

HOUSE OF ASSEMBLY

Thursday, February 21, 1974

The SPEAKER (Hon. J. R. Ryan) took the Chair at 2 p.m. and read prayers.

PETITION: MEMORIAL HOSPITAL

Mr. MATHWIN presented a petition signed by 98 persons requesting the House to ask the Government to grant a subsidy to Memorial Hospital, built 52 years ago as a memorial to Australians who lost their lives in the First World War, so that the hospital could continue to care for the sick and maintain the high standard of nursing care and training that had been praised by leading Adelaide doctors.

Petition received and read.

MINISTERIAL STATEMENT: ST VINCENT GULF

The Hon. J. D. CORCORAN (Minister of Works): I seek leave to make a statement.

Leave granted.

The Hon. J. D. CORCORAN: I want to inform the House that the Engineering and Water Supply Department has put a harmless red dye into effluent being discharged from the Bolivar treatment works into St. Vincent Gulf to trace the movements of the discharge. The dye has caused some red patches to appear in the gulf, and naturally people who have seen it have expressed alarm about it. I assure the House that the dye is perfectly harmless; the discolourations will last for only a few hours. This is being done in connection with the study currently being carried out in St. Vincent Gulf.

MINISTERS

The SPEAKER: I wish to inform honourable members that, owing to Ministerial duties, the Minister of Education, the Attorney-General, and the Minister of Transport will be absent from the House this afternoon. Questions for the Attorney-General may be addressed to the Premier, questions for the Minister of Education to the Deputy Premier, and questions for the Minister of Transport to the Minister of Environment and Conservation.

QUESTIONS**LIQUID GAS EXPORTS**

Dr. EASTICK: Will the Premier approach the Prime Minister to ensure that the financial return to South Australian producers of gas in respect of the liquid petroleum gas component will be at least equal to that of other Australian producers of the same quality product? In answering a question that I asked yesterday, the Premier said that there was an agreement that there would be a subsidy in respect of the production of gasoline from l.p.g. and that the subsidy would probably be associated with a balance across the whole production. Although I accept that it is an integral part of the Redcliff project, there is no clear indication that the value of the l.p.g. component to the basic producer in this State or to any other subsequent development will be such that the whole production and the gas made available for electricity for the normal gas supply to towns and for other components will be able to be priced at a point equal to that of the supply elsewhere. If producers have to carry the reduction in the cost of the l.p.g. component, other products will obviously cost the South Australian community more. I ask the Premier to seek this assurance from the Prime Minister because of the decision to allow large quantities of l.p.g. to be exported overseas.

The Hon. D. A. DUNSTAN: As the Leader has apparently misunderstood what I said yesterday, I will try to clear up the matter. I said yesterday that, in requiring that l.p.g. be converted into gasoline, the Commonwealth Government's attitude was that the producers would not be worse off than if they sold l.p.g. on the world market: that is, they should receive a reasonable price for their l.p.g. to cover the cost of its production.

Dr. Eastick: It doesn't appear that way.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Well, I am explaining it now. Various methods of achieving this result, either through a subsidy or through an arrangement with the gasoline wholesalers to spread the cost over all their products, have been discussed. This matter is still being considered by the Commonwealth Government, which has made clear that, in requiring l.p.g. to be converted to gasoline, the producers will receive an economic return for the production of the l.p.g. component of the liquids in the line. That has been made perfectly clear by the Commonwealth Government. Indeed, we have received an undertaking to that effect from the Minister for Minerals and Energy.

WORKMEN'S COMPENSATION

Mr. WELLS: Will the Minister of Labour and Industry say, first, whether his department has received any complaints from medical or insurance officers alleging abuse of the Workmen's Compensation Act; secondly, whether he has confidence in the integrity of medical officers to return a man to work on his complete recovery from an accident; thirdly, whether any person other than a medical officer has authority to sign an authorization to permit a workman to receive workmen's compensation payments; and, finally, whether he is confident that the workmen of this State will appreciate and not abuse the provisions of the Workmen's Compensation Act? My questions are prompted by the following statement made by the member for Davenport yesterday when asking the Minister a question on this subject:

The fourth problem is that doctors have said that initial indications are that, as a direct result of increased benefits, workers are tending to prolong the period of their injury.

I have always thought that only a medical officer determines when a man is fit to return to work: the worker has no jurisdiction in the matter. I consider this to be a cowardly attack by the member for Davenport on the workers of this State.

The Hon. D. H. McKEE: My department has received no complaints from any organizations or institutions regarding absenteeism of employees because of the promulgation of the new Workmen's Compensation Act. Regarding my confidence in this State's medical profession in respect to administering its functions with regard to workmen's compensation, I have every confidence in the profession, and I am confident that its members will carry out their obligations and ensure that no employee is returned to work too soon or too late. We have received no complaints to the contrary. The tone of the member for Davenport's question yesterday indicated clearly that he had little or no confidence in this State's medical profession; at least, that is how I assessed it. If he obtained his information from a doctor who claimed that employees would abuse the Act and malingering in respect of workmen's compensation payments, it is a doctor's obligation to ensure that a person is entirely fit to return to work, as I have already pointed out to the House. As industry insists that an employee have a medical clearance before he returns to work, I am sure that doctors who

attend employees will ensure that their obligation is carried out. If the member for Davenport obtained his information from a certain doctor, I should be interested to know who he was.

Mr. GOLDSWORTHY: What information has the Premier that leads him to believe that the claim is false that the cost of a \$20 000 house will increase by between \$1 300 and \$1 600 as a result of the increase in workmen's compensation premiums? The Premier was heard yesterday to exclaim that this claim was rubbish.

The Hon. D. A. DUNSTAN: An examination of the workmen's compensation legislation. Calculations made by the department show that the only justified increase in cost in relation to a building project of the size suggested would be an increase of about \$125.

Mr. GUNN: In view of the statement made by the Minister of Labour and Industry in the House yesterday, when he accused some insurance companies of deliberately confusing people as regards the amendments to the Workmen's Compensation Act, will he now give clear examples of the confusion that he was alleging or, if he cannot, will he withdraw the statement?

The Hon. D. H. McKEE: The answer is "No" to both questions.

PETRO-CHEMICAL INDUSTRY

Mr. COUMBE: Will the Premier say whether it is correct that the Redcliff indenture Bill, earlier announced to be introduced for ratification this session, will not be introduced until later this year, and, if it will not, what is the cause of the delay? Has the delay been caused by the fact that, although the oversea consortium selected to undertake this work has completed its studies, the two Australian partners insisted on by the Commonwealth Minister for Minerals and Energy (Mr. Connor) have not had time to complete their assessments? In view of a motion passed at the end of the last session deprecating the delay on this project, can the Premier say whether the non-introduction of the indenture Bill has been caused by Mr. Connor's intrusion into a South Australian project?

The Hon. D. A. DUNSTAN: The indenture Bill will be introduced not this session but next session. The reason for this delay stems largely from the fact that the Government, in consultation with the consortium, has indicated that it is not yet satisfied that the necessary evidence is available from the consortium to place before the Select Committee of the House that necessarily must investigate the indenture. The original consortium's view was that it could complete the indenture with the Government and clear up a number of matters thereafter. However, the Government's view was that that was not satisfactory but that all crucial matters in relation to this matter should be completed so that it could be the subject of evidence before the Select Committee. For instance, the original consortium's view was that it could appear as the partner in the indenture and that the precise relationship with the remaining members of the consortium, including the nature of the plants which the Government requires to be in the indenture, could be cleared up subsequently. Our view was that that was not proper, that the fullest information must be before this House and the Select Committee, and that all matters should be available in evidence. In view of that, the members of the original consortium agreed that they would not be able to put the matter before Parliament this session but should be able to do so early in the next session. We sought information from them about what this meant in relation to their timing of the project, because our objective in

having the indenture before the Parliament in the current part of the session was to meet the original time chart which the original consortium had supplied to us and which had them on site in April of this year. They indicated that, in agreement with the producers and other members of the consortium, several other factors would mean that they would wish to be on the site not in April of this year but later in the year, but they indicated that this would in no way alter their completion date. They would be able to have a revised flow chart that would complete the project on time as originally proposed.

Mr. Coumbe: What about the new partners?

The Hon. D. A. DUNSTAN: The new partners, naturally enough, would like their own position defined within the consortium, and my view is that that is necessary. After all, this Parliament wants to know exactly with whom it is dealing, and I have told the consortium that the Parliament must be able to go behind the corporate veil and know that this consortium has substantially more than 51 per cent of Australian equity, and also know precisely what is the nature of the managerial relationships between the various partners in the consortium. I have told the consortium that Parliament should have that clear. That being the case, all the members of the new consortium have indicated that they could be ready on this matter early in the new session, and from all points of view it is desirable that the matter should be considered by Parliament then rather than that an indenture be introduced now, as I consider that the committee would have to postpone its consideration of the matter until evidence not now available to it became available. I emphasize that the Government's objective here is to ensure that the fullest protection is given to the South Australian public in this indenture, that the fullest information is put before the Parliament, and that that be done with all due expedition so that the original completion date of this project can be met. I am assured that it can.

