

LEGISLATIVE COUNCIL

Thursday, November 1, 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:

Land Commission,
Savings Bank of South Australia Act Amendment.

QUESTIONS**POST OFFICES**

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

Leave granted.

The Hon. C. M. HILL: It was recently reported that 45 post offices throughout South Australia might be closed because of action being taken by the Postmaster-General's Department. This would mean that people living in the vicinity of such post offices as they exist at the moment could be adversely affected as a result of this considerable change in their way of life. Can the Chief Secretary say whether the Government has been informed of or whether it has made inquiries into this matter to see whether this change is to take place; if not, will it endeavour to seek some assurance from the Commonwealth authorities that the convenience of and standard of service to these rural people will either be not affected or affected to a minimum?

The Hon. A. F. KNEEBONE: I am not aware of the announcement to which the honourable member referred, but I shall endeavour to get some information on the matter and bring it down as soon as possible.

GAY ACTIVIST ALLIANCE

The Hon. J. C. BURDETT: I seek leave to make a brief explanation before directing a question of the Minister of Agriculture, representing the Minister of Education.

Leave granted.

The Hon. J. C. BURDETT: In this morning's *Advertiser* a report appeared that the Gay Activist Alliance plans to advertise in the *South Australian Teachers Journal* offering lectures on request to South Australian schools. The Minister is reported in the article as having said that the normal procedure was to leave to individual schools the decision to invite visiting groups. The Minister is also reported as having said:

I have every confidence in their ability to ensure that on controversial questions the students are able to consider all points of view.

My concern is on behalf of constituents who are parents and of their children, and indeed I am the father of six children in State schools. I suggest that some guidelines must be laid down by the department as to what outside bodies may be admitted to schools to give talks to students. For instance, surely political organizations are excluded. My questions are two: what guidelines, if any, has the Education Department laid down relating to the admission of outside bodies to the schools to talk to students; secondly, will the Gay Activist Alliance be admitted to schools to talk to students if the Criminal Law (Sexual Offences) Amendment Bill does not pass, so that homosexual practices remain illegal?

The Hon. T. M. CASEY: I shall refer the honourable member's questions to my colleague in another place and bring down a reply when it is available.

SWANPORT BRIDGE

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

Leave granted.

The Hon. M. B. DAWKINS: My question refers to bridging over the Murray River. We all noticed, I believe, the other day the accident that occurred with one of the ferries at Berri, and from time to time there have been other untoward events at ferry crossings. I understand that the plans for the new Swanport bridge have reached an advanced stage and that we may expect construction to start before very long. Can the Minister ascertain from his colleague whether there is a target date for the completion of that bridge, and whether preliminary planning is being carried out for further bridges over the Murray River?

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

READING DEVELOPMENT

The Hon. R. A. GEDDES: I seek leave to make a short statement before directing a question to the Minister representing the Minister of Education.

Leave granted.

The Hon. R. A. GEDDES: At the moment, the Education Department is conducting a reading seminar at the Gilles Street School Reading Development Centre, and teachers from many country areas have come to that school this week. Some teachers from Ceduna, Mount Gambier and perhaps other areas elected originally to come to this school by their own private transport, but at the last moment had to cancel that arrangement because of the petrol crisis. I understand the Education Department is unable to reimburse those teachers for their air fares because of their previous statement that they were coming by road. Because of the peculiarity of the problem due to the petrol crisis, will the Minister consider reimbursing, and, if thought prudent, reimburse, the teachers for their fares?

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

CEREAL CROPS

The Hon. B. A. CHATTERTON: Normally at this time of the year the Agriculture Department prepares estimates of the South Australian cereal crop. In view of the problems that the Minister's department must be having in assessing the rust situation, can he give a report on the current cereal crop position?

