

**LEGISLATIVE COUNCIL**

Thursday, February 20, 1975

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:

Adelaide Festival Centre Trust Act Amendment,  
Adelaide Festival Theatre Act Amendment,  
Adelaide to Crystal Brook Standard Gauge Railway Agreement,  
Apiaries Act Amendment,  
Artificial Breeding Act Amendment,  
Builders Licensing Act Amendment,  
Business Franchise (Petroleum),  
Business Franchise (Tobacco),  
Dairy Industry Act Amendment,  
Dairy Produce Act Amendment,  
Education Act Amendment,  
Film Classification Act Amendment,  
Forestry Act Amendment,  
Health and Medical Services Act Amendment,  
Housing Agreement,  
Industrial Conciliation and Arbitration Act Amendment (Registration),  
Industries Development Act Amendment,  
Land and Business Agents Act Amendment,  
Land Tax Act Amendment,  
Licensing Act Amendment (Hours),  
Lottery and Gaming Act Amendment,  
Margarine Act Amendment,  
Narcotic and Psychotropic Drugs Act Amendment,  
National Parks and Wildlife Act Amendment,  
Natural Gas Pipelines Authority Act Amendment,  
Nurses' Memorial Centre of South Australia, incorporated (Guarantee) Act Amendment,  
Occupational Therapists,  
Parliamentary Salaries and Allowances Act Amendment,  
Potato Marketing Act Amendment,  
Prices Act Amendment,  
Prisons Act Amendment,  
Public Charities Funds Act Amendment,  
Public Finance Act Amendment,  
Public Service Act Amendment (General),  
Public Works Standing Committee Act Amendment,  
Road Traffic Act Amendment (Radar),  
Road Traffic Act Amendment (Rules),  
South Australian Railways Commissioner's Act Amendment,  
Stamp Duties Act Amendment,  
Swine Compensation Act Amendment,  
Tarcoola to Alice Springs Railway Agreement,  
Wheat Industry Stabilisation.

**BOATING BILL**

His Excellency the Governor, by message, informed the Legislative Council that Royal assent to the Bill had been proclaimed on January 16, 1975.

**QUESTIONS****KANGAROO ISLAND**

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

Leave granted.

The Hon. R. C. DeGARIS: My question relates to the situation of soldier settlers on Kangaroo Island following the recent disastrous fires that burned a swathe through the centre of the Parndana settlement. Most of the settlers in this area are insured with the State Government Insurance Commission. I have been informed today (I do not know whether this is correct) that settlers other than soldier settlers who are insured with other insurance firms have already received payments in connection with fire damage, and they therefore have finance to carry out essential rehabilitation of their properties. Will the Chief Secretary examine the matter of the soldier settlers insured with the State Government Insurance Commission to see whether the information I received is accurate and, if it is, will he ask the commission to make its assessments quickly and make payments to the soldier settlers to enable them to carry out important rehabilitation work on their properties, such as boundary fencing, which is urgently required?

The Hon. A. F. KNEEBONE: This is the first I have heard that there is some delay in this connection. I will do the necessary things that the Leader has asked me to do and bring down a report.

**NURIOOTPA SCHOOLS**

The Hon. M. B. DAWKINS: 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. M. B. DAWKINS: My question refers to the situation at the Nuriootpa schools. This matter has been aired on a number of occasions, and concern has rightly been expressed by members of this Council and members of another place about the situation at Nuriootpa, where one school needs reconstructing and the other needs completely new buildings on a different site. The Nuriootpa High School, as many honourable members know, is on a splendid site but has urgently needed to be reconstructed for some years. To be fair, I should say that some progress has been made, and more progress is contemplated. However, at present the school urgently needs a new Demac music complex, which I believe has been delayed. Can the Minister say what can be done to expedite this further stage of reconstruction, and when will the school have this facility? I believe the Minister will be one of the first to agree that the situation at the Nuriootpa Primary School is even more serious. The old school is in the centre of the town, with narrow streets surrounding it, and it is due to be replaced by new buildings on a new site. Here again, there has been delay in connection with this urgent matter. Will the Minister investigate this situation and endeavour to expedite the construction of the new school?

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

**MENTAL HEALTH**

The Hon. C. R. STORY: I ask leave to make a short statement before asking a question of the Minister of Health.

Leave granted.

The Hon. C. R. STORY: Last Tuesday I drew the Minister's attention to the 1974 annual report of the Citizens Commission on Human Rights, which report stated that irregularities were occurring in South Australian mental hospitals and that the Mental Health Act should be brought up to date. Will the Minister peruse that

report and give honourable members his comments on the accuracy of the statement made by the Citizens Commission on Human Rights? This morning, I noticed on page 1 of the *Advertiser* that this report had been highlighted and that a person whose father had died in one of the institutions had made certain statements. Will the Minister be good enough to furnish me with any additional information he might have?

