

LEGISLATIVE COUNCIL

Tuesday, October 9, 1973

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

QUESTIONS**LITTER BINS**

The Hon. V. G. SPRINGETT: Has the Minister of Health, representing the Minister of Environment and Conservation, a reply to the question I asked on September 18 regarding litter bins alongside this State's highways?

The Hon. D. H. L. BANFIELD: The Minister of Environment and Conservation reports:

The Highways Department has initiated a trial programme to place 500 new-style litter bins at strategic sites on major roads throughout the State. If successful, the use of this type of bin by the Highways Department will become more widespread. Responsibility for supply, installation, maintenance and emptying is accepted by the Highways Department.

ENTRANCE QUALIFICATIONS

The Hon. M. B. CAMERON: I seek leave to make a statement before asking a question of the Minister of Agriculture, representing the Minister of Education.

Leave granted.

The Hon. M. B. CAMERON: In reply to a question I had previously asked of the Minister of Agriculture, representing the Minister of Education, regarding the consideration of a different method of entrance qualifications to universities and tertiary institutions, the Minister of Agriculture said last week that it might be possible to use different criteria in considering whether students should be permitted to enter university or to undertake tertiary education in future. Will the Minister now ascertain from his colleague whether the Government has any definite plans to allow students to be accepted at universities or tertiary colleges on this basis in future and, if so, what criteria will be used in this respect?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring down a reply as soon as possible.

REFLECTORIZED NUMBER PLATES

The Hon. C. M. HILL: I seek leave to make a statement prior to asking a question of the Minister of Health, representing the Minister of Transport.

Leave granted.

The Hon. C. M. HILL: My question relates to reflectorized number plates on motor cars. I recall that the former Liberal and Country League Government agreed to the introduction of such plates, and the succeeding Government, after dallying for some time, also agreed to their introduction. Later, however, for one reason or another, the plan was not proceeded with. I firmly believe that reflectorized number plates are a worthwhile safety factor, and I ask the Minister what is the current position regarding this matter and is it the Government's policy to introduce such number plates in South Australia in the future?

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

SHACKS

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to directing a question to the Minister of Lands.

Leave granted.

The Hon. M. B. DAWKINS: My question refers to the vexed matter of shack sites. I have had a communication from a constituent this morning to the effect that

he and a number of other people have shack sites and are about to commence building on them; in some cases foundations have been put in. Certainly, money has been spent on rates and special contributions for road construction and other facilities, and several of these people will be considerably out of pocket. Can the Minister say whether the Government will give serious consideration to the position of some of these people who have spent quite an amount of money but now cannot proceed with their building projects?

The Hon. A. F. KNEEBONE: As I explained last week, the situation is that the action taken so far is that no further shack site licences will be issued. Where a person has not built on a shack site no extension of the licence will be granted; in some cases we will be cancelling the licences. As regards the position to which the Hon. Mr. Dawkins has referred, I am looking at the situation of those people who, prior to the announcement of Government policy on shack sites, had spent money on laying foundations or securing materials and had in fact commenced building. Those people will receive consideration from my department if they write to it stating their case.

However, I would advise that we cannot do much for people who had not spent any money or made any progress towards building prior to the date of the announcement, but anyone who has done something and spent money on a programme of building on his site will receive consideration from me. Anyone who is building on a shack site and has spent money should appreciate that the Government has set up a committee to investigate the feasibility of the phasing out of shack sites, so there will be no permanent occupation of these sites even if building goes ahead. These people must take that into consideration when they seek to build. It may take the Government some time to reach a policy decision on the actual mechanics of the phasing out of these sites. That is why a committee has been set up to look at the feasibility of that. Those people who spent money and procured materials and had permits to build prior to the date of the policy announcement should write to my department about it.

TARCOOLA TO ALICE SPRINGS LINE

The Hon. C. M. HILL: Has the Chief Secretary a reply to my recent question about the possibility of a deferment of the railway line from Tarcoola to Alice Springs?

The Hon. A. F. KNEEBONE: The honourable member addressed the question to me rather than to the Minister representing the Minister of Transport in this Council because he wanted the Premier to reply to the question. The press report of August 23, 1973, was entirely correct in that, as a result of negotiations between the South Australian and Australian Governments, agreement has been reached upon the terms and conditions under which the Tarcoola to Alice Springs railway line will be constructed. Since the release of the report by Dr. Coombs, no information has been received indicating that the Australian Government has had a change of heart over the need for this line. To the contrary, on August 20, 1973, the Prime Minister stated that a formal agreement was being drafted for execution by our respective Governments. Naturally, the Government would resist any suggestion that this project be deferred.

WATER FILTRATION

The Hon. A. M. WHYTE: Following reports in the newspapers that the Government intends to supply Adelaide with filtered water as soon as possible, I have been

approached by Mr. E. W. L. Lines, who spent a considerable time in the Commonwealth Scientific and Industrial Research Organization. Mr. Lines, who travelled extensively overseas while studying ecology, believes that water could be purified by an ecological method rather than by a chemical process. He is willing to conduct experiments to prove his point. Will the Minister of Agriculture take up with the Minister of Works the possibility of this gentleman expounding his theory and perhaps conducting small-scale experiments to show that, in fact, water can be purified by the introduction of mussels and various fresh-water plants?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague.

SCHOOL CERTIFICATES

The Hon. M. B. CAMERON: Has the Minister of Agriculture a reply from the Minister of Education to my question of September 20 concerning the lack of acceptance by employers of internal certificates and area school certificates?

