HOUSE OF ASSEMBLY

Wednesday, August 14, 1974

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

PETITION: SODOMY

Mr. MAX BROWN presented a petition from 56 electors and residents of South Australia objecting to the introduction of legislation to legalize sodomy between consenting adults until such time as the Parliament had a clear mandate from the people by way of a referendum (to be held at the next periodic South Australian election) to pass such legislation.

Petition received.

PETITION: WATER RATES

Mr. DEAN BROWN presented a petition signed by 48 residents of the city of Burnside who expressed concern at the present inequitable system of estimating and charging water and sewerage rates, particularly in the present period of high inflation. This practice had resulted in water and sewerage rates being increased, in many instances, by more than 100 per cent, which was an unfair, discriminatory and grossly excessive impost on them, and which would cause hardship to many residents on fixed incomes. The petitioners prayed that the House of Assembly would take action to correct the present inequitable and discriminatory situation.

Petition received.

PARINGA PARK SCHOOL

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Paringa Park Primary School Redevelopment (Stage I).

Ordered that report be printed.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard.*

PORT ADELAIDE ODOUR

In reply to Mr. OLSON (July 30).

The Hon. G. R. BROOMHILL: Following reports of the escape of odours near the Electricity Trust of South Australia power station at Torrens Island on July 24, 1974, the Engineer for Air Pollution of the Public Health Department investigated the matter with the South Australian Gas Company and various users of natural gas in the area, as it was considered that the odours were caused by odorants that are added to the natural gas for safety reasons. He has reported as follows:

It was ascertained that on the night of July 24 an operator had loaded three drums full of odorant into the E.T.S.A. natural gas metering system. Whenever loading occurs, a small amount of the odorant gas escapes through a vent pipe. However, the operator claimed that he was unaware of a noticeable discharge. E.T.S.A. engineers have endeavoured to ascertain the reason for the escape, but at this time they can find no evidence to suggest that, apart from normal venting, an emission did in fact occur.

Premises of other users of natural gas in the area were inspected, but no evidence of emission of odours could be detected. Subsequent reports were received of a further leakage of odorant on Friday, August 9, 1974, and advice has now been received from the trust that on that date there was a leakage of odorant from the gas-odorizing plant at Torrens Island. This report indicates that one of the main odorant tanks was inadvertently over-filled, and some liquid odorant accumulated in the vent pipe and was blown off to atmosphere. In order to minimize the chance of recurrence, the trust has indicated that it will install in the vent line a liquid separator to ensure that liquids are not forced up the pipe, and that an absorbent filter will be fitted to remove odorant gases. It is expected that this work will take about a week and that the odorizing plant will be shut down while this work is in progress. The Public Health Department will keep this matter under review to ensure that similar action is taken by other users of natural gas.

KANGAROO ISLAND SHEARERS

In reply to Mr. WRIGHT (August 8).

Mr. CHAPMAN: With regard to the first part of the question, it is not a fact. Concerning the second part, in respect of the three Kangaroo Island graziers, Messrs. Woolley, Smith, and Wilson, who were cited in the question, I reply as follows:

(a) Soldier settler grazier, Mr. B. H. Woolley (the only Mr. Woolley on the island), engaged me to shear his sheep at my depot shed in June, 1960, and until he installed his own equipment in late 1961. Never, since becoming self-equipped with shearing-shed facilities and the readily available good local farmer-shearers, has Mr. Woolley needed any contract shearing services, nor have I considered seeking to provide it. It is ridiculous to suggest it. However, continuously from 1960 to the present time Mr. Woolley has been a good neighbour and client of mine in another aspect of business.

(b) There are four Smith families farming on the island. Mr. G. T. Smith is a near neighbour of mine and, if that is the person to whom the honourable member refers, then similar circumstances apply to those above.

(c) There are at least a dozen Willson families farming in the Penneshaw district on Kangaroo Island. I have never personally shorn a sheep, employed a shearer, nor sought to do so in that community, despite frequent requests dating back to the early part of my 24-year association with the industry. Penneshaw district is at least 48 kilometres outside the limits of effective service by my outfit.

The reactionary inference in the remainder of the honourable member's question confirms, and is adequately covered in, the immediate reply I gave to him following his Question without Notice on August 8, 1974 (*Hansard* page 362). I acknowledge the honourable member's concern for the whole Kangaroo Island deal in the 1971 Woolley case, for it proved to be a great win for the islanders and a complete disaster for the trade union movement generally, and especially his colleague Mr. Dunford. The honourable member took strong exception to my recent attack on Mr. Dunford. Mr. Dunford has consistently failed to recognize the extreme efforts made by the South Australian Shearing Industry Committee to improve conditions for workers in the industry and the extensive follow-up efforts in this regard by the South Australian Registered Shearing Contractors Association, of which I am honoured to be Chairman. In fact, he viciously attacked the formation of the contractors association generally, and my appointment in particular, in a publication of the *The Worker,* dated March 13, 1974. Mr. Dunford has earned the description attributed to him as a result of his own attitude and actions. If he can give it, he must be willing to take it.