Mr. HALL: Can the Premier say whether it is true that the Government has announced a multi-million dollar building programme of facilities to support the Redcliff project to cover up the fact that the project is in jeopardy and may not proceed? If this is the case, it would not be the first time that the Premier has misled the public on this matter. I refer his memory to the time when he said he had a programme concerning the ecological investigation of Spencer Gulf when none existed. It is a firmly held view in some quarters, because the producing companies apparently have no signed contracts, that this is just a case of the Government covering up.

The Hon. D. A. DUNSTAN: The answer is "No". The Government made no announcement at all. What was in the press was something obtained from sources other than the Government by the reporter concerned. The honourable member is off the beam, as he always is.

Mr. Hall: You don't deny it.

The Hon. D. A. Dunstan: I did not say it.

Mr. Hall: You did and you know it, too.

The SPEAKER: Order!

HILLS FACE ZONE

Mr. EVANS: Will the Minister of Environment and Conservation ask the State Planning Authority to take much stronger action than it has taken in the past to protect the hills face zone, particularly when Commonwealth authorities apply to carry out development in that area? I refer to correspondence that has passed between the Commonwealth member for Barker, the Postmaster-General (the Minister in charge of the Postmaster-General's Department), and a constituent who lives on the border of my

district and near the District of Mawson. In that correspondence the Postmaster-General said that he supported the action taken by the Director of Posts and Telegraphs (Mr. A. H. Kaye) in stating that it was all right to build a tower on the hills face zone overlooking the Morphet Vale area. Later in that letter Mr. Kaye states:

The department's intentions in relation to the Chandler Hill site were made known to local district councils and to the State Planning Authority and no objections were raised to the proposal.

Now, we have established the hills face zone as an area where I believe this Government has tried to preserve the zone, and I praise it for that effort. We have an example where a Commonwealth authority sets out to build a tower, and no objection is raised by the State Planning Authority, the only real authority that could raise an objection and perhaps ask the Commonwealth authority to place the tower somewhere else or at least try to screen it. Nothing was laid down by the State Planning Authority: it simply said, "Go ahead and build it." No objection was raised. We do not have much power over Commonwealth authorities but we could liaise with them through the State Planning Authority, which in this case took a very weak line. Will the Minister ask the department to tighten up a little in this case?

The Hon. G. R. BROOMHILL: I will have the situation examined. I am afraid that I cannot accept the honourable member's statement that the State Planning Authority simply said, "Go ahead and build it." Certain factors were involved in the application. I shall be pleased to obtain information for the honourable member on the examination made by the State Planning Authority of the matter and to ascertain the reason for its actions.

GEPPS CROSS ABATTOIR

Mr. BLACKER: Will the Minister of Works ask the Minister of Agriculture whether a feasibility study has been carried out on the proposed additions to the Gepps Cross abattoir? If it has, will this study be made public and, if it will not be made public, will such a study be undertaken and subsequently made public?

The Hon. J. D. CORCORAN: I will ask my colleague and bring down a reply as soon as possible.

SCHOOL MILK

Mr. MATHWIN: In the absence of the Minister of Education, I ask the Minister of Works whether he will request his colleague to investigate the need for reversing the decision made by the Commonwealth Labor Government to discontinue the supply of milk to schools, especially kindergartens. Further, if the Minister of Education agrees that the distribution of free milk should be continued, will he use his good offices to persuade the Commonwealth Government to correct the mistake it made when it discontinued the supply of milk to schools and kindergartens?

The Hon. J. D. CORCORAN: I will refer the question to my colleague and see what comments he has to make. No doubt the Minister himself will reply, to the question next week.

SUPERPHOSPHATE BOUNTY

Mr. CHAPMAN: Will the Premier write to the Prime Minister in support of the Opposition's written appeal to him to reconsider his recent decision to stop payment of superphosphate subsidies? I call on the Premier for his unqualified support in the immediate interests of rural producers and in the long-term interests of the nation generally.

The Hon. D. A. DUNSTAN: I replied to a question yesterday concerning the action that would be taken by the Government in this regard.

HUBBARDS PROPRIETARY LIMITED

Dr. TONKIN: Will the Premier, in the absence of the Attorney-General, obtain a report on certain business activities of Hubbards Proprietary Limited Electrical Retailers? A case came to my attention recently of a husband and wife who went to buy a freezer. After shopping around at various establishments, they finally telephoned Hubbards and said that they would have a freezer. However, they were told that the one they had seen was not available for sale and that a freezer might be available in one to two months time. The matter was left at that, no order being given and no contract of purchase being signed, and these people bought a similar deep freezer elsewhere. One week later, however, they received a statement from Hubbards asking for payment of the full amount, I think within seven days. When they telephoned to point out that no order had been made and that they did not require the freezer, they were told that they would be liable for a 10 per cent cancellation fee and that this was a normal practice of the business. The next they heard was in the form of a notice, sent out by a collection agency, demanding not only 10 per cent of the purchase price of the freezer but over and above that a certain sum in the matter of collection fees. These people took legal advice and will not pay that sum. However, I am concerned that other people in the community who are faced with similar circumstances may in fact pay the sum that is demanded, and I think it is something that the Attorney-General should examine.

The Hon. D. A. DUNSTAN: I will ask my colleague for a report.

SALISBURY BUS SERVICE

Mr. DEAN BROWN: Will the Premier grant fare increases in connection with the special bus service formerly operated by Lewis Brothers Coach Services between the eastern suburbs and the Weapons Research Establishment at Salisbury, so that Lewis Brothers can once again operate this service on a profitable basis? Until recently, 180 workers at the Weapons Research Establishment regularly used this bus service, travelling from the eastern suburbs out to W.R.E. As from last Monday this bus service was terminated and taken over by the Municipal Tramways Trust. The normal service that Lewis Brothers ran involved five buses operating in the morning and four buses in the afternoon. I understand that the M.T.T. has been running two or three buses from the northern suburbs to the Salisbury railway station, but obviously the new service is not a suitable form of public transport for these people. The results can be seen from this week's events. I understand that one morning only six employees from W.R.E. were on one of these buses. Further, about 60 additional private vehicles have been at W.R.E. this week because people are now driving to work instead of using public transport. A claim was made (and I believe it is a valid one) that the present arrangement caters for no more than 10 per cent of the people who previously used the service.

Negotiations have taken place between Lewis Brothers and the Municipal Tramways Trust (that was on Friday, last) and also between the employees involved and the Minister of Transport, while the Premier received a deputation last Saturday morning. However, a stalemate has now been reached and the only people suffering at present are the 180 unfortunate employees of W.R.E. In some correspondence with Lewis Brothers last year, the

Government admitted that this was a special service. As it is not a normal or regular run, special consideration should be given to increasing fares in this specific case. Lewis Brothers, the operators of the service until Monday last, have offered to help achieve a settlement by continuing the service, provided that they are allowed to increase fares. From the negotiations that have taken place, the operator has been told that such an increase will not be considered. I therefore respectfully ask the Government to approve an increase in the fares so that the special service to W.R.E. can proceed. I ask this in the interests of the 180 employees—

The SPEAKER: Order! The honourable member cannot continue to debate the matter.

Mr. DEAN BROWN: I think it is obvious that I simply ask this question in the interests of the employees concerned and the users of the metropolitan road system.

The Hon. D. A. DUNSTAN: I am not aware of any proposition from Lewis Brothers Coach Service of the kind the honourable member has suggested, but I will inquire. This was not a normal public bus service in the Adelaide metropolitan area: a special licence had been obtained from the M.T.T., because it was within this area, for a collector service for a specific place of employment to be provided by a private bus operator who in fact was running a special collector service for a works. This is not something the M.T.T. could normally undertake, because if it did that for one works we could expect a request from workers at Chrysler, at General Motors-Holden's or at Osborne for a special collector service to be run entirely apart from the normal public transport service. That is not something the M.T.T. generally could undertake.

Mr. Dean Brown: They are not asking the M.T.T.

The Hon. D. A. DUNSTAN: One moment. In fact, they were, when they came to see me, asking the M.T.T. to substitute a service for that which Mr. Lewis had withdrawn. He had not been told that he had to withdraw it: he chose to withdraw his service.

Mr. Dean Brown: Because he could not increase his fares.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The Government had made clear that it was willing to negotiate on fare increases to enable a profitable service to be run, but that proposal was rejected by the Bus Proprietors Association. Mr. Lewis then refused to sign the agreement with the Government that the rest of the bus proprietors signed, and announced that he was withdrawing his service entirely from the M.T.T. licensed area. As a result, the Government looked for some way in which the existing rights of people at this works could be protected. It was obvious that the M.T.T. did not have the capacity to run a collector service; in fact, we could not establish the precedent of running a collector service for a certain works entirely disregarding the basis on which public transport was run. The Minister then applied to the Commonwealth Government, whose works these are, to run a bus service collecting its employees. He said that a licence would promptly be granted by the M.T.T. to any such collector service run by the Commonwealth department, whose employees these are. At this stage we have not had a reply from the Commonwealth Government, although we have asked for an urgent reply. However if Mr. Lewis has a proposition, as suggested, we will certainly look at it.

