoning; and then another commercial zoning portion separated from the first. I think that point must be made so that confusion will not occur in the future over whether the Government intends that to mean "any zone" or any part of the zone.

The Hon. D. H. L. Banfield: What about any area? Could that be block by block?

The Hon. C. M. HILL: "Any area" is the total council area, by definition. I point out to the Government that section 424, which has not been amended by the Bill and which affects the city of Adelaide, might have to be changed to conform to the provisions of this separate rating that has been provided.

The Hon. D. H. L. Banfield: Has the City Council applied?

The Hon. C. M. HILL: I know that the council has been in touch with the Government, but I am not certain whether it has noticed this provision. Clause 58, which deals with the unsightly condition of land, presents a small problem. Subclause (5) (*b*) deals with the sale of unsightly items and the distribution of the proceeds therefrom. I understand that one council had a difficulty whereby it had money as a credit as a result of the sale of some item. As the lawful owner of the item could not be found, the council had the problem of what to do with the balance of the money.

The Hon. D. H. L. Banfield: Would this provision cover a block on Main North Road?

The Hon. C. M. HILL: It might. Clause 59 amends the Local Government Act so that

girls of 13 years of age can sell newspapers on the streets.

The Hon. D. H. L. Banfield: That's only for equality of the sexes.

The Hon. C. M. HILL: I do not know whether the Government wants to claim the credit for amending that law.

The Hon. D. H. L. Banfield: Don't you believe in equality of the sexes?

The Hon. C. M. HILL: I am not in favour of girls of 13 years of age selling newspapers on the streets.

The Hon. L. R. Hart: Does clause 58 mean that one council can object to a structure within an adjacent council area?

The Hon. C. M. HILL: That is not my interpretation of the clause. The clause could perhaps be looked at more closely, but I do not think that that would be possible under the clause. Clause 66, which deals with the problems of the city of Adelaide regarding rating, is one of the changes that has been introduced into the measure. Paragraph (*a*), which refers to one system only, namely, the total assessed annual value, ought to be amended in case the city of Adelaide implements the two systems of assessment. It may be necessary to move an amendment if the provision is found to be difficult or unworkable by the city of Adelaide.

The Hon. D. H. L. Banfield: Would there need to be an amendment?

The Hon. C. M. HILL: It must be changed by amendment. It cannot be altered in any other way.

The Hon. D. H. L. Banfield: Will you move an amendment?

The Hon. C. M. HILL: I shall be happy to do that, though I would have no objection to the Government doing it. The last clause to which I wish to refer is clause 71, which deals with a knotty problem being experienced in Central No. 2 District.

The Hon. D. H. L. Banfield: Does that deal—

The Hon. C. M. HILL: If the honourable member reads the clause, he will see what it does.

The PRESIDENT: Order! One speech at a time is sufficient.

The Hon. C. M. HILL: If the honourable member wants me to read the clause to him, I will do so. New section 886c, which is inserted by clause 71, indicates that the Beaumont Common will be transferred to the Corporation of the City of Burnside, and a restriction is imposed that the Burnside council must not permit organized sport to be played in the area. Therefore, one can hope that that aesthetically beautiful and historical area will be maintained in its present very informal and rural form. It will be of great benefit if this is achieved by the Corporation of the City of Burnside, which is, as I am sure all honourable members will agree, one of our most responsible municipal bodies. I am sure it will carry on and maintain the Beaumont Common as honourable members expect it to be maintained.

The Hon. D. H. L. Banfield: What area does it cover?

The Hon. C. M. HILL: I am not certain of the exact area but, if the honourable member wants to ascertain that, I am sure he can do so. In the main, the Bill is a Committee measure. It concerns me because the systems of rating that are being permitted involve considerable changes for local government. I would have liked to see them implemented in a new Bill. I hope the Government can give honourable members some information on its plans regarding the new Bill. However, if there is no hope of seeing that soon, the Local Government Act will have to be amended regularly whenever necessary.

The Hon. E. K. RUSSACK (Midland): It gives me a certain amount of pleasure to be able to say something regarding local government. We should be proud that South Australia was the first State to have local government. It was introduced in South Australia in about 1840. Local government has had its ups and downs, and the Adelaide City Council in its early history in the 1840's experienced certain problems. However, in the 1850's it was reconstituted and has since gone from strength to strength.

The Hon. D. H. L. Banfield: It's sound now.

The Hon. E. K. RUSSACK: It certainly is. Local Government is one of the hardest forms of Government in which to work, despite its being a most rewarding community service. It is most fitting that we should commend those who are involved in local government, because they spend much of their time, which they could otherwise spend in pleasure pursuits, administering council affairs and creating amenities and other local government laws that assist people not only in the metropolitan area but also in country areas. Because of the change in many of our methods brought about over many years by communication and transportation, council areas have altered drastically.

I should like also to comment on the point raised by the Hon. Mr. Hill regarding the Local Government Act Revision Committee; it collected much evidence, which has been distributed throughout the State to those interested in local government. I, too, look forward to the day when the whole Local Government Act will be revised and when some of the thoughts and recommendations contained in the report will be implemented.

The Hon. D. H. L. Banfield: It will be a gigantic job.

The Hon. E. K. RUSSACK: It will be a colossal job but I am certain that, when completed, it will be a worthwhile contribution to local government in South Australia.

The Hon. D. H. L. Banfield: It could be out of date by then.

The Hon. E. K. RUSSACK: If the Government takes much longer to do something about the matter, it will certainly be out of date. As has been found in the commercial world and in other spheres, it has been necessary for change to occur in many areas of the State. One finds that if councils have not in the past considered the matter of boundaries, possibly boundaries in many areas will have to be altered. Some smaller country councils are becoming uneconomic because of reductions in revenue received and increasing administration costs. The Government has tried in the amendments to the Act to do something about some of the difficulties at present being experienced.

No doubt it is the Government's earnest intention in this measure to overcome some of the difficulties being experienced, to provide amenities for council officers, and to assist in problems being experienced in relation to the striking and payment of rates. From my practical experience in country councils, I know that these difficulties do exist.

The Hon. D. H. L. Banfield: At Brown's Well?

The Hon. E. K. RUSSACK: There are other places besides Brown's Well. Abutting some commercial areas there are residential areas and areas of historic value in which homes and buildings are altered. There are also areas that have recently been developed, particularly in country council areas, in which difficulties often arise. There are many other aspects of the Bill on which I should like to comment but, because I want to receive more information before referring further to them, I ask leave to conclude my remarks.

Leave granted; debate adjourned.

ADJOURNMENT

At 11.35 p.m. the Council adjourned until Wednesday, November 22, at 2.15 p.m.