The Hon. T. M. CASEY: The secondary division of the Education Department is doing everything possible to promote the understanding of internal school certificates among employers. There has always been reluctance on the part of employers to accept internally moderated certificates against the Public Examinations Board certificates. This attitude is unrealistic, as it ignores worthwhile achievement in sound courses. However, there does appear to be some breaking down of resistance which has been made possible through direct contact with different employment organizations. The acceptance of a minimum of four Leaving subjects for entrance to certificate courses at the South Australian Institute of Technology and technical colleges irrespective of the syllabus is an additional factor that gives status to these syllabuses. Conferences of employers have been organized by the Christies Beach and Taperoo High Schools. Information has been supplied on the nature and value of the internal courses and how they prepare students for employment. The opportunity for questions and discussions clarified many employers' doubts. With the increasing number of student liaison senior teachers, it should be possible for them to arrange for the dissemination of the certificate information to parents and employer organizations in their areas. If the honourable member knows of any area of particular need in rural communities, he is invited to inform the appropriate Regional Superintendent of Education, who would be willing to arrange in country towns similar conferences to those at Christies Beach and Taperoo.

CHRISTIE DOWNS RAILWAY

The Hon. C. M. HILL: Has the Minister of Health, representing the Minister of Transport, a reply to my recent question regarding the Christie Downs railway?

The Hon. D. H. L. BANFIELD: My colleague has provided the following reply:

Negotiations for the acquisition of the house owned by the Misses Perry which is on the alignment of the proposed Christie Downs railway, were satisfactorily resolved with the owners last month. Arrangements were made for the property to be vacated on September 28, 1973, at which time the Misses Perry moved into a new house purchased for them through the South Australian Housing Trust.

RAILWAY TRUCKS

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

Leave granted.

The Hon. C. M. HILL: For some years I have been interested in the possibility of railway freight vehicles having attached to them some form of illumination or reflectorized material so that at open railway crossings at night time a much safer situation could result than the present situation in which long freight trains, travelling over open crossings, present a most dangerous hazard. A few years ago experiments were conducted by the Railways Department in an effort to resolve this problem. I know, too, that other railway systems throughout Australia have looked at the problem from time to time. Will the Minister inform me of the current position as it relates to the South Australian Railways and whether any progress is being made in this matter?

The Hon. D. H. L. BANFIELD: I shall be happy to refer the honourable member's question to my colleague.

BICYCLE TRACKS

The Hon. M. B. CAMERON: On September 11, I directed a question to the Minister of Health, representing the Minister of Transport, in which I asked whether the Minister was considering providing specific lanes for bicycle use in view of the increased popularity of such pollutant-free vehicles. Has the Minister a reply?

The Hon. D. H. L. BANFIELD: My colleague states:

The Government has no plans at the present time to introduce specific lanes for bicycle use. However, the Transport Planning and Development Branch of the Minister of Transport's Department has a programme, which it hopes to implement in the near future, to assess the demand for facilities required by cyclists. This programme consists of building commuter and recreational cycle tracks through the park lands and the Belair National Park respectively. If this programme is a success, commuter tracks from the suburbs to the city will be considered. Cycle tracks along major arterial roads present safety hazards to cyclists from cars entering the arterial roads from side streets. Because of this safety factor, such tracks are probably best placed in residential streets paralleling arterials.

PINE HILL CORNER

The Hon. M. B. CAMERON: Has the Minister of Health, representing the Minister of Transport, a reply to my question of September 11 concerning Pine Hill Corner, Mount Gambier, where, I understand, 80 accidents have taken place in the last year?

The Hon. D. H. L. BANFIELD: Highways Department records indicate that nine accidents have occurred at the intersection of the Penola to Mount Gambier road and the Pine Hill road since 1970. A slippery road surface is not listed as a contributing cause in any of these cases. The department is currently re-examining this intersection, which is on the crest of a hill at the northern outskirts of Mount Gambier. Included in the study will be tests on the skid resistance of the road surface.

WAR SERVICE SETTLERS

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

Leave granted.

The Hon. R. C. DeGARIS: For some time questions have been directed to the Minister about war service rentals, particularly on Kangaroo Island. The last information we had from the Minister was that he was taking up this matter with the Minister for Primary Industry (Senator Wriedt) in Canberra. I ask the Minister whether he has received any information from Senator Wriedt regarding the Commonwealth Government's attitude towards war service rentals on Kangaroo Island.

The Hon. A. F. KNEEBONE: I have received a letter from Senator Wriedt. I am going to Kangaroo Island for

another purpose at the weekend, namely, the celebration of the twenty-fifth anniversary of the first soldier settlement on the island, and I will be meeting a committee of soldier settlers while I am there. I was asked today whether I would meet the committee and, as I have agreed to do this, I will discuss with it the nature of the matters contained in the Senator's letter to me.

SCHOOL TEXTBOOKS

The Hon. M. B. CAMERON: 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. M. B. CAMERON: Considerable dissatisfaction has been expressed to me from time to time about the present system of allocating books under the free textbook scheme for primary school students. It has also been said from time to time that a better system would be the one used in secondary schools, which are allocated a certain sum and which are free to use the money to buy the books they consider most appropriate. Will the Minister of Agriculture ascertain from his colleague whether the Government intends to introduce the secondary school system into the primary schools? If not, what changes does the Government intend to introduce to provide a better system than the present one, whereby the books allocated are not always completely appropriate to school needs?

The Hon. T. M. CASEY: I will refer the question to my colleague and bring down a reply.

MONARTO DEVELOPMENT COMMISSION BILL

Adjourned debate on second reading.

(Continued from October 4. Page 1061.)

The Hon. J. C. BURDETT (Southern): I support the second reading of this Bill. Most of what needs to be said about the Bill has already been said but, doubtless, other Bills will be introduced into the Council that will relate to the proposed city of Monarto. At some stage, however, something will have to be done to protect the Mobilong District Council, whose area contains the land that will be used for the new city of Monarto. The council will need protection in two ways. First, its rate revenue will have to be protected. We know nothing at present of the appointed day (we are told nothing about it in the Bill) and it will be necessary to give the council reasonable notice of the appointed day so that it can make plans accordingly, or, if the appointed day should be introduced without notice during a financial year, the council must receive compensation for the rate revenue it loses.

Secondly, it will be necessary to ensure that the council receives proper compensation for its own land and any other assets that may be acquired from it by the Monarto commission. This Chamber has already been told that there is a large reserve area and also land set aside for cemetery purposes which, at present, is owned by the council within the Monarto area, and over which the council holds a freehold title. It will be necessary to ensure that the council is not forced into agreeing to accept compensation that it does not readily agree with, and also that it will have proper redress to get suitable compensation.

