

LEGISLATIVE COUNCIL

Thursday, October 4, 1973

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

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Margarine Act Amendment,
Stock Medicines Act Amendment.

QUESTIONS**TRAFFIC LIGHTS**

The Hon. Sir ARTHUR RYMILL: I seek leave to make a statement prior to asking a question of the Minister of Health, representing the Minister of Local Government.

Leave granted.

The Hon. Sir ARTHUR RYMILL: Only a few minutes ago I was hurrying down King William Street trying to arrive here on time (which I normally do, although my watch appears to have been about half a minute slow over the last day or two). At the corner of Grenfell and Currie Streets the traffic light was green with me and the red "don't walk" light came on just as I was about to step off the kerb. So, trying to be a law-abiding citizen, I stopped. The green light changed to red in the normal time, but the red light for the cross traffic from Grenfell Street to Currie Street remained on. After quite a while, during which the four red traffic lights remained on, Currie Street to Grenfell Street vehicular traffic apparently assumed that the lights had failed and started to cross King William Street. After about 10 seconds there was the usual noise, and two large Fire Brigade appliances came down the street at a fairly fast rate of speed, as they were entitled to do.

Some years ago the lights used to flash in these circumstances. There would be flashing red lights at each intersection that warned motorists of what was happening, namely, a state of emergency. Apparently some expert has now thought up the idea that the red light should remain on continuously. We all know that traffic lights sometimes fail, and we can hardly blame the motorist for not knowing what is happening before anything turns up. Will the Minister of Health ask the Minister of Local Government to examine this matter, as it certainly caused a tremendously dangerous situation this afternoon? I should like it to be known that I am not blaming the officers of the Fire Brigade, who were only doing their duty. However, it seems that, if we could revert to the old method, or something similar to it, it would be much safer.

The Hon. D. H. L. BANFIELD: I appreciate the honourable member's concern, because this is a dangerous situation. Indeed, I have been a little impatient myself in similar circumstances. I will refer the honourable member's question to my colleague and bring down a reply.

LAND VALUES

The Hon. C. M. HILL: Further to the questions and answers given yesterday in the Council regarding the proposed sale of industrial land at Regency Park, and the Minister's disclosure that the Government fixes prices on the basis of market values, I ask the Chief Secretary whether he would be willing to obtain for the Council the list of comparable sales that his departmental officers have used in assessing market values.

The Hon. A. F. KNEEBONE: I have no objection to doing that.

BUSES

The Hon. A. M. WHYTE: It is common knowledge that Municipal Tramways Trust buses are 8in. (203.2 mm) wider than the permitted width for vehicles in South Australia. Will the Minister of Health, representing the Minister of Transport, ascertain whether it is true that new buses now on order will also be wider than the permitted width and, if so, what is the reason for this?

The Hon. D. H. L. BANFIELD: I will refer the honourable member's question to my colleague and bring down a reply.

TOURISM

The Hon. R. A. GEDDES: I seek leave to make a statement before asking a question of the Minister of Agriculture, representing the Minister in charge of tourism.

Leave granted.

The Hon. R. A. GEDDES: Recently, a Mr. David Lamb of the Sydney bureau of the *Los Angeles Times* visited Wirrabara in the course of an exercise to report on the rural and tourist scene in Australia. In this respect, he approached the district councillor for the ward, asking whether he could obtain a permit to travel up the Bluff road to the television station, from which he could have obtained a magnificent view of the surrounding countryside. However, the technicians at the bluff refused this permission as, indeed, did a Postmaster-General Department official at Wirrabara. This man was therefore denied the chance of seeing something that was relevant to the report he was making for his newspaper. Will the Minister take up with the appropriate authority the matter of important visitors, like a reporter from one of the largest newspapers in the world, being granted, on request, facilities for going up the Bluff road and seeing what they want to? Can better liaison be arranged for such people?

The Hon. T. M. CASEY: I am willing to refer that question to my colleague and bring down a reply.

COUNTRY LOANS

The Hon. R. C. DeGARIS: I seek leave to make a short explanation prior to directing a question to the Chief Secretary, representing the Premier.

Leave granted.

The Hon. R. C. DeGARIS: I refer, first, to an article in the *Public Service Review* of August 13, 1973, under the heading "No blanket ban on country loans". The article states:

The Public Actuary has denied that the Superannuation Fund Board has imposed a blanket ban on loans in country areas. In fact, says Mr. Stratford, at a recent meeting of the board an applicant from Crystal Brook was granted a loan. However, the Actuary admits that intending borrowers are advised that the board has considerable problems in making loans to persons in country districts, and that valuation expenses on such loans—which have to be paid by the intending borrower—are high.

A little later we read:

Two or three years ago the board employed its own valuer but this officer was subsequently appointed Manager and Secretary of the fund and, at the request of the Public Service Board, the services of the Valuation Department were utilized. These proved to be generally unsatisfactory, and the board now employs an independent valuer. Intending borrowers have to pay his normal fee. Secondly, in the *Public Service Review* of August 27, 1973, under the heading "Valuations for superannuation loans", we read:

In an article entitled "No Blanket Ban on Country Loans", which appeared in the *Public Service Review* of August 13, 1973, the Public Actuary, Mr. Stratford, stated that the services provided the Superannuation Fund Board by the Valuation Department were "generally unsatisfactory".

and blamed the Valuation Department in part for the problems of making loans to persons in country districts. This is untrue and association members and readers of the *Public Service Review* should not be misled by such statements or believe that the valuations supplied Mr. Stratford by the Valuation Department were of poor quality and incompetently made.

With those two articles appearing a fortnight apart, I ask the Premier, who I believe is the Minister responsible in this field, whether he could make a statement to the Parliament about the position referred to in those articles.

The Hon. A. F. KNEEBONE: I will obtain the information for the honourable member and bring down a report as soon as possible.

BRIGHTON TRAIN

The Hon. M. B. CAMERON: My question is directed to the Minister of Health, representing the Minister of Transport. Will the Minister of Transport consider having the Adelaide to Brighton 4.55 p.m. train extended to run to Marino instead of terminating at Brighton?

The Hon. D. H. L. BANFIELD: I am afraid I shall have to refer that question to my colleague.

MEDICAL REPORT

The Hon. R. A. GEDDES: Has the Minister of Health a reply to my question of September 11 about a report of Dr. Crompton, who said that secrecy within the medical profession was hindering doctors in the hospital service of the State?

The Hon. D. H. L. BANFIELD: The policy of the Government with regard to hospital patients who are injured by alleged negligent treatment by a hospital or its staff is not to suppress the true facts of the case. This does not mean, however, that hospital authorities or their staff should proceed indiscriminately to admit negligence to patients without consideration by legal advisers. On the advice of the Crown Solicitor, hospital staffs have been directed not to discuss with patients whom they consider may have grounds for complaint about negligent treatment details of the circumstances of such cases, but to suggest that the patient may wish to obtain legal advice on the matter. If that advice is sought by the patient and any subsequent claim is referred by the hospital to its legal advisers, disclosure of medical records could then be made and independent medical opinions given about the treatment complained of. Any patient who considers that his treatment in a Government hospital has been negligent and who cannot obtain what he considers to be satisfactory results from any inquiries he may make from the hospital has access to the Ombudsman, who has power to conduct a full investigation.

PERSONAL EXPLANATION: NEWSPAPER REPORT

The Hon. M. B. CAMERON (Southern): I seek leave to make a personal explanation.

Leave granted.

The Hon. M. B. CAMERON: I note that in a press report of a speech I made yesterday in the Council on the Appropriation Bill (No. 2), the word "technicians" is used where, in fact, the word "hygienists" should have appeared. It is possible that the error was made by me and that I used the word "technicians" wrongly. However, I draw the attention of the Minister of Health to the fact that the report should read "hygienists".

CRIMINAL LAW (SEXUAL OFFENCES) AMENDMENT BILL

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

PRICES ACT AMENDMENT BILL

The House of Assembly intimated that it had agreed to the recommendations of the conference.