PETRO-CHEMICAL INDUSTRY

Dr. EASTICK: In view of the Premier's assertion to this House on March 21 this year that an investigation by the Commonwealth Urban and Regional Development Department would in no way delay the Redcliff petro-chemical project, will he now reassure the House that there is not just a likelihood of a delay to the project but that there is not a very real chance of the project's being scrapped altogether? Earlier this year, I drew the Premier's attention to a report in the Australian *Financial Review* that the Commonwealth Urban and Regional Development Department was undertaking an extensive examination of the Redcliff project. I asked whether he thought there was any likelihood of this investigation causing any delay. In reply, as reported at page 2653 of *Hansard,* the Premier said:

No delay will be occasioned by an investigation by the Urban and Regional Development Department.

I interjected, "You're certain of that?", and the Premier replied, "I have just said that." Obviously at that time the Premier had no suspicion that there might be a Commonwealth Government conspiracy to delay or prevent this project, even though on an earlier occasion the Commonwealth Minister for Minerals and Energy (Mr. Connor), obviously irked by the Premier's actions over this project, said quite bluntly in the Commonwealth House of Representatives, "No longer will any State Premier usurp the functions of a national Government." That reference was aimed at the South Australian Premier. Therefore, I ask the Premier whether there is a real danger that the Redcliff project could be lost. How long does he believe that the project can be delayed by Commonwealth intervention before the crunch comes?

The Hon. D. A. DUNSTAN: As there is no Commonwealth intervention in this matter, I do not know what the Leader is talking about when he refers to Commonwealth intervention.

Dr. Eastick: Australian Government intervention, then.

The Hon. D. A. DUNSTAN: If this project is to proceed, as we believe it will, it will require Commonwealth involvement. The Commonwealth has offered to build the pipeline; it is involved in provisions for finance of the power plant; and it is involved in decisions relating to coverting liquid petroleum gas. In those circumstances, it is directly involved in the project, so it is not a question of Commonwealth intervention.

Mr. Dean Brown: Shouldn't you have used the past tense?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I suggest that the honourable member restrain himself for a moment, if the Leader is to get a reply that has any sort of sense, rather than have us listen to the silly interjections of the honourable member. The position at present is that the State has completed, except for one minor matter that we expect to complete soon, its negotiations with the consortium about all matters contained in the indenture concerning South Australia. The position remains that several questions must be answered by the Commonwealth before the indenture can be completed. Over some period of time those questions I have been asked of the Commonwealth Government, and at this stage we do not have answers. However, no answers have been denied to the State Government as the result of any investigation by the Urban and Regional Development Department, which has in no way inhibited the progress of the negotiations with the consortium. Therefore, what I said to the Leader in March was perfectly correct and it has been borne out by the facts.

Several recommendations by the Urban and Regional Development Department to the Commonwealth Government and several decisions by the Commonwealth Treasury remain to be made. The Commonwealth Government recently established an inter-departmental committee as a result of our having asked these questions and having asked for a determination of them. Yesterday I met all the Commonwealth Ministers involved and pointed out that answers to the questions could not be delayed on the basis of a time table apparently established by the inter-departmental committee. We cannot wait until the end of the year for these answers. In fact, they must be given to us within a matter of weeks, in time for us to get the indenture before this Parliament next month.

That is the position, and I explained this in detail to the Prime Minister and the Ministers concerned last evening. As a result of my representations, the Prime Minister asked that a comprehensive submission to the full Cabinet be made by South Australia before the end of the week and he stated that Cabinet would immediately consider providing us with answers. Our officers have been left in Canberra to complete that submission, in conjunction with representatives of Imperial Chemical Industries of Australia Limited, so that the matters will be before the Commonwealth Cabinet next week.

We have clearly asked the Commonwealth Government questions about the price of liquid petroleum gas, and we have put to it matters concerning its financing of the pipeline, the diameter of the pipeline and, therefore, the cost of transmission to the producers and consumers. We need answers urgently. They will be the subject of the submissions being made immediately by officers, and we expect to get answers on them soon. As soon as we have the answers, we shall be able to determine the matter of putting the indenture before this House, which we expect to do, in accordance with the time table, next month. The Leader has tried to bring quite irrelevant matters into this.

Dr. Eastick: No.

The Hon. D. A. DUNSTAN: Yes, he has. The investigation by the Urban and Regional Development Department has absolutely nothing to do with the questions which have been asked of the Commonwealth Government and which remain outstanding. The quote that the Leader made from the statement by the Minister for Minerals and Energy related to the matter of our getting an answer from the Commonwealth Government on the proportion of Australian equity involved in the consortium, and that was decided more than a year ago, so that is the kind of politics the Leader is playing.

Dr. Eastick: It's still a rebuff!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I find it extraordinary that, any time the Government puts forward the Redcliff project, members opposite attack it. We have had attack after attack from members opposite, and it did not matter how inconsistent one attack was with the other. The moment the honourable member thinks, from a newspaper report, that there is some danger to the project, he wants to attack the Government on that score.

Mr. COUMBE: In view of the disturbing announcement made by the Prime Minister yesterday which could lead to a serious delay in the Redcliff project, can the Premier say whether he has received an acknowledgement at any time from the Prime Minister to the following resolution passed by this House on October 16, 1973:

That this House express deep concern at the actions of the Commonwealth Minister for Minerals and Energy (Mr. Connor) in relation to the proposed Redcliff petrochemical development, and urge the Government to take all possible steps to resolve the present threat to its establishment.