The Bill relates mainly to the setting up and operation of the commission. We have, of course, little idea of how the commission will work, but in considering the Bill as a matter of principle we are forced to look at the ways in which the various Government departments concerned with this area are dealing with the present position

at Monarto. For instance, when looking at the attitude of the State Planning Authority one finds that it has power to refuse applications for consent to subdivide even if a subdivision has been approved by an appropriate district council. Under the Murray New Town (Land Acquisition) Act, one of the grounds that may be given for refusing a subdivision is that it may be disadvantageous to Monarto. Irrespective of the actual reasons given, it is worth while looking at the applications for subdivision that have been made recently in the council area of Mobilong, because the attitude of the authority may well be a good guide to the way the commission will operate.

This morning I spoke to the Clerk and the Chairman of the Mobilong District Council and it would appear that in the last few months many applications for subdivision in the area have been made and have been recommended by the council. The council, according to its officers, cannot remember when the last such application was granted. One of the grounds for refusing applications has been that to grant a particular application would be disadvantageous to the proposed city of Monarto, but other grounds have not been specific in that regard. However, the changing attitude when compared with the previous attitude of the State Planning Authority has made it clear that this is the reason: that these applications will be greatly disadvantageous to the development of existing areas, particularly, as I say, in Mobilong.

I will now give the Council some examples. I refer, first, to a pensioner who lives in a hundred that bears the illustrious name of Burdett. Living on the east bank of the river (not even on the same side as the proposed new city), she decided to subdivide her small area of land into two pieces, and to retain the portion on which her house was situated. She wanted to sell the small adjoining allotment to obtain money to enable her to paint her house. She incurred considerable survey costs and other expenses and, although her application for subdivision was approved by the council, it was disapproved by the State Planning Authority. She has no redress, and does not know how she will meet the survey costs.

Another example also concerns a person from the hundred of Burdett. One can hardly see how an application for subdivision of land in this area, across the river from the proposed new city, could adversely affect the proposed new city. However, the owner of about 60 acres of land in this area decided to dispose of the land, retaining only one-quarter of an acre on which to build a house. That application, although approved by the council, was disapproved by the State Planning Authority. One of the reasons given for the refusal was that the subdivision could have been disadvantageous to the proposed new city of Monarto. In this case, the council did not take "No" for an answer, and in a further letter to the authority said it could see no reason why the subdivision should have been disapproved. Nonetheless, the subdivision was disapproved, without a detailed reply being given to the council's request.

The Government has stated in the press that it does not wish to prevent or disadvantage the development of Murray Bridge, and that the only restrictions to be imposed will be those on surrounding rural areas. If one sees what the term "surrounding rural areas" represents, one is enlightened. I refer, for example, to a landmark in Murray Bridge, the Murray Bridge motel, which is on the main road as one enters the town and which is in an area that is defined as a rural area. Most of the present development of Murray Bridge is in what has been

defined as rural areas. Many of the plans, which have been submitted for approval and which concern land in what has been termed rural areas, bear the words "Allotment so and so, town of Murray Bridge". However, these pieces of land are not in the town area, and subdivision of them will not delay the development of Murray Bridge. The council and citizens are concerned about the fringe areas; it is not the centre of Murray Bridge that is likely to be developed. Further development will spread out into the fringe areas, which are well and truly within the township of Murray Bridge area but which are, nonetheless, said not to be so. They are defined as being in the surrounding rural areas.

The Hon. M. B. Cameron: Are these within the area governed by the speed limits?

The Hon. J. C. BURDETT: They are. Some of the areas are within the 35 miles an hour (56 km/h) zone, and certainly many are within the 45 miles an hour (72 km/h) and 50 miles an hour (80 km/h) zones. They are observedly within what is in any sensible man's language the town of Murray Bridge. Despite this, they are said to be in rural areas. These and other matters will have to be attended to before all the legislation relating to the new city of Monarto can be passed. To enable the Bill to proceed into Committee, I support the second reading.

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

MURRAY NEW TOWN (LAND ACQUISITION) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 4. Page 1052.)

The Hon. C. M. HILL (Central No. 2): This Bill is consequential on the Monarto Development Commission Bill, on which the Hon. Mr. Burdett spoke a few moments ago. Indeed, I hasten to point out to the Government that it surely would not expect this Bill to proceed too far until the Monarto Development Commission Bill was passed, because if one examined clause 4 of this Bill one would see that it referred to "section 5 of the Monarto Development Commission Act, 1973". This presupposes that the Monarto Development Commission Bill, which is at present on the Notice Paper and on which the Hon. Mr. Burdett spoke this afternoon, will pass, be proclaimed and become an Act of Parliament. There is, therefore, an element of rush about proceeding with this measure.

This Bill is as lengthy as the Monarto Development Commission Bill to which I have referred and, put simply, effects changes to the Murray New Town (Land Acquisition) Act. It amends certain words and descriptions in that Act; for example, "Murray New Town", as it was known in the days when the principal Act was passed, is now to be known as the "city of Monarto". Alterations to the area of land involved within the city of Monarto are effected by the Bill, which also transfers authority from the State Planning Authority to the Monarto Development Commission.

I listened with much interest to the Hon. Mr. Burdett, who emphasized an aspect that I, too, want to stress. Although it came within the ambit of his debate on the Monarto Development Commission Bill, it is also relevant to this measure. Whereas at present the State Planning Authority has control over subdivisions and resubdivisions, as well as over development in the area known as the adjoining area and the city of Monarto area, the authority over land within the city of Monarto is, by the Bill, handed over to the commission.

However, control of all land in the adjoining areas remains vested in the State Planning Authority. This includes the township and much of the surrounding rural parts of Murray Bridge. It includes not only the area of the Murray Bridge council but also most, if not all, of the area of the Mobilong District Council, which has its headquarters in Murray Bridge.