MURRAY NEW TOWN (LAND ACQUISITION) ACT AMENDMENT BILL

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

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That this Bill be now read a second time.

The amendments proposed by this Bill, which amends the Murray New Town (Land Acquisition) Act, 1972, are intended (a) to recognize the change of the description of the development proposed in the vicinity of Murray Bridge from Murray New Town to the city of Monarto; and (b) to set out the functions of the Monarto Development Commission, which will be responsible for the development of the city, in relation to the acquisition of land.

Clauses 1 and 2 are formal. Clause 3 amends the long title of the principal Act to recognize the establishment of the Monarto Development Commission. Clause 4 amends the definition section by inserting the definitions of "the commission" and "the committee", the need for which is, I suggest, obvious. Clause 5 amends section 4 of the principal Act which provides for the acquisition of land within and without the designated site by the commission instead of by the State Planning Authority. Honourable members will recall that it was always intended that the power to acquire land for the purpose of the development conferred on the authority was a temporary measure only. I would emphasize that no additional powers of acquisition have been conferred by the amendments provided for by this clause. It is merely that the acquiring authority has been changed. An appropriate transitional provision has been inserted by proposed new subsection (3).

Clause 6 repeals section 5 of the principal Act and replaces it with two new sections. The first of these is proposed new section 5, which vests in the commission the power to refuse approval to a plan of subdivision or resubdivision in relation to the land that lies within the designated site where in its opinion the approval of the plan would be prejudicial to the establishment of the city of Monarto. This power was previously exercised by the Director of Planning. However, by the introductory words in proposed subsection (1) this power may only be exercised by the commission when, pursuant to the Monarto Development Commission Act, it assumes the powers of a "municipal council" under the "applied Acts" referred to in Part III of that Act. Until that time the provisions of proposed new section 5a will have effect. Proposed new section 5a provides for certain transitional provisions to deal with control of land subdivision within the designated site until the commission assumes control over subdivision of land. Throughout this transitional period the Director of Planning will continue to exercise these powers. This section also provides that the Director will continue to have power to control subdivision of land in the adjoining area as defined in the principal Act where, in his opinion, that subdivision would be prejudicial to the establishment of the city of Monarto. Finally, the exercise of powers under both of these proposed new sections is subject to appeal under the Planning and Development Act.

Clause 7 repeals section 6 of the principal Act and enacts two new sections in its place. Proposed new section 6 substantially re-enacts old section 6 but substitutes the "commission" for the "State Planning Authority". By this provision the commission is given overall power to control land use within the designated site, that is, the area that

will ultimately encompass the city of Monarto. In addition, a penalty for changing land use or altering structures without the consent of the commission has been provided for. The penalty provided for this offence is the same as that provided for a similar offence under the Planning and Development Act. Proposed subsection (6) provides for an appeal to the Planning Appeal Board against a decision of the commission under this section.

Proposed new section 6a, in effect, continues in operation the powers of the State Planning Authority previously conferred by the former section 6 in relation to the adjoining area as defined. The purpose of this control is to ensure that fringe development prejudicial to the establishment of the city of Monarto does not take place. In addition, in this proposed new section an additional power has been conferred on the State Planning Authority. Briefly, this is a power to refuse consent to a change of use of land in the adjoining area where in the opinion of the authority the proposed change will prejudice the retention or provision of amenities for the enjoyment of the future population of the city of Monarto. An appropriate appeal is provided in respect of decisions of the State Planning Authority under this section.

Clause 8 amends section 7 of the principal Act and is substantially consequential on the amendments already proposed. Clause 9 inserts four new sections in the principal Act which I will deal with *seriatim*. Proposed new section 7a gives the Minister power to close roads not required for the purposes of the city of Monarto without reference to the Roads (Opening and Closing) Act. I suggest a power of this nature is quite appropriate when a major redevelopment is being undertaken and in fact there is ample precedent for the conferring of a power of this nature in such circumstances. Proposed new section 7b provides that when the commission acquires, say, a Crown lease the fee simple of the land will also by force of this Act be vested in the commission. Proposed new section 7c vests land acquired by the State Planning Authority for the purposes of this Act in the commission. Proposed new section 7d provides for the appropriate action to be taken by the Registrar-General to give effect to the vesting provided for by the preceding provisions.

Clause 10 amends section 8 of the principal Act. This section provides that in relation to sales within the establishment area, as defined in that Act, the Minister may attribute a price that, in his view, would have been a fair price had the development of the urban centre proposed by the Act not been in contemplation. This attribution of a price does not, of course, affect the price actually paid in relation to the sale, which is a matter for the parties themselves to decide. The attributed price only has effect to the extent that it may be taken into account by valuers when fixing the price of land to be acquired under the Act. Honourable members will no doubt be aware that amongst the methods of valuation of a parcel of land is one that takes into account the price paid at recent sales of comparable land in the vicinity. In acquisitions under the principal Act the price so taken into account will be the attributed price. However, it has been suggested to the Government that the working of section 8 will be somewhat simplified if the price attributed in relation to such sales could be so attributed disregarding the value of houses or buildings situated on the land the subject of the sale. It is understood that, in the operation of the valuation practice here referred to, the value of houses and buildings is in fact ignored and they are valued separately. This suggestion seems to have merit and since it involves no change in the principle as at present expressed in section 8 this proposed amendment gives effect to it.

Clause 11 amends section 9 of the principal Act by making certain consequential amendments to that section. Clause 12 strikes out paragraphs (a), (b) and (c) of subsection (1) of section 10 of the principal Act and re-enacts those paragraphs and also provides for rights of entry within the designated site to the commission and persons authorized by these bodies. Clause 13 enacts new sections 10a, 10b and 10c, all of which are of a comparatively formal nature. Clause 14 enacts a new section 11a which confers regulating-making power on the Governor.

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

APPROPRIATION BILL (No. 2)

Read a third time and passed.

LAND COMMISSION BILL

Adjourned debate on second reading.

(Continued from October 3. Page 1010.)

The Hon. G. J. GILFILLAN (Northern): I rise to speak to this Bill with some concern, as we have before us legislation that is entirely different in its concept from that which this State has known throughout its history. The State of South Australia has been developed, and developed to the credit of those involved, since 1836, with a feeling of security which existing systems of land tenure give. These feelings were consolidated when the Torrens title system came into effect.

In the early days of this State land was held under many different titles, as honourable members well know, before the Torrens type of title was introduced. Many very old titles can be found in the square mile of the city of Adelaide, but in the broad acres we find that large leases were held by a few people and that most of them were cut up in the productive country into smaller units where freehold titles were issued in most instances. This encouraged people to develop that land and to build substantial improvements on it, so much so that they have at least lived with reasonable security under this form of tenure and have come to accept it, as have lending institutions, as something that is concrete and reasonably safe from acquisition or take-over by any outside body.

I believe that this piece of legislation is probably more important in principle than any other legislation we have considered this session, and is more important than most other legislation that we have considered in previous sessions. Today, we see that the Commonwealth Government is entering into a State field and wishing to have a say in who will be on this commission; the Commonwealth will enter a sovereign State in an area where titles are held under existing State Acts. I have grave misgivings about this legislation in any way helping people, particularly young people, to purchase a house or a block of land in the future.

I believe that there will be uncertainty among people who wish to establish a home or a business, and I doubt whether there will be any financial advantage involved that will compensate for this uncertainty. Government departments have a sorry history as far as business is concerned, unless they have a monopoly, and many of them incur losses annually. True, some Commonwealth and State Government departments show a profit where they have an absolute monopoly and where they can fix their charges according to their costs. The Postmaster-General's Department constantly increases its charges to meet increased costs. There is no way of measuring the efficiency of a Government monopoly against a similar organization run by private enterprise when private enterprise is excluded.