The motion received the unanimous support of this House but it would appear that the Prime Minister has paid little attention to the concern expressed by this House at that time. Did the Prime Minister ever comment to the Premier on the substance of the motion and has the Premier recently reminded the Prime Minister of the views expressed so strongly by this House on this project?

The Hon. D. A. DUNSTAN: The answers to those two questions are "No" and "No". The resolution of this House was passed in circumstances where the Minister for Minerals and Energy (Mr. Connor) had refused to tell me or the competing consortia what was the requirement of the Commonwealth Government in relation to Australian equity in the consortium. Having asked him how much was required as an Australian component, I was told that it would be as high as he could get. That was the only answer I could get from him.

Mr. Millhouse: You have not answered the specific question.

The Hon. D. A. DUNSTAN: The honourable member was part of a group in this House which attacked me bitterly for taking the position I took against the Minister for Minerals and Energy in asking for a figure.

Mr. Millhouse: On the contrary, you said you would not support—

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

The Hon. D. A. DUNSTAN: The member for Mitcham and his then Leader, colleague or whatever else he was, attacked me bitterly and took the part of the Minister for Minerals and Energy, saying that it was improper for me to have asked for that figure. That was their position on the Redcliff project. I asked for the figure and I did not get it. After the motion had been carried in this House, the matter was raised by both Labor and Liberal members in the Commonwealth House and the Minister for Minerals and Energy then gave a reply he had not been prepared to give to me: that the requirement was 51 per cent, which I immediately said we could not only support but could ensure the consortium would meet. That has happened. That was the context of the motion in this House and the position was dealt with. I did not have a formal reply from the Prime Minister, because the position was dealt with federally and an answer given before there could be any reply. I did not feel it necessary yesterday to remind the Prime Minister or the Commonwealth Minister of that episode. What I did was to press the necessity of our getting replies to questions that we have now been asking for a considerable time. I was able to point out that we had provided the Commonwealth Government with the needed time table for this project and also with all the information available to the South Australian Government.

For some months, we have had an officer of the Commonwealth Government involved directly with our own officers throughout the recent consideration of this project, and the Commonwealth Government and the Prime Minister have known about these questions for some time. Consequently, we needed answers promptly. The honourable member has said that apparently the Prime Minister made an announcement yesterday, but the Prime Minister did not do that. What happened was that a newspaper reporter discovered the fact that, some time since, the Prime Minister had appointed an inter-departmental committee in order to advise the Commonwealth Ministry as to the answers. The Prime Minister made no announcement. A newspaper reporter made an announcement about something that had happened some time ago as though it happened yesterday, but it did not.

Dr. Eastick: Did you know there was a committee?

The Hon. D. A. DUNSTAN: Yes, of course I knew that. One of the reasons I went to Canberra—

Mr. Gunn: You didn't say anything about it.

The Hon. D. A. DUNSTAN: As I was not asked about it, why in the world should I say anything about it? As nothing had been put to me in this House relating to the matter, there was no need for me to speak about it. I went to Canberra in order to say that, on the information given me by my officers about the time table of this committee, we would not get the answers in time, and we had to have them for reasons that I clearly put to the Ministers. Those reasons were understood and accepted, the Commonwealth Ministry having engaged to act in consequence.

Mr. EVANS: Now that the Commonwealth Government has further delayed the Redcliff project, can the Minister of Environment and Conservation say whether a more extensive and precise environmental impact study will be carried out by the officers of the South Australian department into the effects the project is likely to have on the ecology of the area?

The Hon. G. R. BROOMHILL: In view of what the Premier has already said in the House, I can see no delay in the project occurring that would, in turn, affect the extensive tests being carried out in this area.

Mr. GOLDSWORTHY: If there is no hold-up or possibility of delay in the Redcliff project, can the Premier say why several senior public servants (I think Mr. Scriven is one) have been flown to Canberra?

The Hon. D. A. DUNSTAN: I should think that the honourable member could have listened to the replies previously given to his colleagues. At this stage I had to make clear to the Commonwealth Ministry that it was not possible to wait for the answers on the Redcliff project, having regard to the time table which, according to officers, had apparently been established by the inter-departmental committee that was co-ordinating the work of the Commonwealth Government to get the answers. I had to point out to Ministers at the top level the urgency of the answers so that they could be given in full. In order to put the case to them fully, I had to have the officers concerned there. lust as the Minister for Minerals and Energy had available to him the Chairman of the Commonwealth Pipelines Authority, the Treasurer had his Treasury officers, the Prime Minister had officers from his department, and the Minister for Urban and Regional Development had three officers from his department, I needed to have not only the Director of my department, who has been involved in this matter, but also the Director of Industrial Development, who has been involved in the Redcliff project from the beginning, and the Director of Mines and Mr. Knuepffer, both of whom were involved in the questions that we have asked the Commonwealth Government.

Dr. Eastick: What if they don't respond?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I was asked why I flew the officers to. Canberra, and the reply is that I did that to look after South Australia's interests.