The Hon. D. H. L. BANFIELD: I have checked the annual report of the Citizens Commission on Human Rights, 1974, and there are discrepancies in the report, as outlined. I have received the following report in connection with the death of the late Mr. Frank Nappa, which I received this morning from Dr. Salter:

Mr. Nappa was admitted informally at the request of his daughter on October 3, 1974. He was admitted to ward 9, a geriatric ward, following a previous assessment by a mental health visitor, who visited his home on October 1, 1974, at the request of Dr. Beck, who was Mr. Nappa's general practitioner. Mr. Nappa was assessed as suffering from senile decay and was accordingly placed in a ward with similar patients. Because of his mental state Mr. Nappa could not be communicated with either in English or Maltese and did not understand his surroundings or the reason for being there. Mr. Nappa kept making attempts to escape and he was missed on October 10, 1974. One of the public buildings employees stated that he saw a man abscond through the window and it was taken for granted that this was Mr. Nappa.

Accordingly, a search was made of the grounds and of the roads around the hospital. His relatives and the police were notified and Dr. Beck, his local general practitioner, was also notified. It was presumed that he would be located in due course. On October 13, 1974, Mr. Nappa was discovered in a room at the back of the stage in the recreation hall in ward 9. This room has a Yale lock on it for which the ward staff do not have a key. It was therefore not included in the search for Mr. Nappa. It is apparent that the lock must have been left snipped so that Mr. Nappa, after getting out through a window, had apparently doubled back into the building and barricaded himself in this room. Mr. Nappa was put to bed and treated for exposure, and on October 14, 1974, developed pneumonia, from which he died next day.

At the time of Mr. Nappa's disappearance every effort was made to find him. During the day of his disappearance the nursing staff of ward 9 spent every spare moment searching the grounds. The patients from Robertson House (alcoholism unit) assisted in the search. The charge nurse states that she tried the door of the room at the back of the stage and, not being able to open it, considered it was locked. It was not until Sunday, October 13, 1974, that the domestic who ordinarily cleans these rooms reported that she could not open it more than a few inches.

The door was then pushed open, and Mr. Nappa was found. I believe all that could be done by the staff in trying to locate Mr. Nappa was done, and I do not hold the staff responsible for this unfortunate happening.

#### WATER HYACINTH

The Hon. J. C. BURDETT: I seek leave to make an explanation prior to asking a question of the Minister representing the Minister of Works.

Leave granted.

The Hon. J. C. BURDETT: My question relates to the weed, water hyacinth, which can destroy a river system in a short time, even to the point of stopping the flow. This almost occurred in South Australia in the 1930's, when the Murray River in South Australia was almost completely polluted and stopped by the weed, but the action of the Government at that time was successful in eradicating it at considerable expense. This weed is an even greater threat to the river system than is the European carp, about which I asked several questions last year and the problem concerning which has not been

resolved, because the carp is still a menace. The water hyacinth is a great menace and could deprive Adelaide of its water supply if it was allowed to creep into South Australia. Reliable reports from other States say that about 20 000 acres (about 8 100 ha) is covered with water hyacinth and, undoubtedly, it will come into South Australia. Queensland and New South Wales contain the areas in which the pest is reported to be spreading. Will the Minister ascertain what the Engineering and Water Supply Department is doing about eradicating water hyacinth in South Australia?

The Hon. T. M. CASEY: I do not think I need refer this question to my colleague, because I think I can answer it myself. This matter was raised by me at Agricultural Council two years ago when, in the interests of agriculturists in South Australia, information was provided to me showing that water hyacinth was prevalent in backwaters in New South Wales, and these backwaters fed the Murray River system. I am not so concerned about Queensland, which has many problems with water hyacinth, especially on the Fitzroy River, which I think flows through Rockhampton. That river becomes heavily infested with water hyacinth at certain times, but with flash flooding the river is cleared of the infestations. However, that is not the case with New South Wales rivers, and that is why we in South Australia are so vitally concerned with this problem now.

I believe that the New South Wales Government has not acted as expeditiously as it should have acted, because I did raise this matter two years ago at the Agricultural Council meeting. Weeds officers from my department have also been to New South Wales to assess the problem there, and the Commonwealth Scientific and Industrial Research Organisation is also interested in the problem, and has undertaken additional assessments. The current thinking is that the Snowy Mountains Authority should be called in to drain infested areas in New South Wales in order to kill the plant, especially as it is difficult to spray it with weedicide because of the ecological problems that could result. True, there could be equally as many problems if the area is drained and the water hyacinth is killed that way. I can assure the honourable member that the matter is being looked at by South Australia. We are trying to hasten inquiries into the matter, as well as trying to hasten the day when work can start on the eradication of this plant and the associated problems it causes. As the honourable member has said, water hyacinth could present a real problem for South Australia if it spreads into the Murray River system in this State.