A question was asked in the Council yesterday about the cost of land, being sold on behalf of the Government,

for industrial sites. True, as the Chief Secretary said, this is a different proposition from land for housing, but there is no guarantee that the same motive will not be there in the future to make a profit out of land that has been acquired compulsorily. In his reply the Chief Secretary stressed the quality of services supplied in this area of industrial development. Taking that a little further, I point out that the total area involved in the sewage farm is 851 acres (344.33 ha). Various portions of this land were made available to different Government departments and instrumentalities, such as the Education Department, the Railways Department, the Engineering and Water Supply Department, the Electricity Trust, etc., which left a balance of 300 acres (121.4 ha). After subdivision and allowing for roads and the various other services, the net area of land available for purchase by industry is 266 acres (107.65 ha).

Planning for this area has been going on for some years. Evidence was given in 1969, the report was accepted in 1970, and the average estimated cost an acre (.405 ha) then was \$6 500, plus any interest that may have accrued in the meantime. This is a different sum from the price being asked now of up to \$32 000 an acre. This land was resumed by the Lands Department to bring it all under one title for simplicity of administration but, if a Government department makes a huge profit at the expense of industry, can it be accepted in good faith that the same position will not occur if it has a monopoly over large areas of land for private use and building? I would support any reasonable plan that would make land available at reasonable prices to young people who wished to build, more particularly if the legislation achieved what it claimed it would achieve.

This Bill enables a commission, consisting of three members, to be set up jointly by the Premier and the Prime Minister to acquire land compulsorily and to manage the affairs of that area in its future development. This is a vague description of how the commission will act. The Bill does not, for instance, state whether the Chairman will have a deliberative vote and a casting vote. It provides that two members shall form a quorum. As the Hon. Mr. DeGaris said yesterday, the Bill does not provide for appeals against the commission's decisions. I believe that any contemplated commission such as this, if it is going to prove to the satisfaction of honourable members that it can really make more blocks of land available, and at reasonable prices, should have to work under the same conditions as its competitors. I do not believe that the commission should be empowered to acquire land compulsorily. This power is very wide in legislation such as the Planning and Development Act. Land acquisition for the widening of roads and the provision of pipelines and electricity is taken care of in various Acts, and the powers are very wide indeed.

In this Bill, the Commonwealth Government, together with the State Government, is intruding into the area of the compulsory acquisition of land. I believe that many small landholders will be bluffed by the threat that their land could be acquired compulsorily and will perhaps relinquish their land without litigation, even if that opportunity were available. We have heard disturbing stories about land acquisition even under existing Acts; some of these cases are awaiting full compensation. I know of instances where up to five years has passed and compensation has not been paid, although the enterprise concerned has been in operation for at least half that time in a revenue-producing capacity. It is completely

wrong that members of the public should be placed in this position as a result of their land being acquired compulsorily.

I believe that many of the costs incurred by home builders at present are the result of legislation which the Government has introduced during the past three years and which, as predicted, has affected the availability and the price of building blocks. Prior to some of this legislation being enacted, developers were able to develop much more cheaply because rigid conditions were not laid down, whereas a developer must now be guided by these rigid conditions. There is also the bottleneck of so much more processing under the Planning and Development Act through the Lands Titles Office, and this extra burden of work placed on certain Government departments has created a bottleneck. I know of many cases where the transfer of land has taken a long time to be cleared through these channels. Many of the costs have been incurred as a result of the so-called consumer protection legislation; this is a cost of development not to the developer but to the purchaser of a block of land.

In the Bill, in addition to the threat of the compulsory acquisition of land for urban development, there is also a clause or two which could be used, if required, to acquire land to be used other than for urban development. I have very grave doubts whether the legislation will accomplish any more than the creation of another department or commission that must employ staff and incur costs in developing the State. I have yet to be convinced that the present system is not the best. Certain clauses of the Bill contain aspects that I do not like. I refer, for instance, to clause 4, which contains the definition of "land", and to the provisions defining the powers and functions of the commission. Yesterday, the Hon. Mr. DeGaris referred to the clauses, such as clause 12, which do this.

This type of legislation, which is new to South Australia, affects not only the price of freehold land and its value as an asset should its owner want to borrow money but also perpetual leases and other types of leasehold title. I object mainly to one or two principles contained in the Bill with which we will no doubt deal in Committee. However, I reiterate that this legislation is new to South Australia and, therefore, should be viewed with grave concern by all members of Parliament.

The Hon. C. M. Hill: It is new to Australia.

The Hon. G. J. GILFILLAN: Yes, it is the first legislation of this type in the Australian States. There is a somewhat similar land tenure situation in the Australian Capital Territory and, from what I have been told of the conditions obtaining there, I have no reason to believe that such a title will confer on South Australia any benefit either in security or in the provision of land at a cheaper rate. The cost of land will always be governed largely by supply and demand. If the Government could streamline the processes necessary to get land on the market, it would be a more positive step than setting up a commission that will work under fairly favourable circumstances compared to those of private enterprise. If the commission is placed on exactly the same footing as private enterprise, we will have a way in which to assess the efficiency of private developers, although the commission will be able to lend money at a rate cheaper than that now paid by house builders. Even if the commission competed openly with private enterprise, it would still have the advantage of being able to provide cheap finance. I would not begrudge this to the commission,

as it will ultimately mean cheaper interest rates and savings for young home buyers.

I am certain, however, that the same benefits could be given with many fewer problems by a direct grant or the provision of more cheap money to our existing instrumentality, the Housing Trust, and, perhaps, to other housing and lending institutions. This is where one of the main problems occurs: that of young people trying to find finance to build a house in this inflationary period. I do not believe that this commission and the legislation relating to it will overcome this basic problem.

Although the legislation may have an emotional appeal to those people who will always grasp at any straw if they are told that it may reduce costs, it contains no provision that land will definitely be provided at a cheaper cost to prospective house purchasers. We will merely be putting on our Statute Book more legislation that may or may not do what is required, and I do not think it is necessary.

The Hon. B. A. CHATTERTON (Midland): I support the Bill, and amplify some of the remarks made by the Chief Secretary in his second reading explanation. The basic objects of the South Australian Land Commission are, first, to give families access to residential land at fair prices; secondly, to provide greater integration and economy in public and private development; and, thirdly, to facilitate the provision of community services and to encourage orderly urban expansion and development. Its principal function will be the assembly, holding and management of large parcels of actual and potential urban land, and it will have powers of development and servicing in appropriate cases.

It is the view of the Government, and I am sure of everyone who has studied the land market, that the existing unregulated market in land with its record of sharp cyclical fluctuation in the production of new blocks cannot be relied on to keep production up to demand and so keep prices at a fair and reasonable level over a period of time. At times, there are intense spasms of activity, the result being gluts and a consequent massive waste of community resources, as public services are tied up for years in allotments for which there is no demand. At other times (and this has been the situation in recent years), production of new allotments falls far short of demand. One of the side effects of the price rises that inevitably result from this shortage is the cynical and deliberate manipulation by owners of broad acres of the supply of undeveloped land coming on to the market.

I should like now to add a little more flesh to these accusations concerning the total inadequacy of the private enterprise system to meet community requirements for residential land. The figures from the State Planning Office, which are quoted in the report of the working party on the stabilization of land prices, show that in 1965 about 1 000 more allotments were created than were built on. Every year since 1965 fewer allotments were created than were built on. The second figure on page 11 and the third figure on page 17 of that report illustrate this with striking clarity. The result has been an upward surge in prices for building blocks as the great stock of allotments created in the period before the 1965 boom ran down.

I refer now to the figures quoted in the *National Times*, which show how the free enterprise forces go from inadequacy to lunacy. Having failed miserably to meet the demand for allotments over a period of nearly eight years, the State Planning Office received applications for 23 606 new allotments in the 1972-73 financial year.

This represents more than three times the annual average rate of usage of allotments. If this is not sufficient evidence of the mad spasms of which I spoke earlier, a month by month break-down of the figures shows an even more incredible picture.