MODULAR HOUSING

Mr. McANANEY: Recently, as Minister in charge of Housing, the Minister of Development and Mines said, in effect, that the Commonwealth Minister for Housing and

Construction had come up with some schemes under which a cost saving of between \$3 000 and \$4 000 could be made in erecting a house of average size. Will the Minister kindly explain how this saving can be achieved? I have had inquiries from people who have expressed doubt about some of the claims made by the Commonwealth Government, as they have generally been let down in relation to promises made by that Government.

The Hon. D. J. HOPGOOD: I think the honourable member is confusing two statements. At a housing information seminar, which I recently declared officially open, I quoted the words of the Prime Minister to the effect that uniform building standards could result in considerable savings to house purchasers. The honourable member will be aware that the Commonwealth Government has convened meetings (and will continue to convene them) of representatives from the States with the object of achieving such uniform standards; the Prime Minister's ideas will be refined at those meetings. The Commonwealth Minister for Housing and Construction comes into the picture with regard to the concept of modular housing. The honourable member will probably be aware that Broken Hill Proprietary Company Limited, through a subsidiary, has recently entered this field. Representatives of our Housing Trust have been to Sydney to look at the proto-type house. Having been very impressed with it, we are most interested, as a housing commission, in exploiting the techniques involved. The modules are rooms: they are finished products. Fittings, floor coverings, connections for services, such as electricity, power, and water, and so on, can be installed at the factory. The module is then taken to the site, placed on foundations (whatever type is suitable), and some sort of exterior cladding is put around the outside. I am told that this produces a most attractive design. I have seen detailed plans and photographs of this type of house. The real innovation is that the reinforced concrete used for floors, walls, and ceilings, is only 1 in. (25.4 mm) thick. As we are most interested, the trust will do whatever it can to exploit the cost savings involved in this type of development.

BIRDSVILLE TRACK

Mr. ALLEN: In the absence of the Minister of Transport, can the Minister of Environment and Conservation say whether the Government intends to apply to the Commonwealth Government for an additional beef road grant to enable the upgrading of the Birdsville track to be completed? In 1969, the Commonwealth Government made available to the State a beef road grant of \$1 000 000 for the upgrading of the track. I understand that this grant was to be matched by a State Government allocation of the same sum. Work has been proceeding on this road ever since 1969. The road is 482 km long, and each kilometre cost \$4 150, if completed with the funds available, which is low on today's value. Much of the road is still under water from recent flooding, and I have been told that huge craters exist in it. In view of the sharp increase in costs since 1969, and as a result of the recent disastrous flooding in the area, it appears that the sum of \$2 000 000 will be insufficient to complete the project. Consequently, it would be opportune now to apply for a grant to complete the road.

The Hon. G. R. BROOMHILL: I will refer the honourable member's question to my colleague and ask him to provide a report on what is currently being considered for this road.

WALLAROO JETTY

Mr. RUSSACK: Will the Minister of Marine consider retaining that part of the old jetty at Wallaroo commonly

known as Price's jetty from the shore to a point about 9 m seaward from the boat shed? I understand that tenders have closed for the complete demolition of the jetty and are now being considered. I realize, too, that much of the jetty is in poor condition and should be demolished, but I refer to that portion of the jetty which is considered to be safe and which is used extensively by amateur fishermen who are mainly tourists or visitors to the area. If the jetty were demolished I believe that the fishermen would either fish from the new jetty, which could cause difficulties when shipping is using the facility (and that could possibly lead to some difficulty in obtaining permission to fish from the new jetty), or would refrain from coming to the area. I know that the Government realizes the importance of tourism in this area. Apart from the aspect of fishing, many picnics are held beneath the shade of the old jetty, and its complete demolition would be a bitter blow to tourism in this area. I also understand from technical advice I have obtained that the jetty protects the sea-wall in the vicinity. For the reasons I have stated I urge the Minister to consider this request.

The Hon. J. D. CORCORAN: The honourable member may not be aware that before starting to construct the new jetty (to which I was pleased to hear him refer and which, costing about \$185 000, has now been completed), an undertaking was given to me by the Wallaroo council that immediately the new jetty was completed I could call tenders to demolish Price's jetty. The council agreed to that undertaking, and I am merely giving effect to it. It seems strange to me that people who are now objecting to the removal of the jetty have left it until the new one has been completed before approaching me, and I think that they are being somewhat unfair. The honourable member must realize that there are along the length of the South Australian coast many such structures that cost the Government much money to maintain. Probably, the new jetty would not have been considered in the light that it was if an agreement had not been reached about demolishing the old Price's jetty. The honourable member would appreciate that to maintain the length of structure that he is asking for would cost the Government, or the taxpayers of the State, much money in future. I am willing to examine this modified request, but I understood that it was asked that the whole length of the jetty be retained. I would not consider that sort of request, but I understand that the honourable member is now referring to a length of about 9 m.

Mr. Russack: That is 9 m beyond the boat shed.

The Hon. J. D. CORCORAN: That is different again, and I must have misunderstood that, as it adds more. Although I will consider the matter, I doubt whether the demolition of the jetty will be delayed at this stage.

PLANNING LEGISLATION

Mr. MILLHOUSE: Can the Premier say whether the Government intends to proceed with the Planning and Development Act Amendment Bill (No. 2), 1973, to amend section 41 of the principal Act and, if it does so intend, when? That was the Bill to prevent the Myer shopping project at Queenstown from going forward. The Bill passed this House after much debate, and much opposition from this corner of the House anyway, and it then went to another place. On the last day of the session in 1973, the Chief Secretary moved that the Order of the Day for that Bill be discharged. In other words, it was taken off the Notice Paper. Subsequently the Attorney-General (I think it was) stated publicly that this had been

done because the Government did not think it could get the Bill through the Upper House. I am never willing to accept what I read in newspapers without checking, if I can, so in a Question on Notice I asked the Government why it had not proceeded with the Bill. Last Tuesday I received a reply to that question stating that the Government planned to proceed with the Bill. I have checked the Legislative Council's Notice Paper, but the Bill has not been restored to it yet, and I wonder what has caused the Government to change its mind so that it apparently now thinks it can get the Bill through the Upper House. Perhaps it has made a deal with Liberal and Country League members.

Mr. Hall. Like it did yesterday.

Mr. MILLHOUSE: Yes, now that the L.C.L. is co-operating completely with the Government.

The SPEAKER: Order! The honourable member cannot comment.

Mr. MILLHOUSE: Of course not: I was referring to what is a patently obvious fact, and it was not a comment.

The SPEAKER: Order! Comments are out of order.

Mr. MILLHOUSE: Well—

The SPEAKER: Order! I draw the attention of the member for Mitcham to the fact that, when he asks a question, he also seeks the leave of the Speaker and of the House to give a brief explanation. If the honourable member persists as he is doing, I shall have no hesitation in withdrawing my concurrence. The honourable member for Mitcham.

Mr. MILLHOUSE: I therefore ask the question of the Premier. In that slight interval, I was able to find the *Hansard* pull of what the Premier said. It is:

The Government intends to proceed with the Bill.

How does the Premier intend to do that? Does he propose to introduce it again in this House in the same form, presumably, as it passed here previously? Can he say whether it is to be revived in another place, whether this is to be done during this session, or whether the Government has changed its mind about its chances of getting the Bill through?

The Hon. D. A. DUNSTAN: I regret that the form of my answer to the honourable member's question led to some misunderstanding on his part. It is intended to introduce a Bill relating to section 41 of the Planning and Development Act during this session, but it does not relate to the matters adverted to by the honourable member.

MALLEN COMMITTEE

Mr. ARNOLD: In the absence of the Attorney-General, can the Premier say whether the Government intends to introduce legislation to amend the Criminal Law Consolidation Act as recommended by the Mallen committee? This question is supplementary to the question on notice asked by the Leader of the Opposition last Tuesday, which was:

When is it expected that the remaining recommendations will be acted upon, and if not to be acted upon, why not?

In reply to that question the Attorney-General said:

The remaining recommendations not yet implemented relate to changes in the present Criminal Law Consolidation Act.

Does the Government intend to introduce such legislation?

The Hon. D. A. DUNSTAN: No.

WHEAT

Mr. VENNING: Will the Deputy Premier confer with his colleague the Minister of Agriculture today on the negotiations that are to take place tomorrow in Canberra with his Commonwealth colleague, the Minister for Primary Industry, on the formation of a new wheat stabilization scheme? I think everyone in the Chamber is aware that

negotiations have been going on now for some time about the renewal of the wheat stabilization scheme for the Commonwealth. Honourable members will agree that the people of Australia have enjoyed what the scheme has done for the Commonwealth in stabilizing prices. It may not be known that the future of stabilization means either the continuation of the Australian Wheat Board or its non-existence. Will the Minister confer with his colleague on these matters, as they will be discussed in Canberra tomorrow?

The Hon. J. D. CORCORAN: Yes; I shall be happy to do that for the honourable member. In fact, it might be to his advantage if he himself spoke to the Minister, but I will do what he has requested.