#### MILK PRODUCTION

The Hon. B. A. CHATTERTON: The annual report of the Australian Dairy Produce Board shows that milk production per cow in South Australia has been steadily declining since 1970. Will the Minister of Agriculture ascertain from his departmental officers whether this information is correct and, if it is, will he obtain information to explain this decline?

The Hon. T. M. CASEY: I will certainly find out exactly what the situation is from officers of the Agriculture Department concerning the situation in South Australia. I am surprised to hear of this decline, because we have always prided ourselves in South Australia on having the most efficient dairy farms in Australia. I say that without any hesitation, because we have the facts to prove it. We know that in the past few years there has been a steady decline in the number of dairy units in South Australia, but that decline has not resulted in any marked reduction

in the quantity of milk produced, and I am a little surprised to hear that the actual amount of milk produced per cow has decreased, because I thought that the rate of production would have at least been maintained, if not increased. Nevertheless, I will find out what the situation is and bring down a report for the honourable member.

### MURRAY RIVER SALINITY

The Hon. C. R. STORY: Has the Minister of Lands a reply to the question I asked earlier this week concerning Murray River salinity following recent high rivers?

The Hon. A. F. KNEEBONE: I received a report yesterday, which I previously told the honourable member was being prepared. Later in the day I received another report, and this morning it has been brought up to date with yet another subsequent report. It will be interesting for honourable members to know what is the situation in this area. The first report is as follows:

- 1.1. High levels of salinity continue to be recorded, due principally to inflows of highly saline ground waters previously held back by the high river and the drainage of surface water from river flats that were inundated over a period of 16 months.
- 1.2. Salinity readings in excess of 1 000 E.C. units are occurring in the main stream from Renmark to Waikerie.
- 1.3. Flow at the confluence of the Rufus and Murray Rivers below lock 7 and the outlet of Lake Victoria, where water entering South Australia is gauged, is now 7 630 megalitres a day as compared with an entitlement flow of 5 900 MZ a day.
- 1.4. Lake Victoria is .18 metres below full supply level, and is falling slowly despite diversion from the river. The amount of additional flow into South Australia, if this diversion was stopped, would have negligible effect in abating salinity levels downstream.
- 1.5. Release from Lake Victoria at this stage may well worsen the situation, as the outlet from the lake contains water appreciably more saline than the river; thus, a saline slug would be forced into the river ahead of any water released from Lake Victoria.
- 1.6. There is no indication of an early reduction in salinity levels.

That statement related to the river generally. I refer now to the Chaffey-Cooltong area.

- 2.1. The possibility of relieving salinity in Ral Ral Creek by lowering lock 5 and releasing water from Lake Victoria has been investigated but decided not to do so because:
  - 2.1.1. There is a real danger of thereby increasing the rate of inflow of saline ground water and the introduction of a saline slug into the river.
  - 2.1.2. Any abatement of salinity would be minor and of very short duration.
- 2.2. The reinstatement of a temporary embankment across Ral Ral Creek with pumping units forcing flow along the creek to the pumping station was investigated on the spot this morning.
  - 2.2.1. On a previous occasion when flow in the creek was minimal, this method of improving the quality of water pumped was, to a degree, successful.
  - 2.2.2. However, there is a natural flow in the creek of 100 cusecs compared with pumping capacity over the embankment of 30 cusecs.
  - 2.2.3. Salinity at several points in the creek from its junction with Hunchee Creek to a point well below the pumping station is much the same and over the range 1 500 to 1 300 E.C. units.
  - 2.2.4. The reinstatement of the temporary embankments would, therefore, have no practicable effect at present.
- 2.3. The use of the new pumping station at Chaffey is considered to be unsafe because of the risk of scouring, until such time as damage caused by the high level has been repaired. Action to have such

repairs carried out at the earliest practical opportunity has been initiated.

- 2.4. As far as possible, growers with overhead sprinkler irrigation equipment will be given the opportunity to water at night to minimise foliar absorption of salt.
- 2.5. The Agriculture Department is actively advising growers at Cooltong and elsewhere of the kinds of steps they may consider to minimise the effects of the use of saline water for irrigation purposes.