The first half of the financial year (normally the busiest, incidentally) showed 6 621 applications, or about double the usage rate if carried through a full year. The rest of the year (that is, from January to June, 1973) produced 16 985 allotment applications. This is, of course, equivalent to nearly 34 000 as an annual rate. Now, to prove finally that the rate of idiocy in the land market is increasing, the figure for May and June, 1973, was 7 201, which, translated into an annual rate, is over 43 000 allotments a year, or six times the average usage rate. There is a seasonal factor in applications. Normally, fewer are received in the early winter months of May and June and so, if seasonal adjustments were applied to these figures, they would be even more striking.

Right! What am I complaining about? After years of inadequacy the private market is at last cashing in on its speculative gains and replenishing the stock of allotments, but at a fantastic cost to the community. This sudden flood of allotments has now to be serviced at vast expense, yet the most cursory glance at the building figure proves they will not be needed for many years to come. All this adds up to a gross indictment of the existing private market in urban and potentially urban land. It is alone a sufficient reason for the establishment of the Land Commission. I hope the Opposition has sufficient breadth of vision to see that any ideological view that the private sector is bad and the public sector is good is irrelevant: the essential criterion is performance. There can be no doubt that the private sector's performance has been appalling.

There are, however, other functions of the commission which I mentioned at the beginning of my speech when I said "to facilitate the provision of community services and encourage the orderly urban expansion and development". I want to emphasize the key word "orderly". Let me also quote from Buchanan, the author of *Traffic in Towns*, the phrase "a planner is someone who is waiting for something to turn down". This may seem a cynical judgment of a system that has created a revolution in South Australian urban development. Recently, this was brought home to me on a tour of the Salisbury council area, where we were shown an early subdivision (before the Planning and Development Act, but only recently built on) and the current subdivisions. They could have been 100 years apart. The early subdivision was a chaotic sea of mud while the recent subdivisions included made roads and footpaths. It is an incredible achievement for the Planning and Development Act and, on a local level, it has created an environment equal to any in the world.

It is on a local level that planning has worked wonders. It has failed, however, to produce a structure for Adelaide because it is waiting for private initiative. We get scattered development and high costs to the community. This is seen in the forced leapfrogging of public network services such as water, sewerage and electricity across vacant tracts of land that are being held for speculative purposes. This disorganized and disjointed development has created insuperable problems in the future for public transport systems. Whereas much of the land comparatively close to the city—in, say, the Salisbury area—is being held for further capital gain, land beyond Gawler is being subdivided into allotments. The inducement that is offered to families to move so far out is the provision of a larger block for the same

price. Hence, our most fundamental and intractable problem with public transport in Adelaide (the low urban population densities) is being aggravated rather than improved. Only with substantial, direct Government involvement in the land market can orderly, efficient and equitable development be achieved.

Finally, the speculators, the holders of broad acres creating shortages to produce inflationary prices, it is hard to think of words sufficiently harsh to describe. Let me cite a few examples. The *Sunday Mail*, on June 6 this year, had a story on Adelaide's reluctant millionaire, Brian Carey. He was Adelaide's largest land agent and had just bought a house for \$282 000. One or two paragraphs of that story are very revealing. Let me quote:

... three years ago he bought 200 acres of land at Salisbury for \$900 an acre—a gamble at the time. Today, the land has been subdivided and 480 building blocks have been put on the market. The first sold for \$2 275 and now the price has reached \$3 500.

I had to check the calculations a couple of times in disbelief. The purchase price of 200 acres (80.94 ha) at \$900 an acre is \$180 000. He sold 420 blocks, some at \$2 275 and some at \$3 500—say, an average of \$3 000. This comes to \$1 400 000, in round figures. If we deduct the \$180 000 he paid for the land, we can see how the house he bought for \$282 000 was just peanuts.

The Hon. R. C. DeGaris: What is the cost of the development of each block?

The Hon. B. A. CHATTERTON: I have worked that out, too. The State Planning Authority will allow 3.3 blocks an acre, so another 180 blocks were put on the market. Using the report on land stabilization, it is estimated that the profit from each of those blocks was \$1 000, and therefore the total profit from that one deal was \$660 000.

The Hon. R. C. DeGaris: Yes, but is it possible to develop a block of land for \$1 000 today?

The Hon. B. A. CHATTERTON: No; I did not say it could be developed for \$1 000: I said that the profit was \$1 000. Later in the biography there is this description of Carey:

Carey is a hard-nosed businessman with a soft heart. He espouses the grand old virtues of the capitalist process—hard work, honesty, integrity, pride in what he does and in the people who work with him rather than for him.

I wonder whether those carpenters, welders, labourers and fitters who bought those 480 blocks for \$3 000 apiece appreciate his soft heart. Will his "integrity" and "honesty" be apparent to them over the next 20 years as they pay back the mortgage and the second mortgage which contributed to his millions? A sum of \$3 000 represents a very large part of a year's earnings to them, and many years savings. This is one case. There are, unfortunately, hundreds of others, and the most ironical of all is the case of Tonkin, Baohm, Loveday and Verco. They have applied a further bitter twist to this story of exploitation. The people who suffer from land speculation are the ordinary workers, the factory workers, and the labourers. Tonkin, Baohm, Loveday and Verco have set up a series of co-operatives, using loopholes in the Act which allowed co-operative shares to be sold from door to door.

The Hon. R. C. DeGaris: Who is Loveday?

The Hon. B. A. CHATTERTON: He is an architect.

The Hon. M. B. Dawkins: Is he related to the former Minister of Education?

The Hon. D. H. L. Banfield: If he is any relation to Carey, he has the same instincts.

The Hon. B. A. CHATTERTON: They have collected vast sums of money from ordinary people to use as interest-free capital for land speculation. The co-operatives are:

International Holiday Co-operative Limited, which has 1 777 members, who have contributed \$498 941; World Travel Co-operative Limited, with 1 639 members, who have contributed \$958 542; United Properties of Australia Co-operative Limited, with 625 members, contributing \$359 976; and, finally, Second United Properties of Australia Co-operative Limited, with 802 members, contributing \$473 637. In total there are 4 833 members, who have contributed about \$2 300 000. This money has been used, after paying the share salesmen a hefty commission, to purchase broad acres in the Happy Valley, Hackham and Reynella areas for speculation. At present they hold about 1 600 acres (647.5 ha) of residentially zoned land. If this is calculated into building allotments, this land represents about 80 per cent of an average year's usage for Adelaide. In other words, the interest-free contributions of workers, pensioners and housewives have been used to speculate in land and play a considerable part in forcing up land prices for those same sorts of people. This must surely be one of the scandals of our time.

I would like to nail some of these accusations home. It is easy to call them rapacious and grasping, crooks and rogues, but unfortunately many people in the community feel a sneaking admiration for them. I suppose one could say the same for the Great Train Robbers; many people felt a sneaking admiration for them, but at least most of the Great Train Robbers have been caught and are serving sentences for their crime. What many people think is that the speculator just happened to buy a few acres for \$900 an acre and then he sold the land six years later for \$3 000 an acre without improving the land in any way whatsoever. I have already explained how the actions of land dealers over the past eight years have created an artificial shortage, but there is more to it than that.

What makes an acre of poor structureless clay at Parafield Gardens growing only soursofs so much more valuable than an acre of rich dark rendzina at Struan? Only the development value of the land at Parafield Gardens makes it more valuable. What is the development value of the land? It is related to the proximity to services, nearness to centres of population and places of employment, and many other attributes that make the land desirable for future development. The point is that the overwhelming number of these attributes are provided by the community, yet the development value is being stolen by the speculator. The community is caught both ways. It pays rates and taxes to provide services and then has to pay more for allotments because of the services provided. The Land Commission, by putting land on the market at reasonable prices, will ensure the end of this exploitation. I support the Bill.

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

MONARTO DEVELOPMENT COMMISSION BILL

Adjourned debate on second reading.

(Continued from September 27. Page 980.)

The Hon. C. M. HILL (Central No. 2): The general purpose of this Bill is to form a commission which will have the duty of developing and managing as a local government body the proposed new town of Monarto. The Chief Secretary has explained that the Government intends to appoint three commissioners to form the Monarto Development Commission. It has already been announced that the Chairman of the commission will be Mr. Ray Taylor who, as all honourable members know, has been a very successful Agent-General for this State

in England; prior to that appointment he was a very able business executive, and I am sure that he will succeed in his new role.