COUNCIL BOUNDARIES

Mr. WRIGHT: Has the Minister of Local Government seen a letter in today's *Advertiser* under the heading "Mayors' protest at boundaries interference"? If he has, does he consider that sufficient time is being allowed councils to consider the First Report of the Royal Commission into Local Government Areas and for them to prepare submissions in support of their objections? Last week I asked the Minister whether he intended giving councils an opportunity of preparing a case if there was dissent from the recommendations contained in the report. The Minister said that a date had been set, namely, August 30. As a consequence, I sent copies of my question and the Minister's reply to all local councils. Six correspondents have signed the letter in today's *Advertiser,* which states in part:

> This announcement had not reached the councils officially until August 9—

namely, the Minister's reply to me last week—

> and in any case there is very little time for a complete perusal of the full report of the commission and the preparation of a case. Most councils will have to call special meetings to decide their submission, and this in itself is time-consuming. All we ask for our people is that they be treated with democratic justice and that they be given their rights under the principles of local government. We consider that the Government has no mandate to interfere with local government in the Metropolitan Planning Area, nor in country areas, without the full consent of the people. The ratepayers in all council areas must be warned of the dangers of large bureaucracies, in relation to costs, and loss of community interest and personal contacts.

The letter is signed by the Mayors of Walkerville, Thebarton, Henley and Grange, Brighton, St. Peters, and Hindmarsh.

The Hon. G. T. VIRGO: I was delighted to read one part of the letter: namely, that the mayors of the six cities believed that things should not be done in local government without first obtaining the consent of the people. It is delightful to know that at last we are getting a recognition of the rights of the people, not only of a selected few as has been the case hitherto. Councils will all have had six weeks from the time the report was presented (and councils received the report immediately) until the date the Royal Commission has agreed will give a reasonable time for the submission of views on its report. If a council has not determined its attitude within six weeks, I do not think that allowing six months would help it much. I believe that many councils have already made up their minds, and public statements have been issued by mayors, by councils and, indeed, by members of Parliament. So, presumably they have all carefully read and studied the report and have determined their attitude to the recommendations. Taking all these factors into account, I do not believe that local government would be served well if there was an undue delay in the consideration of the report. Local government, having had the fullest opportunity ever given it to submit its views for the consideration of the Royal Commission, is being given currently a further opportunity to express an opinion, and it will be given, if it desires, another opportunity because the Bill will be referred to a Select Committee after the second reading debate. The people who desire to extend the time for consideration are nothing more than humbugs in working thus against the progress of local government. I want to see local government given the opportunity to be restored to its rightful and viable place in the community.

Mr. HARRISON: Is the Minister aware of the public meeting held recently at which, as reported in the *Guardian and Retailer,* Councillor Dr. R. Jennings and the member for Hanson made certain statements attacking the integrity of the Royal Commission into Local Government Areas and questioning the future with regard to high-rise zoning and rating if and when Novar Gardens was transferred from the West Torrens council to the Glenelg council?

Mr. Gunn: Do you care to answer?

The Hon. G. T. VIRGO: I always care to answer questions when the opportunity is provided to reply to malicious or incorrect statements. I believe that there has been a malicious and unwarranted attack on the integrity of the Royal Commission. I repeat that I do not believe that the three persons who have constituted this Commission deserve such criticism; they are men of unquestionable ability and integrity. It does nothing for those people who seek for their own personal ends to heap criticism on the Royal Commission. The Government has full confidence in the Royal Commission. I certainly have full confidence in it, and I disregard entirely any criticism of it. With regard to the second part of the honourable member's question, I fear that, if newspaper reports and other reports I have had from people who attended the meeting on Sunday morning are correct, it is clear that the people who spoke at the meeting either failed deliberately or through ignorance to tell the people what is the position.

The Hon. G. R. Broomhill: Did the member for Hanson speak?

The Hon. G. T. VIRGO: He did. The position is that the area of Novar Gardens, in common with surrounding areas, is subject to planning and zoning regulations. The zoning regulations are attached to the land and not to the council. If the land is transferred from one council to another, obviously the zoning regulations go with it. For these people to talk this rubbish about the area suddenly being filled up with flats is either a deliberate misinterpretation of the position or an admission of gross ignorance.

Partly the same position applies regarding the method of rate assessment. At present, the West Torrens council operates on the land values system, as it has done for more years than I care to remember. Until two years ago, the Glenelg council also operated on the land values system of rating, but at that time the voters of the area decided, at a poll, to change to the rental values system. Under the Act, that system is required to operate for two years. As that time has now expired, if the people of Glenelg choose to do so they can revert tomorrow to the land values system. Equally, if the people of West Torrens so choose, they can change to the rental values system. Therefore, for people to try to draw comparisons between the two systems of rating and the amounts of rates paid is again drawing a red herring across the trail in an attempt to discredit the findings of the Royal Commission. I believe that efforts of that type are to be deplored as much as are attacks on the integrity of the Royal Commissioners.

Mr. BOUNDY: Will the Minister indicate his attitude towards the Royal Commission into Local Government Areas, receiving submissions from ratepayers independent of their local councils? It has been brought to my attention that groups of ratepayers in outer metropolitan areas would prefer to be attached to rural councils because of their community of interests with those areas, rather than be a

rural fringe on an otherwise urban grouping. They consider they have a valid point to promote, and they hope that they may have access to the Commission in order to submit their view.