GOVERNMENT HOUSE FURNITURE

Mr. EVANS: Can the Premier say what articles of redundant furniture have been sold from Government House in the last two years, who the purchasers were and what prices were paid for any articles sold?

The Hon. D. A. DUNSTAN: I have no idea, but I will inquire.

TRAFFIC LIGHTS

Mr. LANGLEY: Will the Minister of Environment and Conservation, representing the Minister of Transport, get an up-to-date report on when the school crossing lights on South Road at the Black Forest Primary School will be completed? Work has been going on at that school since early last year and in that time South Road has become even more dangerous with the amount of traffic using it. I have received a letter from the school committee indicating that it is most concerned about these lights, the installation of which has not been completed.

The Hon. G. R. BROOMHILL: I shall be pleased to refer the honourable member's question to my colleague to see whether the installation of those lights can be hastened.

PASSENGER BUSES

Mr. COUMBE: Will the Minister representing the Minister of Transport make available a simple statement on the testing of passenger buses, the procedures to be followed and the standards to be observed by the testing authority under the regulations of the Road Traffic Act? This matter has been raised with me by several senior citizen and pensioner groups and other bus charterers, following the regrettable accident near Cooma last year. As the regulations are somewhat involved, I ask the Minister to provide a simple statement on this important matter. I assure him that this is intended in no way to impinge on the inquest in New South Wales but to clarify the position in South Australia, because many of the organizations to which I have referred are concerned as they frequently charter this type of bus.

The Hon. G. R. BROOMHILL: I will refer the honourable member's request to the Minister of Transport.

RAIL FARES

Mr. MATHWIN: Through the Minister of Environment and Conservation, will the Minister of Transport take some action to rectify the ridiculous situation concerning the increases in rail fares, and particularly in the cost of weekly and yearly tickets? A constituent of mine travels from Oaklands to Kilburn and pays \$118.70 for a yearly ticket. He has been informed that from next July it will cost him \$190.20 for a yearly ticket. It appears that the best and cheapest way for him to travel between Oaklands and Kilburn is to purchase a single ticket for each journey,

costing him 35c each way, or \$3.50 a week, or \$171.50 a year. If he buys a weekly ticket, the cost is \$3.60, which is 10c more than it would be if he got single tickets each day. Even this would add up to only \$176.40 for the 49 weeks of the year. As the Minister recently announced that weekly railway tickets would cost no more than eight times the cost of the single ticket fare, the cost of a yearly ticket on this line should be \$130.20, or \$2 80 a week. Will the Minister take some action regarding this matter?

The Hon. G. R. BROOMHILL: I will refer the matter to the Minister of Transport to see whether he can unravel the mathematical calculations that have been made.

CHLORINE SUBSIDY

Mr. GOLDSWORTHY: Will the Minister of Recreation and Sport investigate the possibility of a subsidy being made available towards the cost of chlorine used in country swimming pools? Many swimming pools in country areas, some of which are in my district, rely heavily for their economic operation on a large voluntary effort. One comparatively large charge to be met is the cost of chlorine. I have been approached by the committee of management of one of these pools with the request that I ask this of the Minister, who, I think, will realize that these people in outlying areas have little access to the sea and must, therefore, pay for the privilege of being able to swim. Anything that can be done to encourage them would indeed be desirable.

The Hon. G. R. BROOMHILL: I will examine the matter raised by the honourable member, who, I hope, will be kind enough to tell me the name of the organization concerned with the pool to which he referred.

TREES

Dr. TONKIN: Will the Minister of Environment and Conservation obtain a full report on the recently reported death of more than 50 acres (2023 ha) of native trees and shrubs in the Cleland Conservation Park following aerial spraying with a weedkiller, and will he outline what steps, if any, can be taken to prevent a recurrence of this tragedy? The annual report of the Agronomy Section of the Agriculture Department states that, in relation to the control of African daisy, an earlier spraying project, by helicopter, involving an area of 240 acres (97.13 ha) cost \$5 513; an additional 58 acres (23.47 ha) of weeds was pulled out by hand at a cost of \$6 025; and 150 acres (60.7 ha) was sprayed with a misting machine at a cost of \$4 489. The total work has cost the Cleland Conservation Park more than \$16 000. All that has occurred is that the trees have died. It has been stated in the press that the work was undertaken despite doubts and warnings issued by various authorities including the Reader in Organic Chemistry at the Adelaide University (Dr. Lewis) and the Chief Agronomist of the Agriculture Department (Mr. Tideman), who said that aerial spraying of Weedazol, the weedkiller used, had been largely experimental. This seems to be a fairly expensive way of conducting an experiment, as there is certainly no way of bringing back the growth of that 50 acres.

The Hon. G. R. BROOMHILL: It is a pity that the honourable member has not examined the area. Otherwise, he would not have made the outrageous claims he has made that this area of land has been destroyed, because it certainly has not been destroyed. Indeed, I do not think that impression could be gained even from reading the press report to which he referred. I point out that the Environment and Conservation Department, through the National Parks and Wildlife Service, has been under

constant criticism by many Opposition members for its alleged failure fully to eradicate African daisy in a number of our parks. However, the department is conscious of its responsibility to try to control the weeds in these areas. True, two or three years ago an experimental scheme was considered to see whether, by spraying from helicopters, far greater use of our facilities could be made in an attempt to control African daisy. The two bodies to which I have referred agreed that this experiment would be undertaken. Of course, evidence was available to show that it had previously been successful in other areas, it is true, however, that some damage has been caused. Indeed, the report that has been submitted to me establishes that about 12 trees have died. However, some of these were already heavily infested with mistletoe and may have died, anyway—an aspect about which there was some doubt. The remainder of the area concerned is discoloured and growth has been set back. However, this growth is certainly not set back to the extent that the undergrowth or the trees will perish; they will merely be discoloured until they recover. I assure the honourable member that no widespread or permanent damage has been done in this area. Also, although the spraying can be said to have been fairly successful its side effects have established that it is the sort of programme about which we must think seriously before we undertake further aerial spraying.

SUSPENSION OF STANDING ORDERS UNION AFFAIRS

Mr. HALL (Goyder) moved:

That Standing Orders be so far suspended as to enable him to move a motion without notice.

The SPEAKER: Is the motion seconded?

Mr. MILLHOUSE: Yes, Mr. Speaker.

The SPEAKER: For the question say "Aye"—

Mr. HALL: I should like to use my right under Standing Orders to speak to my motion. Standing Order 463 gives me the light to explain why I have moved my motion for suspension, and I believe I owe it to the House to do so. I am trying this afternoon to move the following motion:

That this House recognizes the need to pass legislation to ensure that the interests of union members are protected by the proper conduct of union affairs.

In recent weeks and, indeed, over recent years, there have been a number of occurrences in this field in the community that have caused much disquiet amongst the public.

The SPEAKER: Order! The honourable member has sought the suspension of Standing Orders, and at this stage he can only speak to the reasons for the suspension of Standing Orders and not to the subject matter of any subsequent motion.

Mr. HALL: Perhaps I should refer then to the reasons in time. They centre on the occurrence yesterday in the House when you, Mr. Speaker, did not see me when I was on my feet to move a motion before the Premier moved the adjournment motion. I was prevented, therefore, from moving the motion of which I had properly given notice the previous day. It was then to be presented (as I hope it will be in the future when the Notice Paper is fully dealt with) in the form of a Bill. This would enable me to talk about a number of organizations in this community that were the reason for the introduction of the Bill being foreshadowed. Those reasons involve the misuse of union money, especially by a man named Marinoff, of the Storemen and Packers Union.

The SPEAKER: Order! I warn the honourable member for Goyder. He knows the responsibility of each member of this House, and he must abide by the Standing Orders of this House or suffer the consequences. I remind him that he has moved for the suspension of Standing Orders, and he is entitled, in the time allowed, to move a motion to debate a certain subject matter. If the honourable member does not stick strictly to the Standing Orders, I will have no hesitation in ruling him out of order.

Mr. HALL: I believe that I should be dealt with leniently, Mr. Speaker, because of your action yesterday when you refused to see me.

The SPEAKER: Order! I ask the honourable member to withdraw that statement.

Mr. HALL: I cannot withdraw the statement. You refused to see me yesterday, and everyone knows that.

The SPEAKER: Order! I ask the honourable member to withdraw the statement that I refused to see him yesterday.

Mr. HALL: May I say this—

The SPEAKER: Order! I ask the honourable member to withdraw the statement that I refused to see him yesterday.

Mr. HALL: I withdraw the statement that you refused to see me yesterday, Sir, and replace it with the statement that you did not see me yesterday. Having said that (which is factually correct and which cannot be contested), I continue with the reasons why I want the suspension. I have said that there is a tremendous disquiet in the community. Yesterday the Premier covered up and stifled debate after only 1½ hours work by the House. This morning I was told that the Premier knew, before the House commenced sitting at 2 o'clock yesterday, that the Opposition would vote for him to suppress that debate.

Mr. Coumbe: Rubbish!