The South Australian Government intends to appoint a second commissioner, and I believe from what I have read that the third commissioner will be appointed by the Commonwealth Government. Mr. A. W. Richardson, who has been appointed General Manager of the project, brings a great deal of training, expertise and success with him. He has served in several senior Government property positions in Perth, Darwin and Canberra and, until recently, he was Assistant Secretary in the Commonwealth Department of Housing. I am pleased to see that he is a Fellow of the Commonwealth Institute of Valuers.

As the Chief Secretary explained, this Bill is the second of three measures to establish the legislative machinery for the proposed town. The first of the measures was the Murray New Town (Land Acquisition) Act; the second is the one we are now considering; and it was stated that there would be a third one dealing with the types of landholding. I assume that the third one may be the Bill that reached this Council today but, of course, honourable members have not yet had an opportunity to review it. In dealing with the history of the venture, the Chief Secretary said:

It is sufficient here to say that the site selected is from all points of view the best one.

Later, the Chief Secretary said that the site had been well chosen, and he broadened that statement into a general explanation of the history of the project. I have strong fears that the whole project will founder; I base those fears on the fact that there was no large-scale public inquiry as to how the excess population from metropolitan Adelaide would be located in the future. Such an inquiry should have been conducted before the idea of a new town was conceived. In England and the United States of America, new towns are not developed without such an initial inquiry; in fact, history has proved that, wherever new towns have been established without such an inquiry, they have failed.

In South Australia the initial inquiry would not have been specifically concerned with where a new town should be established; it was essential that the inquiry should be concerned with how our excess population should be located. Many experts have dealt with the question of the population growth of metropolitan Adelaide. We have about 825 000 people now, and some have claimed that from now on the rate of increase will be 3 per cent per annum; if that figure is accepted, by 1991 there will be 1 384 000 people in metropolitan Adelaide.

Other experts say that the growth rate could be less than the rate I have just referred to. If we take a 2 per cent growth rate, as one expert has done, our population in the year 2000 will be 1 480 000 people. If, as is proposed, the new town ultimately absorbs about 200 000 people, we can see from the estimates I have given how many people will be retained in metropolitan Adelaide.

The question again arises as to what are the views of the Government and others on what the population of metropolitan Adelaide ought to be. The only public inquiry of any kind into such a question was conducted by the Committee on Environment in South Australia. That committee recommended that the population of metropolitan Adelaide should be limited to about 1 000 000. I have heard reports from Government members that the figure fixed as the optimum is about 1 380 000 people, so here there is a difference in the goals of authorities as to the best possible number that should be retained for the

optimum enjoyment, contentment, and happiness of the future population of Adelaide. The Government should have heeded the report of the committee and fixed a population of 1 000 000 as the target for Adelaide's population in the future.

The Hon. M. B. Dawkins: Do you think the Government intends to make some money on land? It might sell some building blocks to people.

The Hon. C. M. HILL: We have been dealing with the subject in this Chamber. The point I make is that an initial public inquiry should have been held into the question of where these people were to be located, and from that inquiry would have come a resolution as to the process by which the extra population could be located in the future. That initial inquiry was not held.

If we are to make really big plans in this regard, that is the way we should go about it, but we have not done so. This makes a mockery, in my view, of the famous words of Daniel Durham, mentioned by the Premier when this project was first announced. He said, among other things, "Make big plans, aim high in hope, and work". That is the first point I make: I fear for the future of this Monarto project because the essential initial planning has not been carried out.

The report of the environment committee recommends that at least one future city should be planned, and possibly a second, and it suggests 500 000 people as being the optimum population. It also says that further investigations should be carried out in the vicinity of Port Pirie, as a possible site for such a city. We can see the reasoning behind the committee's findings of limiting Adelaide's population to 1 000 000 people when we consider the forecasts I have mentioned.

The excess population, which could be about 500 000 by the turn of the century or even before that, could be siphoned off into such a city and we would see decentralization in its proper form. However, we have not got a plan as big as that by any stretch of the imagination when we look at the proposed city of Monarto. It is a great pity the Government has not tackled the question of decentralization as it should have done. It is a difficult problem, one that has proved difficult throughout Australia, and a challenge to planners throughout the world.

There must be some phenomenon which draws people into the established big cities at the expense of the rest of the country, but that is no reason why it could not have been tackled. We have seen how it was examined in the environment committee report and the broad guidelines brought down by that committee on this subject indicate that it could have been investigated further. If it had been, I believe a much different result would have been achieved.

Another grave fear I have is that the development of the town ultimately will not be the development of a city in its own right, as it has been called; it will not be the development of a city separate from metropolitan Adelaide but will be simply an extension of metropolitan Adelaide, and that extended area will encompass this region of Monarto. Whereas now we have in broad terms a north-south development in the metropolitan area of about 50 miles (80 km), by the pin-pointing of Monarto and the development of that area, as is proposed, we will see an east-west axis ultimately for metropolitan Adelaide of about the same distance.

Another point which causes concern to anyone looking into the question deeply is the uncertainty with which the Government has approached the plan. Originally it

was announced that a town was to be planned for 100 000 people; at a later date it was announced that 150 000 people were to be located there; in recent times the figure has increased to 200 000. Similarly, the original area of the town was to have been 10 000 ha and at a later date it was to have been 16 000 ha.

This is hardly conducive to certainty in planning, and unless the Government is certain initially of its plans, surely this must give rise to doubt in the public mind. There is uncertainty, too, about Commonwealth finance for the project. The Minister said in his explanation that the Government expects to get finance for it. He did not say, "We have got the money allocated", nor did he say that funds are available, but simply that the money is expected. This point must be considered under the general heading of uncertainty.

The worry is further compounded when we realize that our resources to establish a base for a new city or town are limited, and if planning proceeds and resources such as State Government departments and some commerce or industry are persuaded to establish in such a town, and if we have this population explosion I mentioned earlier, there will be no alternative but for metropolitan Adelaide to grow, because if we try to take people elsewhere there will be no base left to be established elsewhere to provide the nucleus for a town and further growth in that other location.

The whole question of the potential population of metropolitan Adelaide and the optimum size of the city is exceptionally important and concerns all those who regard seriously the way of life in big cities, such as Melbourne and Sydney, compared with the way of life we enjoy here in Adelaide. Strenuous efforts should be made by any responsible Government to limit the expansion of metropolitan Adelaide to about 1 000 000 people, as recommended in the Jordan committee report.

Another cause for doubt is the quite glamorous manner in which this project is being promoted. We are told that the planning is to be similar to that of Canberra, and that Monarto will be a city in its own right. A rather dazzling concept is being promoted as to what really will happen. When we are dealing with the housing of people and with their lives, and when we consider the future quality of their lives, those who have some say in the legislative process do not expect too much dazzling propaganda about the project.

We are getting right down to basics when we think about housing South Australians and establishing them so that their lives and those of their children will be enjoyed in the best possible social environment. It worries me when I hear all this dazzling promotional propaganda given out on this matter.

Another thing that worries a layman is that no special industrial or interest base has been announced so far regarding Monarto. All new towns as we know them, whether it be Canberra or Elizabeth, have had this base; Canberra, of course, had the base of the vast Commonwealth Public Service; and Elizabeth had the base of industry that was clamouring to establish itself there in a big way. We have not been told what base this new town will be built on. The views I am expressing are my personal views, and I am prepared to say that they are the views of a layman.

However, some experts have expressed serious doubt about this whole matter. Summer schools have been held at which comments have been made regarding this town by scientists, academics and experts. I read with interest that Dr. D. W. Connell (the South Australian research

scientist) at one of these gatherings said, "Already many problems are apparent which the new city will intensify." He went on to discuss questions of increased river salinity, domestic and industrial wastes that contaminate areas, and chemical waste from industry. In general terms, he dealt with the whole question of pollution. When experts give opinions such as those he gave, it certainly causes grave concern for the future.