The Hon. T. M. CASEY: The Slate cereal harvest for 1973-74 has been estimated by the Agriculture Department to be 3 160 000 t. This would about equal the record cereal harvest of 1968-69. After an early break, rainfall has continued throughout the growing season to make it one of the best on record. However, excessively wet conditions during the spring has favoured the development of rust in the wheat and oat crops. This has reduced the wheat yield by some 15 per cent, and the later maturing crops could further be affected if the unusually humid weather conditions continued. The wheat crop is expected to yield 2 010 000 t (a yield of 1.41 t/ha) from 1 430 000 ha sown. The barley crop is estimated to yield 950 000 t from 650 000 ha sown (a yield of 1.47 t/ha); and 200 000 t of oats is expected to be harvested from 190 000 ha.

The yields from other crops are expected to be 14 000 t of field peas, 6 000 t of rye, 1 500 t of oil seed rape, and

1 500 t of lupins. It is pleasing that, despite the rust and weather damage, the harvest should still be of such magnitude that it would bring over \$200 000 000 to the State.

FLY STRIKE IN SHEEP

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

Leave granted.

The Hon. R. A. GEDDES: The problem of fly strike in sheep is becoming increasingly difficult as the years pass. I understand the Commonwealth Scientific and Industrial Research Organization has been getting some money for research into this problem but, as the sheep are becoming immune to the material that the farmer can use for spraying struck sheep, will the Minister raise this matter with the Commonwealth Minister for Primary Industry to find out whether it is possible for greater funds to be allocated to the C.S.I.R.O. for research into this problem, bearing in mind the value of the wool clip to Australia and this State, and all the other factors?

The Hon. T. M. CASEY: I shall be only too happy to do what the honourable member has requested. One of the biggest problems encountered by the entomology branch in dealing with insecticides is the tendency of insects to become immune to insecticides over a period. Research must therefore be undertaken into this problem on an ever-increasing scale in the interests of the Australian wool clip.

MODBURY HOSPITAL

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Minister of Health.

Leave granted.

The Hon. C. M. HILL: . It has been brought to my notice that, in a tragedy which occurred a few days ago in metropolitan Adelaide, the people involved were endeavouring to take a child to the casualty section of the Modbury Hospital at night. I have been informed that, although these people were able to get through the traffic in the surrounding streets, some delay occurred because they were unable to locate immediately the exact position of the casualty section as a result of what they claim to be inadequate sign-posting or marking in the immediate vicinity and also perhaps on the building itself. So that in future no time is lost when time is so important, will the Minister carefully consider this matter and bring down a report as to whether he is satisfied with the situation? If he is not satisfied with the situation, will he take action to ensure that some improvement is made? .

The Hon. D. H. L. BANFIELD: I can say that I would not be satisfied if the facts of the case as related by the honourable member were correct. If those facts are correct, I shall certainly take steps to remedy the situation.

ELDER HALL

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

Leave granted.

The Hon. C. M. HILL: A recent newspaper article states that the Elder Hall at Adelaide University will probably be demolished and replaced. The article states that the existing building is a nineteenth century building with a National Trust "C" classification. The university authorities are greatly concerned about the problem with which they are confronted. The Deputy Vice-Chancellor of

the university has said, "We have agonized over what we could do with the Elder Hall." The Dean of Music has said that the facilities for the Elder Conservatorium of Music are inadequate in every way. The spread of university buildings throughout a city rather than their being congregated in one region within a city is noticeable elsewhere; one case is the London University.

So that every endeavour is made to retain the Elder Hall rather than demolish it, will the Government suggest to the university that Foys building or, better still, the site of Foys building could be used for university purposes? Alternatively, will the Government consult with the Adelaide City Council in order that properties on the eastern side of Hindmarsh Square, which properties are owned by the city council for the purpose of future renewal or development, may be used for university expansion?

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

PUBLIC WORKS COMMITTEE REPORTS

The PRESIDENT laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Morphett Vale West Primary School,
Paradise Primary School,
Port Noarlunga South Primary School,
Redwood Park Primary School,
St. Agnes Primary School.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

LICENSING ACT AMENDMENT BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendment.