Mr. HALL: The Premier knew that the Liberal and Country League members would vote that way: that is why he took the action he did, thinking that he could escape public criticism. The Premier knew that at least all the L.C.L. members would vote for him. He had the gall to say that he was ending the debate so that members could go and do their work. Why are members elected to the House—to fiddle around in the community and ignore their legislative responsibilities? Is that the Premier's view of Parliament—this person who believes in open Government? The Premier believes in hidden Government and just wants to sit on a union scandal so that he and his Party will not be embarrassed.

The SPEAKER: Order! If the member for Goyder persists in ignoring the authority of the Chair, I will rule that his time has expired. I pointed out earlier that the honourable member may give his reasons for suspension but must not debate a subject matter. If he continues to debate a subject matter I will rule that the debate has ended as far as he is concerned.

Mr. HALL: If I have transgressed it is because the normal democratic rights are being denied to me in the House by the Premier and the L.C.L. members. I believe that the House should know some of the reasons why I have moved for the suspension. In fact the Premier, in a public statement, when I intimated publicly that I wanted to raise these matters in the House, said that it would be up to me to prove whether I had something to say, but that person will not let me say it.

Mr. Millhouse: He denies you the opportunity.

Mr. HALL: Yes, for the House to be a forum for South Australian citizens!

Mr. Wells: Rubbish!

Mr. HALL: It is not rubbish.

Mr. Wells: Why not say what you have to say?

Mr. HALL: Because of the intimidation of union officials by unionists—

Mr. Wright: You haven't the guts to say it outside.

Mr. HALL: I would not have the witnesses intimidated by Mr. Apap in the community.

The SPEAKER: Order! I point out to the honourable member that he must not continue to transgress, on the basis of the motion he intends to move The honourable Premier.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I ask the House not to agree to this suspension of Standing Orders. The member for Goyder is well aware of the processes of the House, which have been upheld by every Government, including the Government that he led. The processes allow considerable provision for private members to raise business before the House. If it is a matter of confidence in the Government, facility is always given for a no-confidence motion. If it is a matter of urgency, supported by a sufficient number of members—

Mr. Millhouse: You know you're safe there, don't you? You have them all in your pocket, except three.

The Hon. D. A. DUNSTAN: If it is a matter which is supported in the House and by the community, a matter of urgency may be raised.

Mr. Hall: Why not test the community and have it debated?

The Hon. D. A. DUNSTAN: It must be shown to be a matter of urgency, not merely a matter of electioneering for another place.

Mr. Hall: Why don't you say it openly? You can't do me any harm.

The Hon. D. A. DUNSTAN: I have said it now.

Mr. Hall: You're frightened of the substance of the argument.

The SPEAKER: Order! The member for Goyder had a fair go. The honourable Premier.

Mr. Hall: I didn't have a fair go because the Premier wouldn't allow it

The Hon. D. A. DUNSTAN: The honourable member knows very well that private members' time during this session, for which he was given considerable provision, has expired. Hitherto, the honourable member has made no statement.

Mr. Hall: You're right there; you won't let me.

The Hon. D. A. DUNSTAN: The honourable member may go to the Government if he wishes with evidence if there is something which needs a special investigation.

Mr. Millhouse: What's the good of going to you with a Bill? He has a Bill he wants debated. How else can he do it?

The Hon. D. A. DUNSTAN: If the honourable member wishes to introduce a Bill he will be given no more priority than any other member of this House. Several other members have matters on the Notice Paper put on properly in private members' time. The honourable member is not going to get up in his grandstanding way and alter the normal processes of the House to take priority over other private members.

Mr. Hall: Not over your friends, at any rate

Mr. Millhouse: You ran out of Government business before 4 o'clock yesterday.

The Hon. D. A. DUNSTAN: The honourable member for Goyder knows well the provision that was made for private members' time during this part of the session. He could have had, but for the action of his colleague, private members' time given to him the other day.

Mr. Hall: You're being spiteful now.

The Hon. D. A. DUNSTAN: The action I took in relation to the member for Mitcham the other day was exactly the same as the action taken by Sir Thomas Playford against Opposition members when he was Leader of a Liberal Government of which the honourable member was a supporter.

Mr. Hall: Oh!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I appreciate that the honourable member wants to dissociate himself from Sir Thomas Playford. He seems to be out of step with everyone.

Mr. Millhouse: Tell us the occasion on which a similar occurrence took place?

The Hon. D. A. DUNSTAN: The honourable member for Goyder has made his case whatever.

Mr. Hall: Of course not; I haven't been able to. Don't be a dope.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The honourable member thinks himself more able, wise, witty and intelligent than the rest of the community, but he is not really getting across to too many people with that idea. If he has a case to put, that the processes of the House be altered and that he should be given pre-eminence over other members to pre-empt Government and private members' business in the House, he should put it.

Mr. Hall: You had no Government business after 3.30 p.m. yesterday.

The SPEAKER: Order! I warn the member for Goyder and the member for Mitcham. The honourable Premier.

The Hon. D. A. DUNSTAN: If the honourable member has a case of this kind, I have an office and he is capable of coming to me and putting a case, but he has not been near me. No submission has been made to the Government why the normal processes of the House should be altered to give pre-eminence in business to the member for Goyder. Furthermore, the honourable member, in the course of his address to the House as to why he should get suspension of Standing Orders, made a grossly untrue statement about the Opposition. I was never given any assurance by the Opposition yesterday that it would support me in my move to adjourn the House. There was no discussion on the matter, and what the honourable member has said is a complete falsehood, but he has made his statement completely recklessly, as he does on all other topics, including matters concerning unions. The honourable member has not made out any case for the suspension of Standing Orders and I ask honourable members to vote against the motion.

The SPEAKER: I have counted the House and, there being present an absolute majority of the whole number of members of the House, I accept the motion for suspension. Is the motion seconded?

Mr. Millhouse: Yes. I seconded it before.

The SPEAKER: Those in favour say "Aye"; those against say "No". I hear a dissentient voice. It will therefore be necessary for the House to divide. Ring the bells.

The House divided on the motion:

Ayes (18)—Messrs Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Hall (teller), Mathwin, McAnaney, Millhouse, Rodda, Russack, Tonkin, and Venning.

Noes (21)—Messrs Broomhill and Burdon, Mrs. Byrne, Messrs Corcoran, Crimes, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Jennings, Keneally, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Wells, and Wright.

Pairs—Ayes—Messrs. Allen, Nankivell, and Wardle.
 Noes—Messrs. Hudson, King, and Virgo.
 Majority of 3 for the Noes.
 Motion thus negatived.

SUPERANNUATION (TRANSITIONAL PROVISIONS) BILL

Adjourned debate on second reading.
 (Continued from February 20. Page 2132.)

Dr. EASTICK (Leader of the Opposition): I support the Bill, which is a peculiar one, to say the least of it. It seeks to make several changes that are stated to be purely machinery matters in relation to superannuation and another measure to be considered by this House later. At this stage Opposition members have been given no clear indication other than what they have read in the press and the literature that has been made available from time to time by the Public Service Association.

I see no reason why the other Bill changing the whole tenor of superannuation will not be passed, subject to the Government's fulfilling its promise to the people with whom it has been having discussions, but the explanation of the Bill now being debated states that, if the other Bill is not passed, the machinery provided for in this present measure will be of no consequence and the decisions taken by individuals and recorded through the computer will have no value in any further activity or action taken in relation to superannuation. It has been found on checking through that that statement in the explanation is correct.

The Government has stated that the computer programming needed is the reason for the urgency at this stage. Unfortunately, one or two provisions in the Bill before us tend to force people to make decisions in advance of being given all the detail about what gains they will make or what the effects of the changed superannuation scheme will be. It is even more serious, if one can view it that way, that, if a person fails to make a decision or advise the responsible officers of his decision, a decision is made for him, based on a predetermined attitude or decision in respect of the superannuation payments that the person has made in the past.

Apart from the difficulties that I have pointed out, the basic issues are quite clear. They make available the opportunity for preparation in anticipation of the other superannuation Bill that will be considered later in this session, and on that basis I accept responsibility for supporting the measure. In closing the second reading debate the Premier may be able to state why a person who is aged 64 years and 6 months on June 30, 1974, is not provided for in the Bill.

Clause 3 defines "prescribed contributor", which covers a person who elected to contribute for retirement at 55 years of age but who will on or before June 30, 1974, attain the age of 54 years and 6 months. The definition also covers any other contributor who will on or before June 30, 1974, attain the age of 59 years and 6 months. This provision is commonly used in the retirement arrangements in respect of the ages of 55 years and 60 years. However, no provision is made for the person who will retire at 65 years by including a provision in relation to the age of 64 years and 6 months. There may be a simple explanation but I ask the Premier to comment on it when he closes the debate.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

OMBUDSMAN ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 20. Page 2132.)

Mr. EVANS (Fisher): I support the second reading of this Bill, but there is one part of it that causes me a little concern, and I hope the Premier can clear up the doubt I have. The office of Ombudsman has only recently been established and I believe that the present holder of that office has set a very good standard; we can all be proud of him. Under clause 2 the Adelaide University will be under the jurisdiction of the Ombudsman, as are all other tertiary institutions in the State. Of course, it was an oversight to have omitted the Adelaide University when the original legislation was dealt with, and one accepts that the Adelaide University should come under the Ombudsman's jurisdiction.