I also read with interest a press cutting that expressed some of the grave concerns of Professor Schwerdtfeger of Flinders University, who made comments from a meteorological viewpoint, and who expressed his grave concern for the prospects of this town. If we go further we find that there are conservationists who have a deep interest in the area, in Murray Bridge and the Murray River generally, who have expressed their grave concern for the quality of life that many people are talking about so much.

I know that some honourable members in this Chamber have a more intimate knowledge of this aspect of the quality of life than I, because they come from the area. I read a report by Mr. A. T. Dierks, a teacher at a Murray Bridge school, in a paper he delivered dealing with the whole question of the damage that will be caused to Murray Bridge if the population of that town increases quickly as a result of development in this area. He also dealt with the question of schooling of which, of course, he has an intimate knowledge, and he said that the \$2 250 000 high school, opened in April this year, was already overcrowded for optimum usage. He finished his paper by saying:

I feel a large financial allocation for a general amenities fund must be made to Murray Bridge and district in the near future to allow it to prepare itself for the influx of construction workers, otherwise conditions in Murray Bridge will deteriorate unnecessarily, with no future respite in sight. I cannot see solutions to many of the problems of Murray New Town and Murray Bridge and I fear that during construction of the new town, Murray Bridge will live in its dust and, once completed, Murray Bridge will live in its shadow.

Dealing with the whole Murray Valley as a region, I read with interest the comments of Mr. Ian Mudie, whom we know as a conservationist and historian with a great knowledge of Australian rivers and the Murray River in particular. Mr. Mudie is an author and one of the most outstanding poets in South Australia. In a paper he delivered he said:

Not only will the water and the flora and the rest of the wild life be in danger from the building of a supertown. The life of the people in the Murray Valley, as in most places in the country, has always moved at a more leisurely pace than in the city. Now all this is likely to be changed. I shudder to think of the effect on the pace of life of the Valley (at least from the sea up to the boundary of the State) when about 50 000 motor cars and hundreds of high-powered bikes are clustered near Murray Bridge. The thought of even that one aspect of the proposed town makes me wonder if anything can be done to protect the friendly, slow paced life of the Murray Valley from disruption. Coupled with fear of the destruction of the leisureliness of life in the Valley, I fear, as I indicated before, the failure to maintain that sense of the continuity of history that is to be found preserved in so many places along the rivers of the Darling-Murray system, and which is healthily alive in spots such as Mannum and Murray Bridge.

The more one delves into this subject the more one becomes concerned about the initial lack of planning regarding the choice of site and realizes the need for much caution to be exercised by those in authority. These hard facts of life are inescapable. The Premier started to call this town "a city in its own right" and "a separate city" when it was first announced. Now, in Parliament and outside, he has called it "a sub-metropolitan city", and that is certainly an indication of what he expects the future to hold. In today's press, transportation plans are discussed

whereby it is hoped that people will go ultimately from Adelaide to Monarto by rail in 15 minutes. If Monarto is not to be a suburb when that dream eventuates, I do not know what it will be: it will certainly not be a separate city cut apart entirely from the Adelaide metropolis.

Recently, reports of proposed developments at Redcliffs have indicated that companies are willing to pay to establish a vast industrial base there, but we do not know what extra resources we shall have to build. It will be necessary to build a town to follow such a development, but we just cannot put the citizens of this State at Redcliffs in housing dormitories or suburbs without much planning and a sophisticated township.

The Commonwealth is going ahead with plans to pour money into the Albury-Wodonga area on the vast eastern axis of this nation and, therefore, we must have doubts as to how much Commonwealth money will come to Monarto. It all adds up to the fact that we should ask ourselves at present whether we need to extend our resources as we are now planning to do in this new town. Should we have a much closer and deeper look at the whole question?

I make that plea to the Government so it might change its views in regard to the optimum population of the Adelaide metropolitan area and accept the recommendations made in the report of the Environment Committee and retain a population target of 1 000 000 people, and also set about initial planning relating to the balance of population growth between now and the end of this century with a view to what will be in the best interests of all South Australians.

I now consider the Bill in detail. Clause 5 deals with the setting up of the commission and touches on the question of leasehold tenure. It states, among other things, that the commission shall be capable of acquiring, taking, letting, dealing with, or disposing of real and personal property. I ask the Minister whether he is prepared to restrict that power relating to leases to ensure that normal residential building sites established in Monarto will not be let out on a leasehold system comparable with that of Canberra or Darwin.

Like other speakers in this Chamber to another Bill debated today and yesterday, I agree totally with the concept that South Australians have grown up in the main to enjoy the benefits of a freehold system of land for their building sites and houses. It is the maximum stake an individual can have in land in this country, and I believe that there is a traditional demand by South Australians to continue with a freehold system rather than a leasehold system. That aspect of clause 5 should be studied closely.

Clause 13 deals with the commission's functions. Sub-clause (1) provides:

The functions of the commission are to undertake and carry out the social and physical planning, development and construction of the city of Monarto.

The clause also introduces a new and interesting concept in regard to the involvement of the people of Monarto in the working of the commission, which will take the place of local government in that city, but when we think of the commission as the controlling body we must compare it with local government bodies as we know them today. Subclause (2) (b) states:

The commission shall have regard to all matters that in its opinion are necessary to be considered in order to ensure that the physical, social and economic development of the city of Monarto proceeds in the best interests of the people of the city.

Subclause (2) (c) provides:

The commission shall, by all means reasonably available to it ensure so far as is practicable that the people of the

city of Monarto are kept informed of the reasons for and the background to the decisions of the commission and, to the greatest extent possible, are afforded an opportunity to participate in the formulation of the policy on which those decisions are based.

I commend the Government for making some attempt to involve the people of Monarto in their own local affairs, but I point out that that is not really participatory democracy as we would like to see it and as we know it in local government. If the people of Monarto do not agree with a commission decision, all the committees, citizens progress associations and grouping together that it is possible to achieve would mean nothing, in effect, because the commission has the final say, whereas in local government, if councils do not follow the recommendations of ratepayers or ratepayers associations, the councillors must run the gauntlet of challenge at election time: that is democracy. The Bill does not provide for that state of affairs.

The Hon. D. H. L. Banfield: What about a 4 per cent vote at council elections?

The Hon. C. M. HILL: The Minister may talk about that. If he is trying to claim that the system by which ratepayers are compulsorily brought in to participate as much as possible but cannot do any more than that if they disagree with the commission's decision, and if the Minister thinks that that is more democratic than the local government system whereby ratepayers can support candidates at election time and challenge their councillors, his ideas of democracy are different from mine.

The Hon. D. H. L. Banfield: Do you think that a 4 per cent vote is a democratic vote?

The Hon. C. M. HILL: In a voluntary system of voting I do not mind how many go to the polls, because all those interested in the question and the issue have the right to vote. All the ballyhoo about local government being in a poor state because of small polls has never impressed me. I know what the Minister likes, namely, compulsion: get them to vote under pain and threat of the law.

The Hon. D. H. L. Banfield: You never changed) that system when you were in Government; obviously, you believe the same thing.

The Hon. C. M. HILL: If the Minister is concerned about small polls in local government, I assure him that he need not worry. All interested people go to the poll and vote: that is democracy. It is not democratic if people, who appreciate their freedom, are forced by the law to vote if they do not wish to.

The Hon. D. H. L. Banfield: Those who don't go are still governed by that 4 per cent.

The Hon. C. M. HILL: They enjoy their freedom of choice, whether or not they vote. Freedom is one of their most precious possessions.

The Hon. R. A. Geddes: They're still able to object, whether or not they voted.

The Hon. C. M. HILL: A unique system of local government is being introduced in this Bill, and it is different from the one that existed at Whyalla, where there was only one Commissioner. The Government has gone part of the way by introducing into the Bill the need for the people of Monarto to the greatest extent possible to be afforded the opportunity to participate in the formulation of policy. I agree with that, but we must carry the process through in some democratic way. The only suggestion I can make to improve the Government's procedure is that at least we should give the people the right to petition the Minister if they strongly object to any action by their local government body, namely, the commission.