One of the great pitfalls regarding the establishment of this new city in this area is that the Government is taking measures that will restrict or contain the progress and growth of Murray Bridge and the surrounding district, whilst the city of Monarto is established and develops.

The Hon. M. B. Cameron: City or suburb?

The Hon. C. M. HILL: It will be officially known as the city of Monarto as from the appointed day. In fact, in the Act being amended by this Bill it is to be known as the city of Monarto when the Bill is proclaimed. This control, which this Bill gives the authority to restrict or limit the subdivision or resubdivision of land around Murray Bridge, can adversely affect the expansion of that township and district. One must ask whether it is fair in the interests of the District Council of Mobilong and the Corporation of the Town of Murray Bridge for this to happen, because, after all, these councils and the residents who have been living in this township for many years did not ask for the new city to be established nearby.

It seems that people who may well want to retire to or live in the Murray Bridge township will be forced, if they leave their farms and want to come into a town to retire, to live in the city of Monarto, and this persuasion can be completely against the will of the individuals concerned. It may well be that these individuals, as many people before them have done, will want to reside within the town of Murray Bridge with the old-established facilities and amenities there and will not want to be forced to live in the town of Monarto; but, if the State Planning Authority has and exercises this power, that will be the trend.

But more important is the development over which the State Planning Authority retains control. This development deals with matters (stressed in clause 7 of the Bill) such as the construction, converting or alteration of any building or structure within the area adjacent to the city of Monarto. It deals with the use of land and buildings, and the controls covering these areas are to be imposed by the State Planning Authority, which uses as its yardstick generally that, if consent is given, this may in some way be detrimental to the city of Monarto and to the amenities within that city, and this is unfair.

I am prepared to acknowledge that perhaps the growth rate of Murray Bridge would not be as fast if the town was not established nearby. But Murray Bridge did not ask for the town to be established there and, if Murray Bridge and the surrounding district have an opportunity to expand and if that is where people wish to live and erect their buildings, either to live in or to conduct their businesses in, they should not suffer the restriction of a controlling body such as the State Planning Authority.

I am strong in my belief that this general concept of Murray Bridge almost stagnating in the shadow of the city of Monarto is wrong when we look at the matter from the point of view of those who live in Murray Bridge and the councils there which represent all the ratepayers of those areas. Those two aspects—the control of the growth of the town and the district and the control of the use, construction, alteration and so forth of buildings within that area—are aspects at which this Council should look closely before it passes this Bill,

Other adjustments and alterations included in the Bill deal with the means by which the cumbersome machinery of the Roads (Opening and Closing) Act can be overcome to assist in the rapid growth of the city of Monarto. There are other rather streamlined means of assisting in that direction by by-passing some of the old legislation. I have not in this context any objection to that. My two present objections to the Bill are, first, that it is foolish to be passing a Bill concerning the Monarto Development Commission Act when there is no such Act on the Statute Book: we are still debating the Bill that will create that Act.

Therefore, we should slow up the debate on this Bill in the interests of proper legislative procedure. Secondly, I am concerned about the powers that will continue to be exercised by the State Planning Authority in Murray Bridge and the surrounding areas. I hope that matter can be looked into closely before this Bill finally passes through Parliament.

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

LAND COMMISSION BILL

Adjourned debate on second reading.

(Continued from October 4. Page 1055.)

The Hon. C. M. HILL (Central No. 2): One reason why I speak to this Bill is that I have some knowledge of real estate and for many years have given much thought to this problem and this challenge to try to curb the prices of building allotments in South Australia, and indeed throughout the whole of Australia, so that people, and particularly young people, of limited means and on small incomes can have the opportunity to exercise their democratic choice and secure a block of land, within their price range, on which to build a house.

I have been associated in years gone by with authorities such as the various real estate institutes throughout Australia, in which the same problem has been tackled and much serious and responsible thought has been given to it. Suggestions have from time to time been made by the real estate institutes throughout the various States to their respective Governments on how this matter can be tackled, but so far Governments throughout Australia have not found the answer to it.

This Bill is the present Government's endeavour to try to tackle this problem. It sets up a South Australian Land Commission, whose functions and purposes are set out in the Bill. The commission is to consist of three members—two nominated by the Premier after consultation with the Prime Minister and one nominated by the Prime Minister after consultation with the Premier. The decision of two of these three members concurring is deemed to be a decision of the commission.

The Hon. R. C. DeGaris: Do you mean that the Prime Minister and the Premier are agreeing?

The Hon. C. M. HILL: They have not been agreeing too much lately.

The Hon. D. H. L. Banfield: They have not changed portfolios as much as the previous Government did in such a short period—96 changes in three months!

The Hon. C. M. HILL: The Minister is a little touchy today, and his figure is wrong. When one considers the possibilities of the growth of the commission in this State, if this Bill passes in its present form, and when one notes that two people can control the decisions of the commission, one realizes that those who study the legislation carefully will wonder whether or not the membership of the commission is too small, with only three members forming the commission.

Clause 12 deals with the aspect of the commission being the buying authority for Government departments. I do not know whether this means that the traditional role of the Land Board in this State of acquiring land for various departments, such as the Hospitals Department and the Education Department, is to be completely superseded by the new child created by this Bill. Clause 12 (1) provides:

The functions of the commission are as follows:

- (a) to acquire land for present or future urban expansion or development, for the establishment of new urban areas, or for other public purposes;

In the phrase "or for other public purposes" one sees that the commission's authority is far wider than the general public's concept of that authority. The public believes that the commission's function is simply to purchase broad acres and subdivide them into building sites so that people in the lower income brackets can buy cheap land. In this connection, the extra authority given in clause 12 is very important. The Bill sets out the rights of the commission to appoint staff, and it then deals with the financial aspect.

One of the means of finance for the commission is that it can borrow money for its purposes, and its borrowing will be guaranteed by the Treasurer; in the event of any default, the money is to be made good from the general revenue of the State. This means that money paid through taxation by South Australians will be involved if the commission's finances do not work out satisfactorily. Clause 16 deals with the South Australian Land Commission Fund. Clause 16 (2) states:

The following moneys shall be paid into the fund:
....(e) the rent derived from the leasing of land by the commission.