All Government departments are included in the operation of the legislation without naming each department separately, and I have no objection to that. If the Government believes it is necessary and if Parliament agrees that some departments should be excluded from the Ombudsman's jurisdiction, there is power under the amended provision to exclude such departments. The new provision will save the Ombudsman's office or the Government of the day from nominating, by proclamation, new departments to come under the jurisdiction of the Ombudsman. New section 3 (3) provides:

The Governor may by proclamation vary or revoke any proclamation . . .

(b) declaring a council to be a council to which this Act applies

It is clear whether the legislation applies to a department, but why should the process be reversed in the case of councils? A proclamation will come into operation on April 1, 1974, bringing all councils within the provisions of the principal Act. The proclamation, published in the *Government Gazette* of January 10, 1974, states that the Governor does—

Declare that on and from the first day of April, 1974, all municipal and district councils continued by or constituted under the Local Government Act, 1934-1972, shall be councils to which the Ombudsman Act, 1972, applies.

For the life of me I cannot see why we should, while wailing for that proclamation to become operative, include in this Bill a provision that the Governor has the power to declare to which councils the Act shall apply; I hope the Premier can explain the reason for that. If there is no satisfactory explanation I will have to vote against that provision. The same provisions should apply to councils as apply to Government departments: the opportunity should exist to exclude a council. I wonder whether the Premier can explain clause 3, because it is not printed in the Bill! I wonder whether it has been omitted purposely or accidentally.

Clause 5 gives power for the Ombudsman to give evidence in court where he wishes to debate that he may have the power to investigate a particular area. In the original legislation the Ombudsman and his officers were denied the right to appear in court to give evidence on any matter at all. I believe that the provision is quite satisfactory. Clause 6 is acceptable because, as a result of clause 2, a schedule of departments is redundant. Clause 4 deals with a most important aspect which was overlooked by many members when the original legislation was considered, although one or two members mentioned it. The office of Ombudsman is a Parliamentary appointment; the person concerned should not have to report back to a Minister of the Crown. His is not a Government appointment; he is a Parliamentary officer. Clause 4 amends the Act, recognizing this, and if the Bill is passed the Ombudsman will report directly to Parliament and not to the

Minister. I support the provisions of the Bill except for the doubt I have mentioned in relation to local government.

Dr. TONKIN (Bragg): I support the Bill, which is largely, as the member for Fisher said, a Bill to tidy up the Act debated in this House in the previous session. The member for Fisher has raised a small doubt about local government and I am inclined to agree that there is an element of clumsiness in the situation. However, I do not think it is important, nor do I think it will matter, although it will be interesting to hear what the Minister has to say about it. I take this opportunity to pay a tribute to the work of the Ombudsman (Mr. Gordon Combe) and his staff. It was a good day for South Australia when he was appointed to this position. We were all aware of his capabilities in his position as Clerk of this House, and I am sure that the way in which he has fulfilled his duties as South Australia's first Ombudsman has been remarkable. He has fully lived up to all our expectations.

In the general comments on page 9 of his report for the period to June 30, 1973, it is typical of the man that he says it is premature, in his view, to draw firm conclusions from the progress made and the results achieved after only six months experience. True, he would not in any way seek to over-emphasize the importance of his position, but if one turns to the previous page and the details of complaints fully investigated over that period, it is obvious that he does not need to emphasize the importance of the position; the figures speak for themselves. He found some significant action necessary in 23 per cent of the 70 cases investigated. That action has been taken because the Ombudsman was there. I do not know what would have happened in those 16 cases if the Ombudsman had not been there. Possibly members of Parliament would have been able to obtain similar results. I hope that would be so, but certainly I must say (and I am sure I speak for all my colleagues) that the service we have had from Mr Combe as Ombudsman has been extremely helpful. Frankly, I do not know how we managed to do without an Ombudsman in South Australia. I thoroughly concur in the remarks of the member for Fisher regarding the Ombudsman's reporting and responsibility directly to Parliament. This is absolutely essential, as it is in the case of the Auditor-General. If the Ombudsman is to maintain his independence of Government departments when it may be necessary for him to investigate complaints against such departments, it is essential that he be an officer appointed by this Parliament and responsible directly to it.

Mr. MILLHOUSE (Mitcham): I support the Bill, although I want to ask about a couple of things and I hope the Minister will deal with them in reply. Had it not been for the notice of this Bill on Tuesday last, I would have asked a question about it, but as the Bill was to come before us, giving us the opportunity to ask questions about the working of the Act, I thought this a better opportunity to get the information I seek. I hope I am right in that; it depends whether the Minister is able and willing to give it to me. I noticed in the *Government Gazette* of February 14 that some authorities, commissions, and tribunals have been exempted from the operation of the Act. I was in London at that time, and I do not know whether any explanation was given for those exemptions. If it was, I have not seen it, and I ask the Minister to explain why the Government has seen fit to take out of the working of the Act the following bodies:

Collections for Charitable Purposes Advisory Committee,
Racecourses Development Board,
Parliamentary Committee on Land Settlement—

the latter committee, after all, never meets anyway and I do not suppose it matters whether it is in or out; all that happens, no doubt, is that the members draw their "perk". The other bodies exempted are:

Advisory Committee constituted under section 33 of the Hospitals Act, 1934-1971,
Industrial Commission of South Australia,
Teachers Salaries Board.

Why are these authorities being exempted from the possible scrutiny of the Ombudsman? One would have thought, for example, that the Teachers Salaries Board was a most appropriate one into which he should be able to inquire—at least as appropriate as is the Council of the Flinders University or the Adelaide University. Yet we find that these authorities and commissions have been exempted—so far as we know, without explanation.

My own view is that every conceivable authority should be subject to the scrutiny of the Ombudsman. While I agree with the member for Bragg about the qualities of the present Ombudsman, I think perhaps his eulogies about the office of Ombudsman are uncalled for. However, I believe that Mr. Combe and his assistants should be able to look at all these authorities. The Minister has a golden opportunity to give the House an explanation for the exemption of these bodies, and I refer particularly to the second schedule, which includes the Industrial Commission and the Teachers Salaries Board. Have these authorities been exempted because of some experience they did not like of the workings of the Act up to the present time? Has there been some principle which would have provided for their exemption and was their earlier exemption overlooked? I do not know what other bodies have been exempted, but I noticed this in the *Government Gazette* when I came home.

I have spoken for long enough, and I see the Minister of Environment and Conservation shuffling through his papers. Whether he will find anything in the file on this Bill I do not know, but he is the Minister in charge of it and presumably knows something of the workings of the Act. I should like an explanation before I vote on the Bill. If the Minister is not in a position to give the explanation now, perhaps he would commence his reply and then seek leave to continue. That is not an unreasonable request. What we are being asked to do in this Bill is the exact opposite of what was done by proclamation a week ago. Before we vote on the Bill, I think we are entitled to an explanation as to why these authorities were exempted. I had no quarrel with the detailed provisions of the Bill. Actually, we have hardly had time to consider quarrelling with them, as the Bill was introduced only yesterday.

Mr. Payne: You had time yesterday afternoon to consider the Bill.

Mr. MILLHOUSE: Is that why the Government was so anxious not to allow Steele Hall to bring in his Bill? Was it giving us time to study the explanations of Bills? At least that is a novel explanation, one that we have not had before. It is better than nothing, and that is what we have had to date. That is all I wish to say. I hope that the Minister can give me the information I have sought about why various tribunals and so on were exempted by proclamation in the *Government Gazette* a week ago.

The SPEAKER: Order! The question is: "That this Bill be now read a second time".

Mr. Millhouse: Aren't we going to get an explanation from someone?

The SPEAKER: Order! The honourable member has already spoken once in this debate; he is not permitted to speak again.

Mr. Millhouse: I'm trying to get the Minister up to give me a reply.

The SPEAKER: Order! The question is: "That this Bill be now read a second time".

Mr. Millhouse: If we don't get an explanation, I'll vote against the second reading.

The SPEAKER: Order! I warn the honourable member for Mitcham.

Mr. Millhouse: Can't we get an explanation?

The SPEAKER: Order! The Standing Orders provide that, if any honourable member persistently and wilfully refuses to have regard to the authority of the Chair, that honourable member shall be named. In accordance with that Standing Order, I warn the honourable member for Mitcham. The question is: "That this Bill be now read a second time".

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): To save time later in the Committee stage, I will deal with one or two matters raised in this debate. The member for Fisher referred to a minor matter concerning the incorrect numbering of the clauses on page 2 of the Bill. These clauses should be numbered 3, 4 and 5, and not 4, 5 and 6. The honourable member sought clarification of the provision relating to the power of the Governor by proclamation to vary or revoke any proclamation declaring a council to be a council to which this legislation applies. The honourable member said that this provision seemed to be in conflict with recent proclamations providing that the legislation should apply to all councils now constituted. I point out to the honourable member that a proclamation of that type cannot look into the future, covering situations that may later arise when councils are amalgamated or council boundaries are altered. Accordingly, it is necessary to provide in this legislation for proclamations to be able to be made when alterations affecting councils occur.