The report which I received yesterday and which was a further comment on that is as follows:

1. The salinity of the water supplied for irrigation at Cooltong was recorded at 7.30 a.m. on February 16, 17, 18 and 19, as 1 739, 1 739, 1 700 and 1 617 E.C. units respectively.
  - 1.1. This compares with salinity in Ral Ral Creek at the mouth of the Chaffey Inlet Channel 1 430 at 1 m deep; 2 290 at 2 m deep and 51 900 E.C. units at 2.7 m deep.
  - 1.2. The area of extremely saline water which has settled in the bed of the stream and the inlet channel has not been defined recently but, based on previous experience, I expect that it is quite extensive and probably occurs in the bottom foot of water from the junction of the inlet channel and Ral Ral Creek to the upstream end of Ral Ral wide waters.
  - 1.3. Obviously, there is a mixture of extremely saline water in the bed of the channel with less saline water near the surface. Efforts in the past to avoid this were not successful, and so the new pumping station has been erected over Ral Ral Creek with structural features that provide for the separation of saline waters from the fresher surface layer. However, that structure was damaged during the high river, and the new pumping station cannot yet be used.
  - 1.4. Yesterday afternoon, a diver ascertained that there is extensive scouring about and under the structure of the new pumping station. The scour holes are 1.5 m to 2.1 m deep in places, and have gone well under the structure in the south-eastern corner. This information vindicates the decision of the Engineer for Irrigation and Drainage to disallow use of the pumping station for the time being.
  - 1.5. The best course to minimise the problem at Chaffey is undoubtedly to get on with the job of putting the new pumping station in an operational condition, whereby it would be safe to operate as well as being effective in separating the less saline surface water from the salty water at depth.

The Acting Director of Lands, Mr. G. P. Roe, has advised me that he is unable to make a reliable estimate regarding when the station could be used to supply Cooltong, but that he should be in a position to do so within 72 hours. The report continues:

2. In the river, salinity varies from 669 E.C. units at lock 6 on February 17, when readings were last taken at that site, to the following readings for February 17, 18 and 19 at Government pumping stations downstream:
 

Lock 5—1 127; 1 169; 1 187.  
 Berri—1 206; 1 255; 1 255.  
 Loxton—1 141; 1 150; 1 294.  
 Cobdogla—1 144; 1 182; 1 217.  
 Waikerie—1 240; 1 210; 1 241.
- 2.1. This means that nowhere in the up-river areas is the water safe for irrigation purposes or for plantings other than vines. Permanent damage can be expected to occur to citrus and deciduous trees which are watered by overhead sprinkler, whilst temporary adverse effects such as leaf burn and premature defoliation can be expected to occur where other methods of irrigation application, are adopted.
- 2.2. There seems to be little that can be done to overcome salinity in the river by manipulation of river levels from the locks or released from Lake Victoria. First, lowering of river levels anywhere in the system at present is likely to create an even worse situation because of the inflow

of saline ground water. Secondly, release from Lake Victoria, in the light of natural flow in the river and comparative salinity at various points along the stream, is not likely to have any appreciable effect on improving the salinity. Certainly, such an improvement as may be attained would be nowhere commensurate with the loss of storage from Lake Victoria.

- 2.3. There is little doubt that the present unsatisfactory water quality available for irrigation will continue for a number of weeks.

I should add that the final decision regarding the release of water from Lake Victoria, as referred to by the Hon. Mr. Story in this Council, is a decision that the Minister of Works and the commission will have to make after considering all the factors to which I have referred in this statement. The last report, which relates to Cooltong and which was sent to me just before the Council sat this afternoon, is as follows:

Salinity of water pumped this morning was 1 570 E.C. units compared to 1 619 yesterday. Although it is still not clear when the new pumping station as a whole is likely to be in operation, it has been decided to take a calculated risk and use the unit nearest the bank. The Mechanical Superintendent is travelling to Cooltong today to supervise arrangements, and the extra unit should be in operation first thing tomorrow morning. The additional pumping output will shorten the time necessary to complete an irrigation and to assist growers to some extent in countering the effects of using saline water.

I should add that I have this morning approved the expenditure of the money to provide for filling and scouring in relation to the other pumping station.

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

Leave granted.

The Hon. M. B. CAMERON: I have been reliably informed that Lake Hawthorn, in Victoria, the drainage repository for water from irrigation areas in Victoria, is at present overflowing and that pumps normally used to take this drainage water away from the river are not operational. This will tend to exacerbate the problem in future, and it is one more example of bad management procedures on salinity up river. Will the Minister take up this question with his counterpart in Victoria to see whether the situation does exist; if it does, will he see that action is taken immediately to ensure that at least the effects in the immediate future are not likely to be quite as great as otherwise they would have been?

The Hon. A. F. KNEEBONE: Yes. The matter lies with the Minister of Works in his capacity as a member of the River Murray Commission, and it is a matter for the commission to deal with, I shall refer the honourable member's suggestions to my colleague to see whether some action can be taken.