The Hon. G. T. VIRGO: The present Local Government Act contains provisions that would achieve the objective to which the honourable member has referred, quite apart from any recommendations of the Royal Commission. If these people wish to become detached from an existing council area and attached to another area, the Act provides the process by which this can be done. However, if their move in this regard is a matter associated with the Royal Commission's inquiry, I assume that they have not just now thought that they would like to be attached to a council different from the one to which they are now attached, so that they would have already presented their views to the Commission. In this case one would assume that their points have not impressed the Commission or, alternatively, that the Commission has considered that their claim was not sufficiently valid to recommend the change. As I have indicated previously, the Commission is now willing to review any of its decisions in relation to boundaries and, if these groups to whom the honourable member has referred wish to make further submissions, it is up to the Commission whether those submissions are accepted and what decisions are to be finally made. This is not a decision for me to make.

SUSPENSION OF STANDING ORDERS

Mr. MILLHOUSE (Mitcham): I move:

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

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

Mr. BOUNDY: Yes.

Mr. MILLHOUSE: I have already acquainted the Premier, the Leader of the Opposition, and the member for Flinders with the text of the substantive motion that I desire to move, and I will now read it to all members of the House. It states:

In view of the doubts now being expressed about the future of the Redcliff project and the urgency of coming to a final decision, this House calls on the Government to make a full and frank statement forthwith on the progress of negotiations with the consortium and the Commonwealth Government, with particular reference to environmental and financial aspects.

If I may briefly speak to the motion for suspension of Standing Orders, I say that, obviously, I had prepared my motion before I came into the House. I have listened with attention first to the terms of the notice of motion for tomorrow of which the Leader of the Opposition gave notice today, and I must say that I might find it extremely difficult to support a motion in those terms. I have also listened (and more significantly) to the replies that the Premier has given this afternoon to, I think, four questions from members of the Opposition, and I have never heard the Premier hedging more and have never heard him concealing—

The SPEAKER: Order!

Mr. MILLHOUSE: —material deliberately—

The SPEAKER: Order! The honourable member for Mitcham has moved for the suspension of Standing Orders. He is fully aware that he is entitled to a specified time to state the reasons for the suspension, but I point out once again to the honourable member that during that time he is entitled to convey to the House only the reason or reasons for the suspension, and cannot deal with the subject matter.

Mr. MILLHOUSE: I shall be pleased to do that. The fact is that the Redcliff petro-chemical project is one of the biggest projects that we have undertaken in Australia, and it has been constantly before this House. To quote the words used in the newspaper this morning, the project is now on the verge of collapse, and there has not been one word from the Premier this afternoon in denial of that. If we take that report, together with what he has said this afternoon in reply to questions, it is perfectly obvious that this project is in jeopardy, and I do not believe that we should waste any time in this House before we find out what the position is and what is to be done about it.

I have not had a chance to ask a question about the matter, but other members on this side have not been able to get any real information out of the Premier at all this afternoon. I consider that today (not tomorrow or at some other time, but on the day when this information has been put before the public in the *Advertiser)* we should have a debate about what is going on.

In my motion I have set out two aspects particularly. One refers to the environment, and that may be said to be not so urgent as to require information to be given today. I put it in because that matter is worrying me very much regarding the whole project, and I have left it in because I want answers at some time. I would like to get them today, and I have not been able to get them out of the Minister. I have also referred in the motion to the financial aspect. I had in mind that those were the matters that were being discussed primarily. They are of primary significance and they are being discussed in Canberra. The Premier has said that the Commonwealth Government established this working party—

The SPEAKER: Order!

Mr. MILLHOUSE: —or whatever it is called some time ago, but it was only last evening that he flew the officers over and, if that does not indicate urgency, I do not know what does.

The SPEAKER: Order! In accordance with Standing Order 169, I warn, the honourable member for Mitcham for the second time. The honourable member will speak only to the subject matter of his motion now before the House for the suspension of Standing Orders, and discussion of any other material will not be permitted. I have warned the honourable member for Mitcham in accordance with Standing Order No. 169 on two occasions.

Mr. MILLHOUSE: I was speaking to that motion when you warned me just a moment ago. I was saying that, in the past 24 hours, the Government has flown two of its officers over to Canberra with the objective, according to the Premier, of preparing a full brief by the end of this week. That is an almost unbelievable task for anyone who has not had anything to do with government and it shows the urgency of the matter. That was the point I was making: it was urgently necessary for the Government to do that and say that the brief must be ready in four days. That is a sheer physical impossibility, but I accept what the Premier has said: it is not part of my argument to throw doubt on that, although I cannot help having doubts.

If it is urgent for the Premier to do that, it is urgent for members on both sides of this Parliament, who represent the people of this State and who have a vital

interest in this project, to have a full and frank debate today and to discuss the matter more fully and more frankly than we can do by asking questions.