Mr. Evans: What is the difference between a newly created department and a newly created council?

The Hon. G. R. BROOMHILL: Perhaps I can look at that matter during the Committee stage. The only other matter raised was raised by the member for Mitcham, who referred to certain exemptions made in connection with this legislation while he was recently overseas. This legislation has now operated for 12 months. In that time, the Ombudsman has been able to assess the situation and to interpret the jurisdiction in which he shall operate to be one in which he will deal with matters of administration and not with policy making. Accordingly, a review of the areas subject to his control was undertaken. The member for Mitcham referred to the situation of the Teachers Salaries Board. I point out that this board is presided over by a judge, who makes decisions; accordingly, the Ombudsman should not be concerned in this case. Consideration of the activities of the Ombudsman's operations over 12 months led to the decision on the areas that should be excluded.

Mr. Millhouse: On whose recommendation was it done?

The Hon. G. R. BROOMHILL: The recommendations for exemptions were made, after the review, by the Government.

Mr. Millhouse: By whom?

The Hon. G. R. BROOMHILL: By the Government. Bill read a second time.

In Committee.

The CHAIRMAN: I refer to the matter raised by the honourable member for Fisher during his speech in the second reading debate. The numbering of the clauses in the printed copy of the Bill is incorrect. However, as these are clerical errors, I will correct them, without the necessity for amendments to be moved.

Clause 1 passed.

Clause 2—"Interpretation."

Mr. EVANS: The position is that, under the Bill, by proclamation a department can be excluded from, but a council can be included in, the operation of the legislation. The Minister says that the legislation will apply to all councils that are in existence up to April 1 this year and that, from then on, a proclamation will be necessary to bring new or amalgamated councils under the legislation. Why should not the same procedure apply to councils as will apply to newly created departments? I believe that the same procedure should apply in both cases, with no distinction between them.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): This is only a minor matter. This position has not been created deliberately. The provision was originally worded to enable the Governor to proclaim a certain council. Now that the Government intends to include all councils, the wording of the legislation has been tidied up. The Government does not intend any different procedure to apply. This point is not important enough to delay the passage of the Bill, because the Government intends only to provide that all councils be subject to the legislation. It is certainly not the Government's intention to apply the provisions differently, so I do not believe the point is worth pursuing.

Mr. EVANS: I understand the Minister when he says that it is a minor point, because it is minor to the Minister, his department and to me, but, when we pass legislation in this Parliament, the average man in the street is supposed to understand and abide by it. Therefore, if it is at all possible to make legislation easier for him to understand we should attempt to do so. We have the opportunity (and the Minister admits this), to redraft the Bill more uniformly. Regardless of which Party is in Government in future the opportunity is there to say that a new council will not come under the Bill, and the matter will have to be debated in Parliament.

I would prefer to see all councils controlled by the provisions of the Bill, whether they existed before April 1 or are created in the future: in other words, that they be treated in the same way as a Government department is treated under this Bill. That is a commonsense and easy approach for the people we represent, and we would not have to worry about lawyers' interpretations. Departmental officials always receive all the help they want, whereas the man in the street does not, so by passing legislation of this nature we are only complicating the law for those people who have to abide by it. Therefore, I should like to see the wording altered so that both facets operate in the same way. We should report progress at this stage and amend the Bill in the way that I have suggested.

The Committee divided on the clause:

Ayes (20)—Mr. Broomhill (teller), Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Jennings, Keneally, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Wells, and Wright.

Noes (18)—Messrs. Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans (teller), Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse, Rodda, Russack, Tonkin, and Venning.

Pairs—Ayes—Messrs. Hudson, King, and Virgo. Noes—Messrs. Allen, Nankivell, and Wardle.

Majority of 2 for the Ayes.

Clause thus passed.

Remaining clauses (3 to 5) and title passed.

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

That this Bill be now read a third time.

Mr. EVANS (Fisher): Because of what we have done by this Bill, a council will be considered differently from a Government department. This situation will be conflicting, and it will be hard for the average man in the street to understand it. I am disappointed that we did not redraft that part of the Bill: it does not make much difference to members of Parliament but it does make a difference to people outside this House. It is not serious enough for me to vote against the Bill, because I believe the other provisions will help the work of the Ombudsman. However, in future we should think more of the ordinary man in the street than we do of ourselves.

Bill read a third time and passed.

WATERWORKS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 20. Page 2134.)

Mr. COUMBE (Torrens): This Bill has two distinct parts, the first dealing with the 1973-74 rating year, and the second with the next rating year. The first part seems to me to be entirely legal, but the second part, which deals with the charges to be made for water and the change from the present system, affects many people in this State. I am aware that for some years the Engineering and Water Supply Department, which is one of the larger Government departments of this State, has done much work on redrafting the Waterworks Act and the Sewerage Act, and I am sure that honourable members who have perused them realize that a redrafting is overdue. Several amendments to those Acts that are before the House will bring aspects of the legislation up to date by using modern wording and idiom.

Regulations will be referred to instead of the old word "by-laws", which operated at a time when the Minister was known as the Commissioner of Public Works. Also, metrication is effected in several parts, and the Governor is now to make some regulations instead of their being made by the Minister. When I was Minister in charge of this department, I found it strange that on July 1 each year I had to declare the water rate. This action seemed to me to be extraordinary. In future the Governor will do this. I suppose it is the same thing in effect, but it means that actions are brought more into line with Cabinet decisions, and I support that type of move. However, I believe that several clauses will require clarification and, as this is largely a Committee Bill, I will refer to them when we reach that stage. Some aspects concerning country lands and water districts need amplification.

Referring to the first part of the Bill, it seems that the Crown Solicitor has had some doubts about the power to levy differential rating between water districts, and the Bill clarifies this position. We all realize that, in South Australia of all States, there must be differential rating between water districts in the country, but the Bill provides that no rate shall be held to be invalid before the passing of this legislation. I shall ask the Minister in charge whether there are any disputes pending under this head. I can appreciate the desire to clarify the position and, if the slate is clean, the amendments are acceptable, but, if objections have been raised or a decision is pending, the Government would be indulging in a retrospective type of legislation to avoid a challenge. I hope that this is not the case, and I shall seek the assurance of the Minister regarding this matter.

I refer now to the 1974-75 financial year regarding water rating or charges. Unfortunately, South Australia has inherited from the days when the colony was first founded

the English county system in which rating was based on the assessed annual value of the property. In a dry land like South Australia it seems inappropriate that we have adopted a system used in English counties, because they usually have too much water. Some parts of South Australia, of course, are getting too much water at the moment but, generally speaking, it seems to be an anomaly that has been perpetuated for a century or more.

The present system is based on the assessment, which means that the assessed annual value is the basis for rating and for the determination of the amount of rebate water to which a householder or a business concern is entitled. Any water used in excess of this rebate water comes into the category of excess water. The present costs of both rebate water and excess water are at parity; they have not, of course, been at parity on a number of occasions, as successive Governments have raised either the rebate or the excess rate.

The new method suggested will have some distinct advantages for the householder. My comments here will be related to the charges for water for a private dwelling. In the past, a person on his personal income tax return could claim as a deduction only the cost of rebate water. Any excess water, regardless of the sum, was strictly prohibited, under the taxation laws of the Commonwealth of Australia. The Commonwealth taxation laws have been very strict on this. When I was in office, I had this matter drawn to my attention. The provisions of the Bill, as I understand them, will overcome that problem and will permit the private taxpayer to claim as a taxation deduction the cost of the whole of the water he uses. This will be of value.

The past situation has been one of the inequities of the income taxation system at present operating in this country because it is based on assessed annual values. This has led to several other anomalies, and has been responsible, in many cases, for the deliberate wasting of water. This may occur on a small cottage property or in a fairly expensive town house on a small allotment, several of which are being erected in my electoral district, particularly in North Adelaide. Cases have been reported to me of people who, because they realize they will be charged for a certain gallonage or a specified number of kilolitres of water and know they cannot possibly use that amount of water on their gardens or in their households, deliberately waste water.

Mr. Jennings: That would not happen in my district.

Mr. COUMBE: That may happen in the honourable member's area, too. That is the sort of thing we want to overcome. A committee was set up by a former Liberal and Country League Government to investigate the desirability of looking at different types of water rating to see whether a more equitable system could be devised, whether we could have an amalgam of charging a flat rate and charging for water used, as is done in relation to electricity or gas, where a meter is read. The committee's findings revealed many new problems and difficulties in this field. I am afraid that in some areas some people would pay considerably less than hitherto and in other areas many people would have to pay much more. There are real problems, not only in households but also in businesses.