URBAN LAND (PRICE CONTROL) BILL

Adjourned debate on second reading.

(Continued from October 31. Page 1509.)

The Hon. JESSIE COOPER (Central No. 2): We have before us a Bill that purports basically to do two things: first, to control the resale price of any so far unused (that is, for building purposes) suburban allotments purchased after May 16 of an area not greater than one-half an acre (one-fifth of a hectare), and secondly, to control the profit margin on any new houses built during the controlled period. Honourable members will have noted that, taken either individually or in combination, the effect of the two foregoing objectives will discourage anyone from buying and building on suburban allotments now or in the near future because of the unrealistic profit margin proposed—not even as great as the ruling rate of interest for normal investment of money today.

Please observe what the secondary result of this legislation will be: it will be more profitable to lend money on mortgage on housing than to develop or build. The effect of this, in turn, will be that the building of houses will cease, more money will become available for mortgages, and the price of existing houses therefore, for two reasons, will rapidly increase. If this is not a method of creating chaos in the home buying sphere, please direct me, Mr. President, to a more devious piece of stupidity.

On October 25, Tan Potter and Company issued an investment review, in which appears the following:

For those who take a long view and have the courage to buy during a period of uncertainty, the equity market now has many attractions. Those who wish to maximize yield and hedge some of the current uncertainties will find the fixed interest market provides attractive yields.

The investment review then lists the opportunities available for the fixed interest investor as follows:

By application—I.C.I. Australia Limited, debenture stock, 9½ per cent for 5 years; 9¾ per cent for 7 years. This issue will be available for subscription by shareholders, debenture stockholders and noteholders of the company, registered on October 19, 1973. Applications will be made for the debentures to be listed on the various Stock Exchanges.

The review continues:

By prospectus application—General Motors Acceptance Corporation (Australia): 9½ per cent for 3 years; Industrial Acceptance Corporation Limited, debenture stock: 10 per cent for 3 years; F.N.C.B.-Waltons Corporation Limited, debenture stock: 10 per cent for 3 years; Finance Corporation of Australia Limited, debenture stock: 9¾ per cent for 3, 4 and 5 years; and General Credits Limited, debenture stock: 9¾ per cent for 3 years. For the short term investor: very attractive rates are available on funds lodged at call. Although the rates vary, from day to day, clients could anticipate rates ranging from 7½ per cent to 8 per cent. Large blocks of funds (\$50 000 and over) are attracting overnight returns of 8½ per cent to 9 per cent. However, this market is subject to wide fluctuations.

The review goes on:

For the gilt edge investor: Commonwealth loans—yields of 8 per cent are available in the two-year range, 8.3 per cent in the medium range, and 8.5 per cent in the long-term range.

Who will be fool enough to invest in housing, land, or house-building, if this Bill becomes law, when those rates can be obtained? If the general requirement in the community is for more houses to be produced for more young people and made available virtually at cost, then the Government already has within its hands the facility to do just this: the South Australian Housing Trust. After the Second World War, when there was a shortage of housing, the trust was established by a Liberal and Country League Government for the purpose of making up the leeway at the best possible price.

Let this Government now use that instrument for the purpose for which it was designed and not come along with such complicated legislation, which will cause a complete halt to new house production and make a hey-day for spivs, racketeers and slick black-market operators, as so many other honourable members mentioned they had seen from experience. If this Council takes this Bill further, I shall move and support amendments to the Bill, because I am sure they can only improve it. In fact, nothing could make it a worse piece of legislation. In its present form, in all conscience, I could do nothing but oppose the Bill.