For those reasons, I have moved for the suspension of Standing Orders. At present there is no more important matter facing the Government and the people of the State than a decision on this project. I consider that we should debate the matter straight away, in the light of the information in the newspaper this morning, as a culmination of all the other debates that have continued for years about the project, and because we have not been able to get anything out of the Premier.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I oppose the motion. I do not intend that the member for Mitcham should pre-empt the business of this House. He is perfectly able to elicit information by asking questions, if he bothers to do so. In fact, he knows that his statement that no information has been given to the House this afternoon in reply to questions is nonsense. He has absolutely no basis for the statement and his making it is just the kind of politics that he normally plays. If he wants information, I will give it to him in reply to a question, just as I have been willing to answer fully the questions asked of me by Opposition members. The honourable member, on a motion of this kind, will not take the business out of the hands of the House and pre-empt other members' business that is before the House. If the honourable member wishes to ask a question, I am willing to answer it. If he bothers to move a motion of urgency, he knows what his rights are on that topic, but he wants to suspend Standing Orders to pre-empt other business in this way.

The SPEAKER: The question before the Chair is "That the motion moved by the member for Mitcham for the suspension of Standing Orders be agreed to." Those in favour say "Aye", against "No". There being a dissentient voice, a division must be held.

The House divided on the motion:

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

Noes (22)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan (teller), Groth, Harrison, Hudson, Keneally, King, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Majority of 4 for the Noes.

Motion thus negatived.

QUESTIONS RESUMED

GAUGE STANDARDIZATION

Mr. VENNING: Can the Minister of Transport say what progress has been made towards the physical commencement of the Adelaide to Port Pirie section of the standard gauge railway line linking Adelaide with the Indian-Pacific service? Leading up to the double dissolution, the opportunity was taken by Mr. Whitlam and, in particular, other Ministers to make statements that looked very good at the time. One such statement related to the railway line to which I have referred. A report in the *Advertiser* of May 4 states, in part:

The Prime Minister (Mr. Whitlam) said his Government would pay the whole of the initial cost of $80 000 000. The S.A. Minister of Transport (Mr. Virgo) and the Federal Minister for Transport (Mr. Jones) signed an agreement in Adelaide yesterday to build the railway.

The Hon. G. T. VIRGO: I do not know how far I can go in replying to the question regarding the double dissolution. However, in case the honourable member missed it while he was away, the Whitlam Government was returned overwhelmingly. The means that the agreement into which the Prime Minister and our Premier entered will now be honoured in its entirety. Work is proceeding accordingly. However, the legislation still has to go before the Parliament; notwithstanding that, however, the planning work can now proceed at full speed, and we hope there will be a start in the field at the commencement of 1975.

UNEMPLOYMENT

Mr. RUSSACK: Can the Treasurer say whether any funding is available from a State Government or Commonwealth Government source similar to the rural unemployment relief fund, which was Commonwealth money administered by the State, to relieve the growing unemployment in certain country areas? If no such money is available, will the Treasurer do all in his power to create such a fund, if necessary with Commonwealth assistance? I have received a recent letter from the Corporation of the Town of Wallaroo, as follows:

Since the cessation of the wheat bagging process by Charlick Limited and Bunge Limited the number of unemployed persons has increased dramatically. Recently Adelaide Wallaroo Fertilizer Limited has reduced the number of its employees, probably due to seasonal factors, and this has aggravated the situation. No doubt you are aware that many of those employed on the wharf receive less than the amount paid as unemployment benefits. The number currently thought to be unemployed is estimated to be about 110.

I have also received a recent letter from the Corporation of the Town of Moonta, which states:

This council is concerned at the extent of unemployment on Northern Yorke Peninsula at the present time. Although accurate figures are not available to the council, we believe that the total number could exceed 80, roughly a quarter of whom probably reside in this municipality and the surrounding areas of Yelta and Moonta Mines. It is likely that, unless some employment can be offered to these people, many will consider moving from the area, a situation that must be avoided at all costs. So far as this municipality is concerned, there are many projects that could be undertaken with unskilled labour, and if grant funds of some description can be made available to the council, at least some of these people can be offered gainful employment. Surely this is preferable to them receiving unemployment benefits, with no value being returned to the community.

According to a news item this morning, the Commonwealth Treasurer has said that country areas will be the first affected by unemployment, and he has also said that it was the responsibility of the Government to help those who are unemployed. Therefore, I urge the Government to treat this as an urgent matter.

The Hon. D. A. DUNSTAN: The honourable member would be aware that the metropolitan and rural unemployment relief programmes of the Commonwealth Government have been wound up, and the efforts of the Commonwealth to help the State to provide special unemployment relief works have not, at this stage, been repeated. However, on the appearance of unemployment anywhere in the State, we will make new submissions to the Commonwealth Government in relation to special relief works, and I assure the honourable member that the matters to which he has referred will be placed before the Commonwealth Government.

TEA TREE GULLY EDUCATION CENTRE

Mrs. BYRNE: Will the Minister of Education consider resiting the present headquarters of the Tea Tree Gully Further Education Centre which, at present, is situated in a portable classroom on land at the rear of Modbury High School? This request is made because the present

temporary headquarters cannot be easily located by the general public. The centre has much to offer, and should be in a position visible to the public in order to generate interest and thus encourage inquiries. I understand that the headquarters will eventually be housed on a rental basis in a building to be erected by the city of Tea Tree Gully and, although this will be in an ideal position, as the centre should eventually have its own building, planning should be taking place with this in mind. However, a better site for the present administrative headquarters is required now if the objects of the centre are to be achieved effectively.