Obviously, the rent that must be paid by people after they purchase their leaseholds will become part of the income of the fund. Clause 20 deals with the rights of the commission to enter upon any land and to conduct any survey, test or examination on behalf of the commission when that authority has compulsory acquisition in mind. Surely the Government will show respect for the privacy of the individual.

It is a very rough deal if a person who owns broad acres anywhere in the State finds that an inspector can knock on his door and say, "I am from the South Australian Land Commission, and I am going to carry out some tests on your property and inspect it." The inspector then sets about his task. Surely the Government would not object to some reasonable notice being given to the landholder in a situation like that. And surely, after that reasonable notice has been given, the inspection should take place at a reasonable time.

I am mindful of the traditional rights of lessors and lessees in these circumstances, whereby a landlord cannot simply rush into leased premises: his inspections of the property must be made at reasonable times. However, in the view of the Government, that kind of principle does not seem to apply in clause 20.

This raises the question of making good any damage that becomes apparent after the inspectors have left the property. The inspectors may have damaged fencing; further, they may have taken extensive soil tests because public buildings are to be erected on the land. I cannot understand why the Government has not provided that any damage to a property brought about in that way should be made good by the commission or by the inspector on leaving the property.

The challenge must be accepted to try to make cheap land available to people in the lower income brackets and to those

with somewhat limited means; I agree with the Government on this point. When we look at this challenge we must accept the principle that sales of land are made at market values. This is a very simple principle, but it seems to escape many people who have discussed this question from time to time. The Government itself in general terms believes in the principle, because it stated in this Council last week that it had fixed the value of industrial land at Regency Park on the basis of market value.

Publicity has recently been given to sales of land made by the Highways Department this year. The sales were mainly made at public auctions. The point is that the department obtained fair market value for the land. The same principle has applied to those who have bought land for building purposes recently. Building sites have been changing hands at market value; that cannot be disputed. Unfortunately, the prices of building sites have become too high because of the simple economic concept of supply and demand; there has been a limited supply.

The Hon. T. M. Casey: Would it be due to speculation?

The Hon. C. M. HILL: I am not talking about speculation.

The Hon. T. M. Casey: That would be a reason, wouldn't it?

The Hon. C. M. HILL: Has the Highways Department been involved in speculation?

The Hon. T. M. Casey: You made a general statement.

The Hon. C. M. HILL: The Minister may interject if he wishes, but he cannot dispute the simple economic fact (and it pays us sometimes to keep economic facts in mind in discussing these matters) that the reason for prices of building sites going so high is the limited supply and the ever increasing demand. We must bear that in mind in looking at the general situation.

The challenge is in some way to get values down in such a market. Surely we are on common ground in looking at this question. We must try to curb or reduce the price of building sites and everyone concerned with the achievement of this aim knows that an increased supply is essential. I have always maintained that view, although it is one that can be criticized in a cheap political fashion. Nevertheless, I maintain that there has been a need to increase the supply of building blocks.

I recall being involved in conferences and conventions, especially one held in Western Australia about 10 years ago, when the price of building sites in that State was extremely high and about double the price of comparable urban land in South Australia. That conference of the Real Estate Institutes throughout Australia advised the Government of the day in Western Australia that the only answer to the problem was to permit an increased supply of building blocks on the market.

I recall that this point was taken up in the Liberal and Country League policy speech in 1968 and a policy was espoused to increase the supply of building blocks, leading once again to uninformed and cheap political criticism. However, in my view, as well as in the view of many other responsible people with experience and knowledge in this field, that was the only way to solve the problem. In his second reading explanation the Minister said, in effect, the same thing. He said:

...the only effective way to stabilize land prices over an extended period is to ensure that the supply of serviced blocks matches the demand.

I emphasize that this was part of his second reading explanation.

This target can be achieved by one of four means. The first is for the State Planning Authority and service departments to expedite approvals for subdivision and, therefore,

increase supply. The second alternative is that the South Australian Housing Trust should release much of the land now held, allowing it to come on the market as building sites, at the same time purchasing further broad acres for its own future building activities. I do not know the exact area of building land held in reserve by the trust for future building purposes, but I have a fair idea that it is nothing short of enormous when we look at holdings throughout the State held for the same purpose. This alternative should be seriously considered so that the trust could introduce many building sites to increase the supply and consequently, by the normal balance of supply and demand, in my view there would be a change in the value of such land on the open market.

The third method is for the State Planning Authority to exercise its powers of acquisition (either by private treaty or compulsorily) and to purchase, subdivide, and sell land. The Hon. Mr. DeGaris, speaking in this debate, stressed the clause which gives this power to the State Planning Authority. It is a means by which increased supply can be achieved.

The final alternative is in broad terms the concept that the Government has introduced in this measure: a new authority to act as a commission and to buy and sell land. In listing these alternatives, I stress that, if this Bill founders during its course through the Parliament, the first three alternatives remain as a means to alleviate the problem and to help young people obtain building sites. If that situation arises, I urge the Government to investigate the other alternatives forthwith.

My personal opinion is that the first three alternatives are preferable to the course the Government has taken. However, I would not vote against the Labor Government's scheme to set up a simple commission as an authority to buy broad acres, process those parcels of land in the same manner as private subdividers do, and put them back on the market at cost price or thereabouts to those of limited means or in the lower income bracket who cannot afford to buy blocks of land at current market prices. Such an authority would be in direct competition with the private subdividers except that the commission, using public funds, would deal only in lower priced land for buyers unable to afford other land and genuinely seeking land on which to build houses.

Such an authority would be similar in concept to the South Australian Housing Trust as it was first contemplated, except that the trust was to deal in lower priced housing; the commission would deal with lower priced land.

The Hon. Sir Arthur Rymill: Do you think such a Government enterprise, selling at cost, would sell land more cheaply than the price of private blocks with a profit loading?