#### LOCAL GOVERNMENT BOUNDARIES

The Hon. C. M. HILL: Will the Minister of Health, representing the Minister of Local Government, ascertain first, what has been the total cost to date of the Royal Commission into Local Government Areas, and secondly, what has been the cost of the Select Committee on the Local Government Act Amendment Bill No. 5 of 1974?

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

#### RACING INDUSTRY

The Hon. R. C. DeGARIS: My question is directed to the Chief Secretary, who, I believe, is the Minister responsible for racing matters. First, did the Minister of Education write a letter to three metropolitan clubs in South Australia on the Government's proposals for the racing

industry, putting pressure on them to accept the proposals for amalgamation of racing clubs; secondly, if he did, will the Chief Secretary table that letter; thirdly, does the Chief Secretary, as the responsible Minister for racing, approve of the letter written to the racing clubs; and finally, can he inform me whether the Government intends to bring pressure on the Port Adelaide Racing Club to close down in South Australia, thus reducing the number of racing clubs in the metropolitan area to two?

The Hon. A. F. KNEEBONE: I shall have to look at the questions the Leader has asked. In relation to the letter he said was written by the Minister of Education, I shall have to look at it to see whether it has had my approval. Various other aspects to which he has referred relate to matters that were the subject of an inquiry into the racing industry in South Australia. Following that inquiry, certain recommendations were made, and the Government has gone along with many of those recommendations. There have been proposals that certain action to finance the racing industry should be taken as one whole matter of agreement. I believe discussions have been carried out (and I have participated in such discussions) with the racing industry on the understanding that certain things would be done and certain sums of money made available. I think everyone is aware of what happened in that respect. I shall have to look at the letter the Leader has asked me to table.

The Hon. R. C. DeGARIS: Did you know one had been written? I am wondering who is the Minister responsible for racing.

The Hon. A. F. KNEEBONE: I want to look at it.

The Hon. T. M. Casey: The industry has accepted it.

The Hon. A. F. KNEEBONE: I would have to study it to see whether it is a letter I am aware of. I do not know what the Leader is referring to in mentioning this letter, what is in it, or whether a letter was written.

The Hon. R. C. DeGARIS: I would be pretty cross if I was the Minister responsible and someone else—

The Hon. A. F. KNEEBONE: I think everyone in this Chamber knows that the Government has a subcommittee of Cabinet to look at the racing industry and to advise me.

The Hon. R. C. DeGARIS: Who is Chairman of the subcommittee?

The PRESIDENT: Order! The honourable Minister.

The Hon. A. F. KNEEBONE: There is no Chairman of the subcommittee; it is a consultative committee that handles the matter.

#### VIRGINIA WATER

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

Leave granted.

The Hon. M. B. DAWKINS: My question, as have several previous questions I have asked, refers to the parlous condition of the Adelaide Plains underground water basin and the urgency for replacement with an alternative supply of water. In company with you, Sir, and other honourable members I was forcibly reminded of the large drain from the basin last week when we were conducted over the Virginia area and also through a marketing complex in that area which, while surprisingly large, is by no means the only outlet for produce from the Virginia market garden area. I know that the Minister is well aware of a three-year trial by the Agriculture Department into the use of recycled water to reduce the present very

large drain on the basin. I understand that the report on that trial has been completed and that it may have been referred to another department. I am concerned, as I am sure are all honourable members, about the drain on the basin (which, I understand, is at least four times as large as the intake), the very large amount of money invested in the area by South Australians, and the very great urgency for an alternative means of water supply. For that reason, I ask whether the Minister has any further information on the matter; if not, would he be prepared to consult the Minister of Works, under whose jurisdiction I believe any scheme for reticulation of recycled water would come? As the member for Wakefield in the Commonwealth Parliament has said that he understands that Commonwealth money could be available to assist in implementing such a scheme, will the Minister give this matter the most urgent priority possible?

The Hon. T. M. CASEY: I will check with my colleague in another place to find what stage has been reached in the perusal of the report, and I shall also look into the matter regarding Commonwealth funds and bring back a report for the honourable member.

#### **ORROROO FIRE**

The Hon. R. C. DeGARIS: A recent fire at Orroroo did great damage. Can the Chief Secretary say whether the Government intends extending to the people burnt out in the Orroroo area assistance similar to that directed towards the unfortunate people on Kangaroo Island?

The Hon. A. F. KNEEBONE: We considered the Kangaroo Island situation to be a special case, because of the isolation of the island and the difficulties that the people there had in connection with the agistment of stock. We therefore gave more assistance to the people on Kangaroo Island than we normally give in connection with natural disasters elsewhere. When natural disasters have occurred in other areas we have provided a 50 per cent subsidy in connection with the transport of stock for agistment and a subsidy on the transport of fodder to the area affected by the natural disaster. Other assistance is available under the Primary Producers Emergency Assistance Act. Anyone who is in trouble as a result of the Orroroo bush fire should make the necessary application. That is the sort of assistance we are willing to give.