The Hon. HUGH HUDSON: The proposal that has been agreed to is for the sharing of facilities at a new building at Tea Tree Gully by the council and by the Further Education Department, and we are now awaiting the provision of this facility before moving from the present temporary site. I do not think it possible to contemplate a further move before that move takes place. When it does take place we hope that the new office facilities for the Further Education Centre will remain for several years. It is worth remembering in this connection that most of the Further Education Department activities in an area such as Tea Tree Gully are spread fairly widely over the various educational establishments in that area and that it is not possible (nor will it ever be possible) to contemplate that further educational efforts in adult education could be concentrated in one place. Administrative offices could be, but not educational activities, because the community must in the evening use the existing education facilities in schools. However, I will ask the Further Education Department when the new office accommodation is to be occupied, and will inform the honourable member.

COMMERCIAL MOTOR VEHICLES

Mr. BLACKER (Flinders): I move:

That the regulations made on April 18, 1974, under the Commercial Motor Vehicles (Hours of Driving) Act, 1973, relating to exemption of Municipal Tramways Trust employees and laid on the table of this House on July 23, 1974, be disallowed.

The regulations as presented to me have caused concern, because I believe that requests have been made for the exemption of one section of the transport industry, which is to be given a prerogative over and above the rest of the community. The exemption requested was made because "the Bill is obviously intended to cover the hours of driving of medium and long-haul vehicles". This is the first point of contention contained in the Bill. In explaining the Bill, the Minister said:

For some years legislation has been in force in other States to limit the hours of driving of passenger and goods vehicles with an unladen weight in excess of 2.032 tonnes. Legislation of this kind has been found to be a necessary adjunct to road safety, both in those States and in oversea countries, and members are well aware of the gravity with which the Government of this State views the problem of long hours of driving, and of its determination to create legislative controls in this area. It is most important that those who drive motor vehicles which require a high degree of skill and stamina to manage and which are capable of causing extensive damage if not properly controlled should not exert themselves beyond the limits of average human endurance and efficiency. If they do so, they endanger themselves and other road users as well.

I believe what the Minister said is justifiable reason for the disallowance of this regulation. The Minister went on to say:

There is no doubt that, in the interests of road safety, the road traffic industry and the public, steps be taken in South Australia to limit the hours of driving of commercial vehicles.

Exemption is requested in respect of vehicles operated by or under licence from the Municipal Tramways Trust which do not travel beyond the radius of 100 kilometres prescribed in section 11 (*b*) (iii) of the Act. I find this hard to understand and I wonder whether something else is involved. Having read the Act many times, I can find no reason for this request. Five reasons have been given for the exemption. The first of them is as follows:

(*a*) The hours of driving for drivers are regulated by award conditions policed by employees' representatives and subject to penalties for contravention.

M.T.T. drivers operate under Part IV of the Metal Trades Award. The only relevant part I can find concerning the award under which they operate and the Act under which exemption has been requested refers to the maximum time an operator can work. There is a difference of one hour between the maximum times prescribed in the award and in the Act, and that was the only matter of significance I could find. The maximum time limit allowed under the award for one continuous period of work is six hours without a break, whereas under the Act it is five hours. Under the award the maximum period during which an operator can work in one period is eight hours, whereas under the Act the maximum number of hours of driving is prescribed as 12 hours. The only reason I can find for the exemption is that the M.T.T. wants to operate for six hours in one continuous period instead of for five hours as provided in the Act. The second reason for exemption is as follows:

(*b*) All bus driving is carried out by direction in accordance with prescribed schedules of duty which define the start and finish of each period of driving, and also rest periods.

I believe this is in accordance with the provisions of the Act. The significant point is that the obligation to observe the Act is passed to those issuing the direction and not directly to the employee. The third reason for exemption is as follows:

(*c*) All duty is included in period rosters which prescribe the days of duty and rest days.

In such cases the employees are directed and any obligation is placed on those directing the employees. The fourth reason for exemption is as follows:

(d) All duty schedules and rosters are retained for a period of six years and are available for inspection.

This falls into line with the requirements of the Commercial Motor Vehicles (Hours of Driving) Act as it relates to log-books. The final reason for exemption is as follows:

(*e*) Delays to buses in traffic caused by inspection of log-books will disadvantage the travelling public.

I believe this is inaccurate because the employees of the M.T.T. would be covered by section 11 *(b)* (i) of the Act, which provides:

. . . the owner of the motor vehicle keeps at his place of business from which the motor vehicle ordinarily operates a current record containing all the information and particulars that are required to be recorded by the driver of the motor vehicle in an authorized log-book;

Therefore, it is not necessary for an M.T.T. operator to carry a log-book with him because the log-book can remain at his place of employment at all times and it will not be necessary for investigating officers to check log-books of M.T.T. drivers whilst they are engaged in their normal driving duties.