If the people had the right to petition the Minister (who has complete control over the commission), and if they were then not satisfied, they would have the democratic right to take their issue to a State level, and at election time they could support whomever they wished to support. At least, this would give the people of Monarto one extra step in a democratic system, by allowing them to go to that party that controlled the commission and appeal to that party in regard to their grievance or cause. I ask the Minister to consider this change, which I believe would improve the Bill.

My next point deals with Part III, which includes the question of applied Acts; this matter is covered in clauses 24 to 28. I am completely opposed to the situation where provisions in the Planning and Development Act and the Building Act do not apply to the development of this new city. I have never been able to agree with the principle that certain instrumentalities or the Government itself should be beyond the law in this regard. This principle has always given rise to criticism and protest, but mostly the objections are heard after the legislation has been passed. I remember that, for years, the Housing Trust was criticized because it was able to build houses that did not conform to the Building Act.

I can remember some of the vocal conservationists in the State objecting to the West Lakes debenture, which was prepared by the Labor Government in 1965-68, because it excluded the West Lakes authorities from certain provisions of the Planning and Development Act. The new Building Act, which was debated in this Chamber a year or two ago, excluded the State from its provisions, and in this Bill the Government is perpetuating that process. If the individual in South Australia must yield to the laws of planning and development, and building methods and standards, why should not the Government and its instrumentalities abide by the same laws?

The same process is being continued in this case. On the appointed day, the Mobilong District Council ceases its authority over this area. The commission will then take over, and a proclamation can be made in which it can be stated that the Planning and Development Act or the Building Act will no longer apply to this new city. The Minister explained that if this power was not given, it might inhibit development and progress. Is this not an admission that private builders, urban planning companies and citizens who wish to plan and build houses are themselves restricted by those laws? If the answer is "Yes", it is a disgraceful situation. We will have one rule for one person and another for Governments and Government instrumentalities. I believe that principle is wrong.

The Hon. A. F. Kneebone: But you have a control over the Government. If you don't have these laws, you won't have control over the other people.

The Hon. C. M. HILL: I cannot understand that statement. I do not think the Minister can object to the principle I am trying to espouse. This will attract much criticism and cause much bitterness. That the Government is worried about the situation is proved by clause 28 (3), which provides that, once these proclamations are made, they must be laid on the table of the Council within 14 days.

The Hon. M. B. Dawkins: That means nothing.

The Hon. C. M. HILL: The honourable member has just answered the question I was going to ask: what does this mean? We have from time to time in this Chamber discussed proclamations compared to regulations, and time and time again it has been emphasized

that the democratic aspect of regulations is a means by which a check can be made by Parliament on the Government of the day, irrespective of which Government is in office.

Again, we seem to have here a proposed unique system under which Parliament will simply be informed of what happens. However, if honourable members read the *Government Gazette* they would be able to ascertain this for themselves. It seems that the Government is worried by the opening of the floodgates in relation to laws not applying to this new town. I make the point that in reviewing this Bill the Government is admitting that it is worried about its new procedure. It seems to be a method by which the Government is easing its conscience on the matter. Indeed, it is farcical when one considers legislation in its best possible form.

My next point relates to Part IV of the Bill, which contains clauses 29 to 36, and it deals specifically with local government. On an appointed day, an agreement must be reached between the commission and the Mobilong District Council regarding the council's rights, liabilities and obligations and all the interests of the council over this portion of the land designated as the new town, which will automatically be taken over by the commission. Once more, I stress the need for a democratic right of appeal. The Mobilong District Council is being asked to treat with the commission and, if it is dissatisfied with what the commission has laid down, it seems to me from the legislation that it will be just too bad. Under clause 32 (2), the Minister may, in his discretion, approve or not approve of any agreement. This refers not to the Minister of Local Government but to the Minister responsible for administering the Act. I am certain that this will not be the Minister of Local Government but, if I am wrong, the Chief Secretary will no doubt correct me.

I make the point that the Mobilong District Council must surely have some protection, especially when one considers, first, the long and protracted procedures involved under the Local Government Act when council boundaries are altered; secondly, the decades of debates that have taken place regarding councils losing parts of their areas to other councils and, finally, the checks and balances that have traditionally been written into this legislation. Here, the council must front up and come to an agreement with the commission, and that is the end of it. Then, the Minister administering the Act has the right to say whether or not he will approve the agreement.

I make the point that the Mobilong District Council is not in a very strong bargaining position, and it ought to be given the right of appeal to a court or higher authority if it is dissatisfied with the best arrangements that can be made by mutual consent between itself and the commission. The council is presently concerned about this whole matter, because it does not know when the appointed day will be. It has sent out its rate notices, it has budgeted for this financial year, and all ratepayers have been rated on the basis of the budget that has already been accepted. Also, as the council does not know whether it is going to receive its rates, it has every reason to be concerned. I also understand that the council has a beautiful site in this area comprising about 50 acres (20.23 ha) which is being held as a public park or reserve. Surely, if the council must give up that land and buy similar land elsewhere within its boundaries, it ought to have a right of appeal if it does not receive satisfactory compensation. That is merely democracy.

In its forward planning I understand that the council has shown the foresight of purchasing, for \$5 000, a cemetery

site near the boundary of the proposed new town. If the council wants to make new arrangements regarding this land and to purchase similar land elsewhere, on today's market—

The Hon. R. C. DeGaris: Perhaps it could go to the Highways Department, which could make a nice profit.

The Hon. C. M. HILL: I do not know whether the Chief Secretary would say that it could sell the land at market value. The point is that the council must be given a fair deal; it is as simple as that. If the council considers that the agreement is not fair, surely it ought to have the right to take the matter to some form of arbitration so that someone who is completely unbiased and independent can fix the monetary value.

I therefore stress the point that on the appointed day the axe will fall on the Mobilong District Council in relation to its boundaries. I want to do all I can to ensure that it is treated with extreme fairness in the negotiations that will take place on the appointed day. Local government, in the form honourable members know it, may come to this new town when its population reaches 60 000. I was interested to read the word "may"; personally, I should prefer to see "shall" in its place. I know from my experience of Whyalla all the arguments and disputes that take place before the final crunch comes and local government changes from a system of commissions to the traditional form. If, under an Act of this kind, it was specifically laid down that on the attainment of a certain population the town had to change and be on a similar basis to that of all the other councils, I think it would avoid much argument and discussion, and bitterness, too, in the years ahead.

Clauses 38 and 39 are worrying. Clause 38 completely cuts the Public Works Committee out of contributing in any way its expertise. I should have thought that, if it was given the opportunity to be involved in the development, it could well be of assistance and not, as obviously the Government believes, an obstructionist influence. It could be of assistance to the new body and, similarly, that committee could gain much from being involved in and observing the contract prices, the styles of construction, and so on, of the public buildings to be built in the town; but clause 38 excludes the Public Works Committee from this legislation.

In my view, the most worrying clause in the whole Bill is clause 39. Further to my comments on the Planning and Development Act and the Building Act not applying to this commission, clause 39 permits the Governor (and by that, of course, is meant the Government of the day) to exclude any Act of Parliament that may, in the view of the Government of the day, prevent or impede the successful development of the town. When we look at that closely we see that all Acts of Parliament applying to the Highways Department, the Engineering and Water Supply Department, and the Public Buildings Department, and not merely the Planning and Development Act and the Building Act, can, by one wipe of the brush, be excluded from having any force in that area known as Monarto.

Who defines "successful development?" It is a dangerous precedent. If this Parliament is prepared to give that power to this local government body, is it prepared to give it to any other local government body? That question is worth pondering because, if the Government is prepared to do that, we are opening up a vast field; but the point is that surely Government instrumentalities such as this commission must conduct their affairs within the law; that is the principle involved.