The Hon. C. M. HILL: I do not think this commission would. I shall be touching on that point presently, but I acknowledge that it is a vital question in this debate because, leaving aside all the red tape, if the commission ultimately does not offer cheaper land than the proposition is hopeless because it would not be helping anyone. In the circumstances I have mentioned, I would not oppose such a measure and such a commission would offer cheap land to those needing it.

The proposal before us is not a simple authority or commission such as that. I shall question this legislation under three main headings, the first being the obvious involvement of the proposed commission with various Government departments and Government utilities within the State. The Minister spoke of the commission attempting to promote integration and economy in the development of land for urban expansion in both the public and the

private sectors. I stress the word "public". The Minister also said that the commission would be empowered to provide or arrange for the provision of community services, facilities and amenities. He said, too, that the commission would ensure that the land would be properly serviced before being made available for its planned purpose, and that the activities of the various State utilities would be co-ordinated to provide an integrated development programme.

There are two approaches to the question of subdivided land and the necessary development of that land by its owners before it is fashioned for sale as building sites. One approach is that which has been followed in the State in recent years, namely, to force the owners of the land to service the land with certain utilities and services, such as roads being made, footpaths being formed, kerbing provided, arrangements for water and sewerage services and, in recent times, the possibility of the undergrounding of cables, if the council so demands. Another approach is that used in other States.

In this area, I had discussions some years ago and I have some intimate knowledge of the plans. The plans were to get much more from the subdividers than the costs of the services to which I have just referred. I remember talking to a Minister of the Crown of another State, who was proud of the fact that, by one means or another, he obtained finance from the subdividers so that, as he said, he could attend to his reservoir problems up in the mountains and contribute to hospitals, schools and other necessary public utilities near the subject land.

He had to admit that the land, when it came on to the market, was about twice the value of comparable land that came on to the market in South Australia. It is apparent to me (from reading the Minister's second reading explanation and the Bill in the form in which it has been drafted) that all the departments involved in water storage, hospitalization, education, etc., in this State will make immediate approaches to the commission for contributions towards the cost of providing these public utilities. This, on the surface (unless one looks closely at the question), is all very fine: it has certain merit in it, but we are talking about providing cheap land to the buying public.

The commission will be in exactly the same position as has happened in other States, where the service and development costs are such that, to put the land on to the market at cost price, enormous selling prices must be charged. Therefore, what will the situation of buyers in this State be when the commission sets about its task of becoming involved with all these public utilities?

Instead of the land being available at about the price at which private subdividers would sell it (his profit is included in the asking price), it will be that price or more. In this State, the public at large must contribute to the cost of hospitals, schools and water storage out of general revenue and taxation. I am not concerned with arguing the merits of one approach against the other, but of people getting cheap land. If the Government is so concerned, it should limit the concept before us in such a way that it will not become involved in providing all these other public utilities. It might then be able to put this land on to the market at prices which people could afford and which would indicate a turndown or, at least, a holding of the price graph.

I stress the point that, from my own experience, I know that, if contributions must be made for the provision of these utilities, the whole aspect of cheap land will go by the board. I hope, therefore, that the Government will consider the point I have made and that, if the Bill is

passed, it will not fall for that approach, because it will not help the home buyers, the little people of the State, whom we are trying to help.

If what I have just said occurs, the Government will be able to fall back on the Minister's second reading explanation, in which he said that the basic object of the commission is to ensure that residential land will be made freely available at fair prices. The commission will be able to justify a fair price on the basis of cost, but it will not work out in such a way that people will get land more cheaply than they would otherwise be able to get it. There will be no real benefit to the people involved.

The Hon. G. J. Gilfillan: Doesn't the auction system indicate true market values?

The Hon. C. M. HILL: Yes, the auction system shows a true basis of values, although the system, where reserve prices are fixed by the vendor, can introduce some complications.

The Hon. Sir Arthur Rymill: It reflects supply and demand largely, doesn't it?

The Hon. C. M. HILL: Yes. The same effect happens in many cases where land is placed on the market by private treaty selling. If the market price is too high in the eyes of prospective purchasers, resistance becomes evident in the market; so, supply and demand comes into play. I do not think it matters very much by whichever method the marketing of land takes place; one must go more deeply into the question of supply and demand and ensure that the supply is adequate. The point I emphasize is that, if the commission becomes involved in the provision of public utilities in the name of living standards and values (as mentioned by the Minister), I do not object to the ideals in that whatsoever but, if the Government is interested basically in cheap land, it cannot latch all those costs on to the subdivided land and still offer cheap land.

It must continue the established practice in this State to provide adequate services for land, and general revenue must make its contribution to some of the public amenities required and used by people when they build their houses; those public amenities being such times as schools, hospitals, etc., which, traditionally, have been met from general revenue but which in other States have been contributed for under regulations, with the inevitable consequences that the asking price and selling price of land have been much higher than in South Australia.

The second point deals with the question of leasehold. According to the Minister's second reading speech, serviced home sites will be made available to the public on a leasehold basis, the fee simple of the land remaining in the commission, and care will be taken to ensure that the value of the land, as a security, will not be impaired. I consider this proposition to be unbelievable and one for which there is absolutely no need.

The arguments of freehold versus leasehold ownership were gone into in much detail by the Hon. Mr. DeGaris, and I will not reiterate them. I have no doubt that if we were to go out into the street and ask members of the public what their views were, they would favour freehold ownership in almost every case. The reasons are simple: it has been a traditional method of home or building site ownership in South Australia; it gives the greatest degree of ownership possible; it is basically accepted as total ownership for the purposes of borrowing and security; it gives social security as there is no expiry date or reversion to whoever owns the fee simple; and there is great satisfaction to the titleholder.

Many a titleholder has a life-long ambition, as breadwinner, to hand down the freehold of a property to his

widow and his family if he die before the family expects him to die. If a landholder lives longer than that he gets great satisfaction from knowing that he can hand on the freehold title to his widow. The system gives great incentive to maintain and repair a house and, consequently, make it more comfortable as a dwelling.