The Hon. A. F. KNEEBONE (Chief Secretary): I listened to this debate with interest and have found that much that was said regarding this Bill was also said regarding the Land Commission Bill, which we dealt with a short time ago. I shall now endeavour to answer some of the matters raised by honourable members regarding this Bill. When the Leader of the Opposition spoke to this Bill he spoke about a gentleman with considerable legal experience. I have yet to meet two lawyers who could agree with each other on a single subject, and even then they seem to be unable to agree with themselves, because on the one hand they say one thing and on the other hand they say something entirely different. In other words, they leave it to you to make up your mind whether to follow the right or the left hand, or go right down the centre. However, the legal person of whom the Leader spoke said that the con-

cept of the Bill was bad enough but also that it had been produced with a knife and fork.

The Leader then said he was not criticizing the Parliamentary Counsel, but if that is not a criticism of the Parliamentary Counsel I do not know what is. He knows that the Minister or any other honourable member who wants to introduce legislation asks the Parliamentary Counsel to put his proposals into Parliamentary language. The concept of the Bill is given to the Parliamentary Counsel, who puts it into legal verbiage. If the Leader's remarks were not a criticism of the Parliamentary Counsel, I do not know what is.

The Hon. R. C. DeGaris: There wasn't any criticism. The Parliamentary Counsel drew the Government's attention to the fact that it was haywire, and the Government had the job of fixing the thing up.

The Hon. A. F. KNEEBONE: That is not the way Government members see it. We are advised by the Parliamentary Counsel regarding what should be done. The honourable member said that the Government was trying to paint a picture to make the public believe that members of this Council are tied to the whims of the big speculators. However, the way that most Opposition members are speaking they are creating the impression that they are tied to the whims of the big speculators. They are mirroring the reactions of these people, as has been evidenced in the press, regarding this Bill.

These are the people who will lose most as a result of the Government's efforts to stop speculation. The Government is merely trying to legislate to halt escalating land prices. We have stated that this is an interim measure until the law of supply and demand, which Opposition members so strongly support, takes care of the situation. The Government has tried to set up a land commission, believing that, because land would be coming on to the market, the land shortage would be stopped as soon as possible. However, the brilliant Opposition surgery, to which the Leader referred, has so affected the Government's concept in the Bill that it will take longer to achieve this aim.

The Hon. C.M. Hill: That is not so.

The Hon. R. C. DeGaris: It's the other way around.

The Hon. C. M. Hili: You are starting to make excuses already about your commission.

The Hon. A. F. KNEEBONE: No, I am not. I am merely illustrating what the Opposition's "brilliant surgery" has done to it. The brilliant surgery that is now before honourable members in the form of the amendments to this Bill will have the same effect: this Bill will not achieve the Government's desired aim in respect of speculation.

The Hon. R. C. DeGaris: Do you regard this as a permanent measure?

The Hon. A. F. KNEEBONE: No.

The Hon. R. C. DeGaris: Very well.

The Hon. T. M. Casey: It was never intended to be.

The Hon. A. F. KNEEBONE: That is so; it was never intended to be.

The Hon. T. M. Casey: And the Opposition—

The PRESIDENT: Order!

The Hon. A. F. KNEEBONE: The Leader, supported by the Hon. Mr. Gilfillan, said that, because the Government introduced controls and planning and development legislation, it caused people to buy up land for speculative purposes. What did the Leader mean by that? He referred to a person who told him he was purchasing land around the perimeter of the metropolitan area for this purpose. The person concerned said he was buying the land solely

because the Government had introduced planning and development control and that, as a result, he knew—

The Hon. R. C. DeGaris: That there would be a shortage.

The Hon. A. F. KNEEBONE: That is so. Does the Leader agree with what that man did?

The Hon. R. C. DeGaris: No, and I didn't say so.

The Hon. D. H. L. Banfield: You gave that impression.

The Hon. A. F. KNEEBONE: The Leader was saying that it should not be controlled and that people should be allowed to do what they want to do: build up areas, make no provision for recreation areas in planning and development proposals, and not develop land on a proper basis.

The Hon. R. C. DeGaris: No-one said anything about that.