However, in clause 39 the Government wants to change that principle. Then again, to ease its conscience, it is providing this unique machinery in regard to proclamation. Once it has made the proclamation, it is a *fait accompli*. Then the Government comes along and lays the proclamation on the tables of the Houses of Parliament, saying: "There is nothing to worry about. We are telling you all about it but, no matter what you say or do, it is a *fait accompli*." That is not how Parliamentary processes in this State have ever worked, and they should not work like that either now or in the future.

I hope this Council looks closely at this matter involved in clause 39 as it reviews and deliberates on this Bill. I am prepared to support the Bill so that it can get into the Committee stage but, in the general review it must receive by this Council, some of the matters I have raised and some of the matters I have no doubt other honourable members will raise must be looked at closely.

The Hon. V. G. SPRINGETT (Southern): In following the Hon. Mr. Hill, I appreciate that, with his experience in Government, he is able to bring to the surface many things that other honourable members have missed. I want to raise one or two points that are important to those who live near the site of the new town, points I have learnt during the last few months. At the end of 1972, I went to a public meeting held in the Monarto hall. That hall was packed, and speaking that evening were the Minister of Environment and Conservation and certain officers concerned with the development of the new town. It was obvious that most of the people attending that evening were worried. They were not dissatisfied with the idea of a new town or new city but they were dissatisfied and worried because of what would happen to them as individuals. They were told they would be "bought out" at the appropriate time.

I have been in contact with many of those people since that day, and it is obvious that they glean very little consolation from the fact that they are to be bought out, when they have lived on the same site perhaps since birth. One man, who is over 80 years of age, accepts the fact that Monarto will develop, but that fact does not make things any happier for him. When told that Monarto was the best overall site, he rather cynically asked, "Best for whom?"

In the initial stages of the development of this new town, obviously the adjacent town of Murray Bridge will become important from the point of view of industry: people will have to live there and travel from there to Monarto in order to carry out their duties in building, planning, and organizing the new town. It will not make the people of Murray Bridge any happier when Monarto, having reached a size at which it is viable in its own right, says, "Good-bye, Murray Bridge! We have got all we want from you. We will go ahead now by ourselves."

There is the question of Monarto becoming a dormitory centre. I think that is inevitable, to no small degree. Those of us who have been overseas are well aware of some dormitory towns in many parts of the world, feeding the larger cities where most of the people work. In England, Welwyn Garden City, Crawley New Town, and Bracknell New Town immediately come to mind. Today's *Advertiser* refers to the fact that from Adelaide to Monarto a train will run through seven miles (11.2 km) of tunnel, and Monarto will then become even more so a dormitory area for Adelaide.

A question has been raised, too, in a newspaper from the Murray Bridge area, under the heading "University for new city?" A university city needs public services—

and what else? Public servants and a large university, which takes many years to evolve, will have to go there if it is intended to establish a township of 60 000 people. The local newspaper in Murray Bridge refers to a population of 20 000 people in five years time. I wonder! We are told that the aim is to avoid ribbon development; I hope that is possible. I wonder what will happen to the Mount Lofty Range. If anything is vital, the retention of that range must be high on the list. To destroy such a beauty spot would be wanton thoughtlessness and would do no good to the future prospects of either Adelaide or Monarto.

The Hon. Mr. Hill referred to three measures: first, the Murray New Town (Land Acquisition) Act, which is being implemented; secondly, this Bill; and, thirdly, a Bill to provide for the types of landholding that will be permitted in the new town, which Bill will be intriguing. In his explanation of clause 7 the Chief Secretary referred to the fact that considerable financial assistance from the Commonwealth Government will be made available. Of course, it is almost a *sine qua non* that in these circumstances one of the commissioners will be a representative of the Commonwealth Government.

One cannot dissociate Monarto from efforts to establish self-supporting cities in other parts of Australia. When one considers Redcliffs and Albury-Wodonga and other cities that may be built in the Bathurst and Townsville areas, one cannot help asking, "Where on earth is the money coming from for any one of those projects, let alone all of them?" I have a sneaking feeling about where the money will come from, if it comes at all.

Clause 13, dealing with public participation in the activities of the commission, was referred to by the Hon. Mr. Hill. Of course, at present there are very few people at Monarto; indeed, some of those who are there are moving out. One committee, consisting largely of Murray Bridge people, has been set up. Can the Minister say whether the public participation referred to in his explanation of clause 13 will be merely a rubber stamp, or will the public be invited to take part so early in the proceedings that its participation will be valuable? It is easy to say that advisory committees will be consulted, but I hope that this process will not be in the form of Henry Ford's adage, "You can have whatever colour you like, so long as it is black." The type of consultation I have referred to may well take place if the committees are not consulted early enough or if their views are not implemented.

In his explanation of clause 18 the Chief Secretary said that only a small staff would be needed, but I have yet to see a Government department that wants only a small staff. The reason given as to why only a small staff will be needed is that the staff will be technically competent. Are we to assume from that statement that most Government departments are not technically competent, because not many of them are small! Clause 19 provides that Parliament will be informed of the activities of the commission by means of annual reports.

The Hon. M. B. Cameron: Will the reports be verbal or otherwise?

The Hon. V. G. SPRINGETT: Otherwise. Large sums will come from the Commonwealth Government, and I wonder what that will mean in terms of control. Clauses 24 to 28, which were also referred to by the Hon. Mr. Hill, arm the commission with the necessary planning powers, which will be the same as those of a local government council. Clause 28 provides that the provisions of the applied Acts in so far as they relate to the new city may be modified by proclamations, which must be tabled in this Council. So, this Council will hear about those

matters but, again, will honourable members be like the people addressed by Henry Ford?

Clause 31 refers to an appointed day. At that time the Mobilong District Council shall cease to have any say in the development of the new city, but no-one knows when that day will be. As the Hon. Mr. Hill has said, at present the council is sending out rate notices and it is wondering whether it will receive the rates; further, it is wondering what will happen to it. The Mobilong District Council will hand over its assets (and its liabilities, I suppose) on the appointed day.

The Hon. M. B. Cameron: Does the Government pay rates on the land acquired?

The Hon. V. G. SPRINGETT: I very much doubt it. Clause 34 provides that, at any time after the population reaches 60 000 people, full elective local government may be established for the area. How long will it take for the city to reach a population of 60 000? Can the Chief Secretary say why the figure of 60 000 was chosen? Was it chosen because with a smaller population local government would be ineffective and inefficient? If so, what about local government in many other parts of the State? The areas of many councils have fewer than 60 000 people, yet there will be no elective local government in Monarto while the population is below that figure.

Clause 36 is intended to aid in the resolution of disputes that may arise; if there is any difference between the Government and the commission and the public, it is provided that the Governor will decide the matter. Does this mean that the matter will be decided by the Governor in his personal right as Governor, or will he be speaking as the mouthpiece of the Government? It has been emphasized already that this is not to come before the Public Works Standing Committee, and we should take a good look at that point.

It has been suggested that clause 39 may be one of the key clauses. It gives considerable dispensing power to obviate any difficulties resulting from technical legal problems. Quite frankly, I have the greatest difficulty in normal life in dealing with technical legal problems! I dread to think what will happen in a new city such as Monarto. Finally, I should like to quote something from a little book I received through the post recently, and no doubt other honourable members received a copy, too. The paragraph is headed "New Cities" and states:

Allied to population growth is the rise of urbanization—the large-scale settling of people in big cities. These in turn are creating not only environmental problems, but problems affecting the human spirit. Australia is fortunate in that its people have large areas of land in which they should be able to live in circumstances more conducive to a natural and creative atmosphere, and should not generally be subjected to high density living. Yet she is among the most urbanized countries in the world. Her natural advantages are being sacrificed to the urban sprawl in the capital cities which destroys opportunity for local involvement in any real way. Australia needs to look more seriously to the creation of new cities considerably distant from existing capitals.

I should like to think that in decades to come people will read about the preparation for Monarto and will say that Australia was looking at that time to the creation of new cities for the benefit of the community. For the moment, I support the Bill.

The Hon. J. C. BURDETT secured the adjournment of the debate.

ADJOURNMENT

At 4.28 p.m. the Council adjourned until Tuesday, October 9, at 2.15 p.m.