South Australia has grown up with this system, and there is much to be proud of in our traditional machinery, if I may use that term, of the Torrens title system. In his second reading speech the Minister did not give any reason why the Government proposes this change, and, consequently, I oppose the proposed change very strongly. In fact, the proposed change is not to the leasehold system as we have known leasehold systems in Australia. The freehold will not remain with the Crown as it does in perpetual leases and in leases to which the Minister of Lands is accustomed. The system will not be the system of leasing as it is known in Canberra and the Northern Territory. In this case the ownership of the freehold passes to the commission, and that is the big difference between leasehold as people know it in South Australia and what applies in the rest of Australia.

The commission will comprise two nominees of the Premier and one nominee of the Prime Minister. The three nominees, in effect, become the landlords. The people we are trying to help, the people in this State who will be buying land, simply become long-term lessees because they cannot afford to buy other land selling at high prices. These people, in effect, become tenants: that is the system of leasehold that the Government proposes in this Bill and is not the leasehold system in which the Crown retains the fee simple.

As far as I am concerned the proposed system is just not on and cannot be preferred to a freehold system. I have no doubt at all that if the buying public knew what the Government proposed in this legislation 99 per cent would demand a freehold system rather than this proposal where they would become tenants of the three nominees. Why should South Australians be lumbered with such a new form of home ownership? I do not believe the Government can justify the second part of the Minister's statement that care will be taken to ensure that the value of land as a security will not be impaired. The Government can instruct its semi-governmental instrumentalities, its lenders, the State Bank, or others over which it has control to lend maximum loans on this kind of title. However, the Government does not have control over other lenders, and how can it say that the security will not be impaired when it introduces this system of landholding, this unique leasehold system? As the Government has not got control or power over many lenders in this State I believe, on that basis alone, that it cannot justify its statement.

What happens when a father wishes to transfer his house to a son—wishes, in effect, to sell it by a family arrangement? It may be that because of the son's means he needs, say, a 30 or 40-year loan (the usual maximum loan that young people of this State have always been able to borrow). What happens when he must do that and the lease has got only 20 years to run? When the Government considers that position can it justify its statement that it is going to take care to ensure that the value of land, the security, will not be impaired? Of course it cannot; it cannot compare the state of that title and its security value with one that is simply the balance of a lease, because leases have a termination date.

What about the value of the house when it may have 50 years of physical life by virtue of its structure but there

is only 20 years of the lease to go? We talk about ensuring that the value of land as a security will not be impaired: this is a shallow type of explanation and once the Government gets involved with that kind of leasehold arrangement many problems will become apparent and purchasers will be turned away. What will happen then is that there will be less land on the freehold market because the commission will buy the broad acres that private subdividers would normally have purchased. The introduction of the commission into this market will diminish the supply of freehold allotments. These are serious problems that the young people of this State must face when a Government introduces such a concept, which I said earlier I agree with, but the Government has set about in the unsatisfactory manner contained in the Bill before us.

The last point I make (and this is also a severe criticism of the Government) refers to the Minister's statement in the second reading explanation that the Commonwealth Government and State Governments have agreed that this is the most effective way to solve the land price problem. Can that statement really be justified? Can the Minister produce any evidence to show that the contents of this Bill have been agreed to by the Commonwealth Government and all other State Governments? I suggest that he cannot do so. What is the real position? How many other State Parliaments have passed measures of this kind, and how many State Governments have introduced measures like this into their Parliaments? The answer is "None".

The Hon. T. M. Casey: Someone has to be first.

The Hon. C. M. HILL: That is correct but, if the Government believes that all the State Governments and the Commonwealth Government have agreed to it, would it be willing to include in the Bill a clause providing that the legislation can be proclaimed when the other Parliaments have passed identical legislation? Of course it would not, because it knows that there are hidden meanings in this legislation that other State Parliaments would not allow to pass even a first reading.

The Hon. T. M. Casey: You're talking a lot of rot.

The Hon. C. M. HILL: I am not talking rot.

The Hon. T. M. Casey: Of course it's rot.

The Hon. C. M. HILL: If the Minister thinks that, on what does he base a Ministerial statement that the Commonwealth Government and all State Governments have agreed that this is the most effective way to solve the land price problem? Honourable members have already heard the Hon. Mr. DeGaris and other honourable members refer to the hurriedly called conference of State Ministers on this matter. What really came out of that conference? What view was expressed by the South Australian delegation, comprising the Minister and his departmental heads, at that delegation? That is what I would like to hear. I believe that, although in broad general terms some form of arrangement appeared to meet the approval of the Commonwealth Government and all State Governments, this brainchild is far removed from that kind of broad concept.

It is with serious reservations about the proposed commission that I am willing to support the second reading. I have indicated the type of commission that I would not oppose. I am satisfied on two points: first, that the way in which the Bill is at present framed will mean that young people and those of limited means in this State will not get cheaper land if it passes and, secondly, that 99 per cent of prospective purchasers would prefer to have a freehold title. That would be their wish (indeed, I believe it would be their demand) rather than

to have this form of leasehold tenure that the Government proposes.

I hope that when the Bill gets into Committee (if it reaches that stage) common sense and discussion will prevail so that it will be fashioned in such a way that these real targets, of helping people and giving them a form of title to which they have become accustomed in the past, will be achieved.

The Hon. J. C. BURDETT (Southern): I support the second reading, because I support the principle of trying to make available at reasonable prices land for residential purposes for ordinary people. However, I ask whether the Government will really achieve this by the Bill. In the last issue but one of the *Sunday Mail*, the Premier was reported, in connection with this Bill, as having referred to the "reactionaries" in the Legislative Council. I do not know whether he thinks all honourable members in this Chamber are reactionaries, or what his definition of "reactionary" is. I refer now to a poem by G. K. Chesterton, concerning a reactionary, as follows:

So doubtful doctors punch and prod and prick
The man thought dead—and when there's not a kick
Left in the corpse—no twitch or faint contraction
The doctors say "See—there is no reaction".