The Hon. A. F. KNEEBONE: The Leader has said that it is the Government's fault that there is a shortage of building blocks.

The Hon. C. M. Hill: It's the result of Government action, to a large degree.

The Hon. A. F. KNEEBONE: The Leader said that it was the Government's fault because it was creating a shortage. Then he referred to a speculator who had bought much land.

The Hon. R. C. DeGaris: I didn't say that.

The Hon. A. F. KNEEBONE: Then why did you mention it?

The Hon. R. C. DeGaris: I merely said that all the fault does not lie with one sector only: the Government is equally to blame.

The Hon. A. F. KNEEBONE: Why, because it introduced controls?

The Hon. R. C. DeGaris: Yes.

The Hon. A. F. KNEEBONE: The Leader does not therefore agree with the Government's implementing controls. Does he agree, therefore, that there should be an open slather?

The Hon. D. H. L. Banfield: That's the only conclusion that can be drawn. He thinks a bit more surgery is required.

The Hon. R. C. DeGaris: That is right.

The Hon. A. F. KNEEBONE: The Leader and several other honourable members said that the Bill was designed to be defeated. However, the Government said in its policy speech that it intended to control land prices.

The Hon. C. M. Hill: Only after your commission failed. That is what you said; I quoted your speech.

The Hon. A. F. KNEEBONE: It was stated that, if it was necessary, the Government would introduce land control, and it has tried to do so. Of what are Opposition members frightened?

The Hon. R. C. DeGaris: You.

The Hon. A. F. KNEEBONE: The Leader need not be frightened of me, because I am the most ardent pacifist in this State. I believe in negotiation and that we can get somewhere by that means. If the Bill is designed to be defeated as Opposition members say it is, why do they not defeat it? Why are they amending it? Are they frightened to defeat it? I am not telling Opposition members to defeat the Bill, but they say that it is designed to be defeated.

The Hon. C. M. Hill: Don't you want it?

The Hon. A. F. KNEEBONE: The Government wants it, but Opposition members would love to defeat it. However, they are frightened to do so. Once more, this matter involves the little man, who wants this legislation. The Opposition is supposed to support the little man as much as do Government members. If it supports the little man, and the Opposition thinks it is in his interests that the

Bill should be defeated, why does it not do something about the matter instead of just talking about it? I emphasize, however, that I am not asking the Opposition to defeat the Bill, as I want it to be passed in its present form.

The Hon. R. C. DeGaris: We will save the Government from its own folly.

The Hon. C. M. Hill: It wouldn't be the first time, either.

The Hon. R. C. DeGaris: That's right.

The Hon. A. F. KNEEBONE: I will now deal with the Leader's questions. I refer, first, to the mortgagee's interest in the definition of proprietary interest. A mortgagee obtains his interest by way of specific rates conferred by a particular document of mortgage or by statutory means and therefore should not be in any better position than the owner of the land. If a mortgagee sale was not subject to the proposed controls it would create a loophole in the operation of the new Act. A person who desired to evade the operations of the new Act would enter into collusion with some other person to whom he would grant a mortgage over the land. He would then commit some technical breach of the mortgage which he would fail to remedy, and the mortgagee would then proceed to sell the land at an uncontrolled price. The proposal to which some honourable members have referred in debates, that mortgagee sales should not be subject to control, would therefore furnish an easy device by which the legislation could be evaded.

Some honourable members have compared mortgagee sales with sales by the sheriff under a warrant of execution. There is, however, no true analogy. If an action were to be trumped up for the purpose of evading the provisions of the Bill this would constitute an abuse of the process of the court. Any person who was a party to such an action would therefore expose himself to punishment for contempt of court. It might also be pointed out that sales in pursuance of warrants of execution are subject to the control of the sheriff and would not therefore have the same attraction for those who seek to evade the provisions of the Act as mortgagee sales, which are not subject to the same kind of control.