Under the proposed legislation, householders will retain the right to make their payments quarterly and, if they use what has been called excess water, they will receive a separate account, covering the excess water used; they will be able to claim for taxation on the five accounts, although in the past they have been able to claim on the four

accounts. Also, the right of a person, if he so desires, to make one annual payment instead of four quarterly payments will remain and, if he uses excess water, he will get another account for that. Those are my general comments on the Bill. Several matters require comment in the Committee stage, particularly some aspects referring to rating in country areas and in relation to some of the major trunk mains in the State. I support the second reading.

Mr. RODDA (Victoria): Things have changed in the short time I have been away from the House. I must get used to the new procedures, one being the insertion of a second reading explanation in *Hansard* without its being read. Although this streamlining will be good for the House, in the last few minutes I have been trying to catch up with the Minister's explanation. The member for Torrens has referred generally to the Bill. I am concerned mainly with the method of rating for an indirect service. The Minister knows that the Keith to Tailem Bend main, despite all the warring that occurred when that reticulated water service was mooted, is filling a real need in the increased agricultural activities in that part of the State. Some areas adjacent to the main are interested in an indirect service. The Minister and his Director have informed me (and, I believe, other members associated with that district) that the first requirement is to see what the output of the main will be. I notice that under clause 27 the Minister can fix differential rates. That seems to me to be a fair way in which the landholders served in this way can make a reasonable contribution to the water scheme.

Some areas in the Keith district need a water service. The people concerned would be able to make a full contribution to the scheme and the Minister would be able, under the provisions of this Bill, to levy his just dues and obtain a contribution from the people whose properties abut the main. One thing that has worried the landholders in that area is that they may be two or three miles from the main and have not been able to get a direct service because it has fust to be determined whether the main can service them as well as the abutting subscribers. The amendment seems to let these people in. The member for Torrens raised a matter that I intended to raise regarding water districts, so there is no point in my canvassing it, too. That was the issue I wanted to bring to Parliament's attention. I shall be interested to hear the Minister's explanation regarding some of the clauses to which my colleague has referred. I support the Bill.

Mr. McANANEY (Heysen): I, too, support the Bill and, as my colleagues have spoken in detail on it, I will refer only generally to South Australia's water supplies. Certain injustices have occurred in the past, as some of the State can obtain a water supply on the basis of a small percentage return whereas other areas closer to mains have been unable to do so. In this respect I refer to the Callington-Hartley area. I find it difficult to understand why, when a supply has been provided for a town for a small capital return, a person just outside the boundary of that town who applies later for a water supply cannot obtain it unless 10 per cent of the capital outlay is returned.

One of the best features of this Bill is that it will enable the department under the Minister's control to be more flexible. The Minister and his department will have to decide on certain matters, and it will be difficult for them to be fair and just to all. However, some of the injustices that have occurred in the past should be overcome. I have written a letter to the Minister regarding the occupier of certain land that was to be treated as a whole parcel in relation to rating. If one owns land with a road or a creek running through the centre of it, one cannot use the

water to which one is entitled on another part of that property, which is an injustice.

Clause 27 gives the Minister discretion in relation to nine different items. All members know of the Minister's willingness to do his best at all times, although we may not necessarily agree with all he does. This provision will enable a greater degree of flexibility to be achieved and will overcome some of the injustices which have occurred in the past and which are occurring now. Unless the Government changes its policy I do not think this legislation will mean that one will pay for the water one uses. However, eventually I hope one will have to pay for the quantity of water one uses. It is my basic philosophy that the people who receive a certain benefit should be the ones who pay for it. I hope the Government's policy in this respect will change. If one has to pay for the water one uses, wastage will be minimized and, indeed, it will be a much fairer way of implementing the whole scheme.

The people living in the city of Adelaide now pay for a large percentage of the water used. However, that seems to be the situation on the surface only, as the business people in, say, Rundle Street or anywhere else in the city square pass on this cost in the price of their goods, as a result of which the people living in the suburbs ultimately pay, indirectly, for this water. It may eventually be acceptable politically that one must pay for the water one uses.

Mr. EVANS (Fisher): I congratulate the Government on introducing this Bill, which is a step in the direction in which I have always believed we should be moving. When I first entered this House six years ago, one of my stated aims was to see a water rating system based on the quantity of water one used. Whether my comments over those six years have contributed to the introduction of this Bill, I do not know. However, I am at least satisfied that today we are accepting a provision that should take us a step closer to our ultimate goal, with people paying for the quantity of water they use. This can be done even if we have different classifications, such as industrial or commercial users, primary producers and domestic users, perhaps with another classification within the domestic classification for pensioners or persons on low incomes. The Minister will have the flexibility to enable him to vary the system and this, too, is a step in the right direction.

We in this State must develop a water conscious community, as at present we are not water conscious. Under the present method of rating some people say, "We are entitled to use that quantity, sensibly or otherwise." I sincerely believe that this is one of the best moves that has been made for many years, and I hope that it will soon move a little closer to the system under which one pays for the water one uses. I, too, support the Bill.

Mr. MILLHOUSE (Mitcham): I have only just obtained a copy of the Bill. Whether or not I could have had it an hour or so ago, I do not know.

The Hon. J. D. Corcoran: It was given out yesterday.

Mr. MILLHOUSE: That may be so. It has yesterday's date on it.

The Hon. J. D. Corcoran: It was given out yesterday.

Mr. MILLHOUSE: Well, it was not on my file, and I had to ask for a copy of the Bill before I got it. I rather suspect that the members of the Liberal and Country League who have already spoken have read the second reading explanation only and have not examined the print of the Bill itself.

Mr. McAnaney: I studied it last night.

Mr. Evans: Do you want 18 copies?

Mr. MILLHOUSE: My old friend the member for Heysen has interjected, and so has the member for Fisher.

Mr. McAnaney: I am only putting you on the right track.

Mr. Gunn: Don't be so juvenile.

Mr. MILLHOUSE: Now the member for Eyre is coming in.

The SPEAKER: Order! The honourable member should discuss the Bill under consideration.

Mr. MILLHOUSE: Of course, Sir, although it is rather amusing to hear these interjections from L.C.L. members. I repeat that I have only just received a copy of the Bill and have not, therefore, had a chance to read it. I have had a quick look at the Minister's explanation, and I rather suspect that those members who have spoken have done nothing more than that. The member for Victoria said as much in his contribution to the debate, so I do not know why his colleagues are all rising to the bait. Well, I think I know why: they are touchy about what has been going on during the past 24 hours or so. The point I intend to make is that we have had something of a eulogy from Liberal and Country League members; that is not surprising, because that is their present attitude. They show a touching faith in the Government's ability to do what is in fact a fix, certainly so far as the income tax provisions are concerned, but there is no guarantee that the Bill and the change in the wording of the Act which it makes will have the desired effect. That will be a matter of interpretation for the Commissioner of Taxation, then perhaps for a board of review, and perhaps finally for a court.

So, let there be no misunderstanding: it is merely an attempt to get around the provisions of the income tax laws in the same way as many documents are drawn with that object in view. It is a matter of trying to avoid (although I hope not evade) taxation; it is a measure of the loss of stature of State Parliaments and Governments that it is necessary for this Parliament to resort to the same kinds of practice as private concerns have had to use for many years in the past. The point I make is that we do not know that it will have the intended effect, and that is something over which we in this State have no control, or very little control.

I understand that the Minister is willing, because of the speed with which the Bill has been introduced and has reached this stage, not to put it right through, so members will have an opportunity to study its provisions and will not have to rely only on the explanation he was pleased to table yesterday. I appreciate that action. It may be

that, in Committee, some of us will find that much more needs to be said than appears on the surface.

The Hon. J. D. CORCORAN (Minister of Works): I would not have replied to the second reading debate except that I wish to point out to the member for Mitcham that the Bill was circulated to all members yesterday. An advance copy was made available and placed on the honourable member's desk in front of him, if not handed to him. Therefore, the point he has made about just having received the Bill is certainly not the fault of the Government or of anyone else in the House. However, I appreciate that several matters in the Bill need examination I do not accept the honourable member's point that it is only possible that we may be able to allow private people to do the same as business people have been able to do under the taxation laws. This practice has been going on in Brisbane for several years. Because of the way in which the rating system was drawn up in South Australia, Victoria and New South Wales, the Commissioner could allow not the whole sum paid for water used but only the rate.

Mr. Coumbe: Western Australia, too, as well as Brisbane.

The Hon. J. D. CORCORAN: Yes, but more particularly Brisbane, where this practice has been going on for some time. I have had correspondence with the Commonwealth Treasurer on the matter and he pointed out that, if we agreed to amend the legislation in this State to provide for a system of rating similar to that in certain other States, there was no reason why private people would not be able to make the claim set out in the Bill. No prosecutions are pending in relation to the retrospectivity of the first part of the Bill's provisions. The Crown Solicitor has expressed the view that there is some doubt about the legality of the Minister's declaring a differential rate; because of that, we have decided to put the matter beyond all reasonable doubt. That is why the amendment to the legislation has been introduced. I thank members for the contributions they have made to the debate and, whilst I want to get the Bill into Committee, I will let it rest until Tuesday so that members may study it.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Progress reported; Committee to sit again.

ADJOURNMENT

At 4.43 p.m. the House adjourned until Tuesday, February 26, at 2 p.m.