I do not know whether I come within the Premier's definition of a "reactionary", but, unlike the corpse in the poem, I am not dead and I think there is still a kick or two left in me, and I have a most violent reaction to this iniquitous and socialistic Bill. I say it is iniquitous because it confers wider powers than are necessary. The unnecessary breadth of the powers given in the Bill was referred to and highlighted by previous speakers, particularly the Hon. Mr. DeGaris. I acknowledge that I said only last week in this Council that desperate measures need desperate remedies. However, the remedies must be associated with the problem; they must, simply, be as wide as is necessary.

The Hon. Mr. Chatterton gave figures regarding the performance of speculators. Assuming that those figures give a true picture, some of the responsibility for them must rest on the Government. Part VIII of the Planning and Development Act (and this has been referred to by other honourable members) conferred the power that the Government considered necessary to deal with the matters referred to by the honourable member. Section 63 (2) of that Act provides:

The authority may, with the approval of the Minister, either by agreement or compulsorily, acquire or take land for the purpose of developing it and making it suitable for any purpose for which the land is proposed to be, or is, reserved, or is to be used, preserved or developed under any authorized development plan or planning regulation made under this Act.

Subsection (4) provides:

The authority may develop any land acquired or taken under subsection (2) of this section or any land vested in the authority and render it suitable for any purpose for which the land is proposed to be or is reserved or is to be used, preserved or developed under any authorized development plan or planning regulation made under this Act, and may, with the approval of the Minister and subject to such conditions (if any) as the Minister may impose, sell, transfer, lease, exchange or otherwise dispose of the whole or any part of any land acquired or taken under this section.

Why did not the Government use these powers? We have been told of the mess that private enterprise made of subdivisions in the urban and metropolitan areas of Adelaide. Why did the Government not use those wide powers to do something about the matter, and why does it now seek wider powers? During the period that was complained about in the last couple of years, the Highways Department acquired vacant land at Fulham for \$8 000

and sold it at auction, in a fair manner, for \$13 000; and no developmental costs were involved. This was undeveloped and still sold as vacant land. The Government itself did this. Why does it complain about private developers making a profit when it has done nothing about it?

The Government itself has a considerable measure of responsibility for the present situation. It says that the situation is that a limited amount of land is available for subdivision for residential purposes. I say it is partly the Government's own fault, but suppose it is the fault of the Government or anyone else: the situation has arisen—what do we do about it? First, I suggest that the powers that I read out in the Planning and Development Act are sufficient anyway. We heard the Bill explained and the reasons for it elaborated by the Hon. Mr. Chatterton. When we look at the Bill itself, we see little relationship between the Government's explanation and what is actually stated in the Bill. The Government has told us how the powers will be used but, when we look at the Bill, we see the powers are much wider and there is no guarantee in the Bill that they will be used only in the way in which the Government says they will be used.

In the approach in several Bills recently, I notice there seems to be little relationship between the explanation given by the Government and what the Bill actually states and the powers it gives. This approach does not encourage members of this Council to trust the Government: we feel we have to look behind the official explanation and we wonder why we are not told of the very wide powers or why they are necessary. The Hon. Mr. Chatterton, in speaking to this Bill, referred to one Carey. He said:

I wonder whether those carpenters, welders, labourers and fitters who bought those 480 blocks for \$3 000 apiece appreciate his soft heart,

and so on. It would be an interesting exercise for the honourable member to go back to those carpenters, welders, labourers and fitters at Salisbury who bought the 480 blocks for \$3 000 apiece and see whether they would be prepared now to sell them for the money that they expended plus 9 per cent per annum. I very much doubt whether they would. I am sure they have not been sold a pig in a poke but have been sold land that has held its value much better than money has in these days of inflation.

The Hon. R. C. DeGaris: And at least they have a freehold title.

The Hon. J. C. BURDETT: Yes.

The Hon. F. J. Potter: I think they might still hold their land.

The Hon. B. A. Chatterton: The price Carey would want could be \$3 950 now.

The Hon. J. C. BURDETT: They are probably selling them for more than that. Finally, I refer to leasehold titles. As other speakers have said, the average homeowner feels he owns something, that he has a stake in the country and something of value if he has a freehold title to his own home. It has been a traditional method of landowning for many small people, whom it is said this Bill is being enacted to protect, who own homes that are perhaps the only thing of great value they ever own in their lives. Such a person should have a freehold title.

When we come to look at the leasehold titles proposed to be given, we find, as the Hon. Mr. Hill has said, that we have been told very little about them, for how long they would be, the terms and conditions, or anything else. The Hon. Mr. Hill also referred to the Crown lease system, which we all know is administered by the Lands Department under the Crown Lands Act. There is a

great discrepancy between that Act and this one. The Crown Lands Act sets out in great detail and at some length the obligations and duties of the department, the procedures to be followed, and the obligations and duties of the lessees. It also sets out at considerable length the nature, tenure and term of the lease and the various provisions that are to be in it. The department knows where it stands and the lessee knows where he stands.

There are some sections and pages in the Crown Lands Act devoted to the nature of the lease, the procedure to be followed, the obligations for transfer, and so on. When we look at this Bill, we find that all of this is comprehended in one word—"lease". Clause 12 (2) (b) of the Bill provides that the commission may:

sell, lease, mortgage, charge, encumber or otherwise deal with any land that is the property of the commission. It is not within the power of the Legislature, if this Bill is passed in this form, to say for how long the lease is to be, what its terms shall be, how the provisions are to be administered by the commission, or anything else at

that time. We simply have one word—"lease". That is wide—for any period or for any provision in the lease, and it can be administered in any way. There is no guarantee that the lessees who acquire property under this lease will have any secure tenure at all. Certainly, we in this Chamber do not know, because we have not been told what the terms are.

Therefore, as I said at the beginning of my speech, I support this Bill solely because I support the principle that the Government has said is behind it—the provision of land for residential purposes at reasonable prices for ordinary people. It will be necessary to move some amendments to the Bill to secure this effect but, for the reasons I have stated, I support the second reading.

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

ADJOURNMENT

At 4.4 p.m. the Council adjourned until Wednesday, October 10, at 2.15 p.m.