#### **WHEAT DELIVERY QUOTAS ACT AMENDMENT BILL (COMMITTEE)**

The Hon. T. M. CASEY (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Wheat Delivery Quotas Act, 1969, as amended. Read a first time.

The Hon. T. M. CASEY: I move:

*That this Bill be now read a second time.*

This short Bill amends the Wheat Delivery Quotas Act, 1969, as amended, in one particular. Briefly, it provides for a reorganisation of the Wheat Delivery Quotas Advisory Committee, which at present consists of 11 members representing the interests set out in section 7 of the principal Act as at present in operation. After discussions with the interested parties it is considered that at this time the size of the committee could be considerably reduced, and accordingly this measure provides that, should this Bill be enacted into law, the advisory committee will consist of three members: a chairman appointed by the Governor on the nomination of the appropriate farmers organization (the United Farmers and Graziers of S.A. Incorporated), and two persons appointed by the Governor.

Clauses 1 and 2 are formal. Clause 3 amends section 5 of the principal Act by making an amendment consequential on the change in composition of the committee. Clause 4 amends section 7 of the principal Act and effects the reconstitution referred to above. Clause 5 amends section 10 of the principal Act by reducing the size of the quorum in view of the reduced size of the committee. Clause 6 repeals section 11 of the principal Act which is no longer appropriate. Clause 7 makes certain consequential amendments to section 12 of the principal Act arising from the fact that the Chairman is now appointed and not elected by members of the committee.

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

#### **PUBLIC SERVICE ACT AMENDMENT BILL (CONSOLIDATION)**

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

#### **FAIR CREDIT REPORTS BILL**

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

#### **JOINT COMMITTEE ON SUBORDINATE LEGISLATION**

The House of Assembly requested the concurrence of the Legislative Council in the suspension of Joint Standing Order 20 so far as to enable the House of Assembly to appoint for the remainder of this session two additional members to the Joint Committee on Subordinate Legislation during the unavoidable absence of Messrs. McRae and Wells, and that Messrs. Max Brown and Duncan be the temporary representatives of the House of Assembly on the committee.

The Hon. A. F. KNEEBONE (Chief Secretary) moved:

That Joint Standing Orders be so far suspended as to enable the request from the House of Assembly to be considered.

Motion carried.

The Hon. A. F. KNEEBONE moved:

That the request from the House of Assembly for the appointment of two additional temporary representatives of that House to serve as members of the Joint Committee on Subordinate Legislation for the remainder of the session during the unavoidable absence of Messrs. McRae and Wells be agreed to, and that a message be sent to the House of Assembly informing that House accordingly.

The Hon. C. R. STORY (Midland): In seconding the motion, I sincerely hope that the operation that Mr. McRae has undergone is successful, that he is soon restored to health, and that he is able to resume his position as Chairman at the start of the next session. In saying that, I am sure that I am expressing the wishes of other members of the committee.

Motion carried.

#### **KINDERGARTEN UNION BILL**

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

#### **SOUTH AUSTRALIAN COUNCIL FOR EDUCATIONAL PLANNING AND RESEARCH BILL**

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

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

*That this Bill be now read a second time.*

The Committee of Inquiry into Education in South Australia, 1969-70 (the Karmel committee), recommended

the formation of a Tertiary Education Committee and the formation of an Advisory Council of Education. The first committee was proposed to advise the South Australian Government and the tertiary institutions of South Australia on the means of meeting needs for tertiary education and of promoting co-ordination, mutual assistance and diversity among tertiary institutions. The second committee was intended to provide a means of conveying advice to the Minister on desirable developments in education and to conduct inquiries itself, or by means of expert committees, and to publish reports of the studies for which it had taken responsibility.

After considering the advice of its departmental officers and others interested in education, the Government announced its policy of combining the activities of these two committees and establishing a Council for Educational Planning and Research. The council to be established under the new Act will be concerned with long-term planning. The research and investigations it will undertake will indicate the nature and direction of planned developments. The council will act in an advisory capacity and will not impinge on the autonomy of separate institutions as created by law in this State, nor on the legal powers entrusted to such bodies as the Board of Advanced Education, the Pre-School Committee, or the powers contained in the Education Act.