I refer now to the definition of vacant allotment of residential land, and explain that the reference to lands on which are situated premises genuinely used or intended for use for various commercial or industrial purposes is intended to indicate clearly when vacant land becomes improved land so that the erection of pseudo improvements as a means of evading the controls of the Act is clearly avoided. I see little need to expand the descriptions contained in the Bill, as such things as halls are obviously recognizable improvements that could not be used to evade the controls of the Act.

Surely it is reasonable to extend the provisions of the Act to control the prices at which new allotments arising from subdivision are first sold. If this control is not included in the Bill, inflationary markets can be created by the prices fixed by developers on allotments offered for sale for the first time. A further result from the lack of this control would be reflected in higher prices being paid for broad acres so that the effect of the measures proposed would be negligible and, indeed, would discriminate between the developer and the single allotment Owner. The Bill provides for the Commissioner to examine the cost of broad acres and to allow a reasonable profit margin to the developer so that it could not be held that this measure would be a deterrent to the provision of new allotments on the market.

The Hon. Mr. Gilfillan quoted figures from a circular. I find that that small quotation was from another small quotation in the Housing Industry Association circular. I traced that back to *Housing of Australia*, the journal of the Australian National Housing Industry Association, and I found that what was quoted yesterday was a short piece taken from a longer extract in the journal which, in turn, quoted a statement made when a research, scientist from the C.S.I.R.O. spoke at the national convention of the H.I.A. That is only a short part of what he said, so we have little pieces taken out of other little pieces, taken out of context from another speech, making altogether about two-and-a-third pages in this document. I should like to have heard the whole of the statement made by the C.S.I.R.O. scientist.

The Hon. G. J. Gilfillan: Are you questioning the figures?

The Hon. A. F. KNEEBONE: No, but they were taken out of context. They referred to small builders, large builders, and medium volume builders. The statement was taken out of context and the figures were put in there. I should like to have heard the whole of the address before commenting on what was said. It is all very well to quote figures out of context.

The Hon. G. J. Gilfillan: Can you explain in what way they are out of context? It was a straightforward listing.

The Hon. A. F. KNEEBONE: A straightforward listing of several people which, when one looks at the whole of the statement, shows that it is only a small part of what was said at the convention.

The Hon. G. J. Gilfillan: That does not mean it is inaccurate.

The Hon. A. F. KNEEBONE: No, it does not mean the figures are inaccurate as such but, when one reads the whole of what was said, and when one is able to read all that was said at the convention by the scientist, a much clearer picture emerges.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

The Hon. A. F. KNEEBONE (Chief Secretary): Some amendments have been put on file and, to enable me to study them closely, I ask that progress be reported.

Progress reported; committee to sit again.

FRIENDLY SOCIETIES ACT AMENDMENT BILL

(Second reading debate adjourned on October 31. Page 1507.)

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

COMPANIES ACT AMENDMENT BILL

In, Committee.

(Continued from October 31. Page 1508.)

Clause 3—"Registration of auditors and liquidators."

The Hon. R. C. DeGARIS (Leader of the Opposition): I thank the Minister of Agriculture for the information supplied on this provision at the close of the second reading debate. I have examined the Minister's reply at some length, but I am still somewhat concerned about the change in the wording that has taken place between the original 1962 Act and this Bill. I have checked with the other States that the Minister mentioned (New South Wales, Queensland, and Victoria) and have found that they have adopted the exact wording used in this Bill. However, I do not think we should be unduly influenced by that. I am still not completely sure of the position and, as two of our legal representatives are absent today (the Hon. Mr. Potter being at the Constitution Convention meeting in Melbourne), I ask whether the Minister would once again report progress to enable those gentlemen to examine this matter more closely.

The Hon. T. M. CASEY (Minister of Agriculture): I am happy to comply with the Leader's wishes.

Progress reported; Committee to sit again.

ADJOURNMENT

At 3.7 p.m. the Council adjourned until Tuesday, November 6, at 2.15 p.m.