There are, as honourable members are aware, a number of commissions, boards and committees of this Government and of the Australian Government that are concerned with the funding and administration of various levels and types of education. The council proposed in this Bill will represent all levels of education and a wide cross-section of educational opinion in this State and will collaborate with other instrumentalities in carrying out common purposes. It will therefore serve as a major means of communication between these bodies and will provide an opportunity to reach agreement on mutually acceptable lines of development in an overall plan. Transposing the words of Professor Peter Karmel, it will advise on the "development and due co-ordination of education in this State and will promote co-ordination, mutual assistance and diversity among tertiary institutions". Honourable members will appreciate that, at a time when there is unprecedented activity in education, there is a need to maintain a careful balance between economy and efficiency on the one hand and the need to ensure equity for all affected by the provision of educational resources and facilities on the other. The council will give material assistance in maintaining this balance by providing objective and informed advice.

Clauses 1, 2 and 3 are formal. Clause 4 contains a number of definitions necessary for the purposes of the new Act. Clause 5 establishes the council. Clause 6 deals with the constitution of the council. Clause 7 provides for the appointment of a Chairman, under conditions determined by the Governor. Clause 8 provides for the term of office of members appointed to the council and for their independence of expression. Clause 9 describes the conditions under which meetings of the council are called. Clause 10 describes the procedures of the council. Clause 11 is a saving provision. Clause 12 provides for the establishment of an executive board. This board will exercise such powers as the council may delegate to it to maintain the activities of the council between meetings of the full council.

Clause 14 sets out the functions of the council. The council is empowered to carry out, through its own resources, or commission in other ways, such investiga-

tions and research as the council considers desirable in pursuing its objects of long-term planning. The council will promote the development, rationalisation and co-ordination of educational services. It is empowered to accumulate such statistical data and other materials that are relevant to its function. It will have power to publish the reports of its investigations and proposals concerning educational planning and research, thus providing a means of public discussion. The council will be empowered to co-operate with other authorities in this State and elsewhere in carrying out research and assisting in the development, rationalisation and co-ordination of educational services. The council will advise the Minister on matters referred to it for investigation. Clause 15 provides for the appointment of an executive director and for the continuance in office of the person currently acting in that capacity.

Clause 16 provides for the appointment of staff to carry out the purposes of the Act. In common with the practice of certain other commissions, boards or authorities in South Australia, provision is made for the council to employ certain staff, principally clerical or administrative staff under the Public Service Act. The technical and professional staff will in general be appointed independently of the Public Service Act and under the powers of this clause. Clause 17 provides for certain conditions of service and superannuation to be applied to employees of the council. Clause 18 provides that the moneys required for the purposes of the new Act shall be paid out of monies provided by Parliament for those purposes. Clause 19 requires the council to keep proper accounts of its income and expenditure and for the audit of these accounts by the Auditor-General. Clause 20 requires the council to report annually to Parliament through the Minister. Clause 21 empowers the Governor to make regulations in relation to the new Act.

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

#### MINING ACT AMENDMENT BILL

In Committee.

(Continued from November 28. Page 2377.)

New clause 2a—"Grant of exploration licence."

The Hon. A. F. KNEEBONE (Chief Secretary): This Bill was a consolidating measure prepared by the Commissioner of Statute Revision, and I had hoped that it would be passed without amendment. However, honourable members may do what they like in these matters, and a motion for instruction has been carried. I have been told by the Minister of Development and Mines that a Bill, now being drafted and to be introduced in the next session of Parliament, will contain amendments dealing with matters contained in the new clauses. I know that honourable members could not have been aware that such a Bill was being prepared, but it will provide a more appropriate method of amending the Act. Several consolidating Bills will be put through to bring the Statutes up to date as speedily as possible. If we are to be faced with contingency notices and amendments to those Bills, the consolidation will be delayed.

The Hon. R. C. DeGARIS (Leader of the Opposition): I thank the Chief Secretary for stating the reasons why this Bill should not be amended. He spoke to me earlier, before the Council sat, and I wanted to speak with Mr. Ludovici, whose task it is to consolidate the Statutes, but I could not. I fully appreciate that the Bill should not be amended, because Mr. Ludovici has been given the task of consolidating the Statutes and, in doing that, he is

taking action to overcome any discrepancy in the existing Statutes or removing any material that is now out of date so that the Statutes can be consolidated as quickly as possible. Nevertheless (and I do not make the point nastily), it has been noticed by members of this Council for some time that any ideas or legislation emanating from this Council is treated with an attitude in another place that such views cannot be accepted. Private members' Bills have already gone to another place dealing with several matters. One Bill has been introduced by the Hon. Mr. Potter, and I believe every member of Parliament supports it, yet because that Bill happens to emanate from this Council it appears to be bogged down in another place.

The Hon. A. J. Shard: Did you say that was a private member's Bill?

The Hon. R. C. DeGARIS: Yes.

The Hon. A. J. Shard: The only reason it is not dealt with is because another place is not dealing with private members' Bills.

The Hon. R. C. DeGARIS: I appreciate the honourable member's point, but surely, in Parliament where all members are trying to act in the best interests of everyone, where there is a Bill that corrects some anomaly another place can deal with it. All honourable members are in agreement about that Bill. The attitude to which I am referring is that everything coming from this Council must be wrong: no credit can be given to anything coming from this Council.

The Hon. A. J. Shard: That's not correct, and you know it.

The Hon. R. C. DeGARIS: It is.

The Hon. A. J. Shard: Many amendments emanating from this Council this session have been accepted in another place.

The Hon. R. C. DeGARIS: I am not talking about amendments; I am talking about private members' Bills introduced in this Council.

The Hon. A. J. Shard: You're on the wrong track.

The Hon. R. C. DeGARIS: I am not.

The Hon. C. M. Hill: You know they rubbish us all the time down there.

The Hon. A. J. Shard: You're wrong on two counts.

The Hon. R. C. DeGARIS: I do not think I am.

The Hon. A. J. Shard: You are. They cannot break a principle to suit one matter of private members' business.

The Hon. R. C. DeGARIS: They can.

The Hon. A. J. Shard: If you were in Government, you Would not do it.

The CHAIRMAN: Order!

The Hon. R. C. DeGARIS: I am not backing away from the point I am making, because all honourable members understand it. I believe the amendments I have on file are necessary. In the advertising in the *Government Gazette* of the issuing of miscellaneous exploration licences, an anomaly exists. One can read the *Gazette* and not be able to see where that licence is being issued. I remember one advertisement that stated that an exploration licence had been issued near Mount Carnarvon out of hundreds: That could have been hundreds of kilometres from Mount Carnarvon. The amendments I have on file are important to keep the public and those interested informed of what leases are issued and where they are situated. I am willing not to insist on the amendment, because this is a consolidation Bill, but I seek the co-operation of the Government in this matter. The Mining Act may be before us again 12 months from now, although I cannot see that happening before then: at least, this may not happen before October, November or December, 1975.

If I then decide to introduce a private member's Bill incorporating these principles, I hope that the Government will assist in seeing that the Bill passes rapidly in this Council and that in another place it is handled with some expedition. I do not want to get bogged down with the position that another place will say it cannot be accepted or debated just because it happens to be a private member's Bill. In this situation I accept the Chief Secretary's explanation, that this is a consolidation Bill. I am willing to withdraw my amendments, although I consider they are necessary because they improve the Act. If we got a little more co-operation from another place, we would see important amendments being passed by Parliament to existing Statutes.

The Hon. A. M. WHYTE: I, too, have an amendment on file. Although it is not a nation-rocking amendment, I believe it is important that it be made part of the Act before next summer. Doubtless, the Minister Of Agriculture, who is in charge of fire control, realises the need for including my amendment in the Act. Like the Hon. Mr. DeGaris, I have no desire to bog down Mr. Ludovici in his work of upgrading our Statutes. If my amendment is likely to do that, I am willing not to move it. However, I think it is strange that the Chief Secretary has been detailed to tell us only today just what the situation is when these amendments have been on file for so long. It is a pity that the Minister did not show us the courtesy of explaining this to us earlier.

The Hon. A. F. KNEEBONE: I thank honourable members for indicating that they are willing not to move their amendments as a result of the statement I have made. The amendments have only recently been drawn to the attention of the Minister of Mines by me. As all honourable members well know, once Ministers get away from Parliament and work in their departments some of these matters are lost sight of. Regarding the reference to any legislation being introduced in this Council being rubbish in another place, I point out that the difficulty regarding private members' business in another place is that, unlike the situation in this Council, a certain date is stipulated as the last day for discussion to take place on such business. Subsequently, at the end of the session, time is allocated for a vote to be taken. I well know that one private member's Bill initiated in this Council and now in another place is looked on favourably there. However, we must not forget that there is more than one Party on the Opposition benches in another place. If something introduced by one of those Parties was given special consideration against matters introduced by the other two Parties in that place, all hell would break loose. The situation is not as easy as it might appear.

The Hon. R. C. DeGaris: Surely there can be some co-operation from another place.

The Hon. A. F. KNEEBONE: When three Parties are involved there is never any agreement.

The Hon. R. C. DeGARIS: In the circumstances, I do not wish to proceed with proposed new clause 2a, Mr. Chairman.

New clause negatived.

Bill reported without amendment. Committee's report adopted.

Bill read a third time and passed.

#### ADJOURNMENT

At 3.32 p.m. the Council adjourned until Tuesday, February 25, at 2.15 p.m.