The Joint Committee on Subordinate Legislation has recommended that no action be taken on this regulation. I believe this is an oversight by the committee because it

has had little experience of the operation of the Act, nor does it have any bearing on the award other than the difference of one hour in the conditions of employment set out in the award. I believe the regulation is unnecessary and unwarranted, and there is certainly insufficient justification to allow a certain group of people to be exempt from the provisions of an Act that applies throughout this State. In his second reading explanation the Minister said that exemptions could be made in extenuating circumstances. I do not believe this is the case because the Act more than adequately covers any requirement for the M.T.T. operators who may be required to travel more than 100 km. Section 11 *(b)* (iii) provides:

. . . the driver of the motor vehicle has not driven or been required to drive the motor vehicle outside a radius of 100 km from that place of business.

The only time M.T.T. operators would be affected by that provision would be in the event of the trust operating outside the 100 km radius from its place of business. In such circumstances the provisions of the Act would apply.

Mr. NANKIVELL (Mallee): I support the motion. I took the trouble to discuss this matter with the management of the M.T.T. In the absence of the General Manager, I spoke to Mr. Wilson who told me that, when the trust asked for this regulation, it did not have a copy of the Act. Officers of the trust have subsequently seen the Act. As pointed out by the member for Flinders, all M.T.T. operators are exempt because they do not operate outside a radius of 100 km from the General Post Office. The provisions of this regulation are unnecessary in the normal course of their driving duties.

The Hon. G. T. Virgo: That is the information Mr. Harris gave you?

Mr. NANKIVELL: No, Mr. Wilson spoke to me while Mr. Harris was in another State. However, Mr. Wilson pointed out that the M.T.T. now operated interstate bus services. In this category, some confusion could arise, so there is some need for the position to be set out clearly.

It has been pointed out to me that there is a need not only to look at this case but to examine it as it relates to all buses that operate interstate. From what I have been told, I understand that, even when there are two drivers for a bus, it is not treated on the same basis as a road transport vehicle with a sleeper cabin. A stop is required. If the Act is complied with, the stop may have to be made at a remote place so that a lunch break can be taken. Otherwise, the law may be broken if the driver continues to the nearest stop-over and this is the common practice at present. I ask the Minister to have this matter reviewed, as I understand bus operators are concerned about it. In addition, I believe that the Tramways Trust feels that this regulation is completely unnecessary.

The Hon. G. T. VIRGO secured the adjournment of the debate.

DENTAL DEPARTMENT

Mr. MILLHOUSE (Mitcham): I move:

That this House view with alarm the rate of increase of 1 000 pensioner and indigent patients a year to the denture waiting list at the Royal Adelaide Hospital, additional to the figure of 6 429 existing at October 30, 1973, and request the Government to provide for contract treatment of these patients by private practitioners at rales equal to those paid by the Commonwealth Repatriation Department, and to seek reimbursement from the Commonwealth Government on the same basis as already provided for the dental care of Aborigines.

The reason for this motion is the scandalous situation that has existed, as I admit freely, for a very long time regarding the dental treatment of people who cannot afford to pay for it. The situation has continued to get worse and worse, much publicity having been given to it. This Government (and it is ironical that a Labor Government has allowed the situation to deteriorate so badly) is apparently unwilling to take any decisive action to help the needy members of our community. This is in stark contrast to the assistance given by the Commonwealth Government to all Aborigines. That assistance is generous indeed and is given regardless of any sort of means test. It is perhaps disturbing to compare what the Government is willing to do for the Aboriginal inhabitants of Australia with what it is willing to do for other inhabitants of Australia who may be in need.

As I have said, the treatment is open to all Aborigines, whether or not they can pay for it. Yet our citizens who have fallen on needy times and who are not Aborigines are denied similar treatment. Something should be done about this. My motion suggests that the work be done, under contract, by private practitioners, as I believe this is the only effective way to solve the problem. I cannot see the need to wait, as the Government intends to wait (I believe this is simply an excuse), for the report of a management consultant. I was gratified by the interest taken in this matter, after I had given notice of my motion, by the member for Bragg. I intend to make use of the information he elicited yesterday by way of a series of Questions on Notice.

Dr. Tonkin: I don't think you were in the House to hear my Address in Reply speech.

Mr. McAnaney: You wouldn't expect him to be.

Mr. MILLHOUSE: That is a backhanded compliment, if the member for Heysen has such a low opinion of the ability of the member for Bragg that he would not expect me to be here to hear the member for Bragg speak. That does not say much for Party solidarity. I look for the support of the member for Bragg of this motion. His first question was as follows:

How many waiting lists for dental attention are there in the Dental Department of the Royal Adelaide Hospital?

The answer was that there were 11. The honourable member asked what were the headings under which each list was kept, and the answer was given. He then asked what were the numbers of people on each of the waiting lists as at June 30, 1974. I refer now only to the general prosthetic list, which he was told contained the names of 6 048 people. Finally, he asked what was the longest period in each case that persons had been waiting for attention on each list, and the answer in the general prosthetic case was nine years. This is an incredible situation that has been getting worse all the time, as the figures show. My colleague in another place (Hon. Martin Cameron) elicited in October, 1973, much the same sort of information as that elicited yesterday by the member for Bragg. Mr. Cameron was told by the Minister of Health that 178 people had been waiting since 1965, only eight years, whereas now we find that the longest period of waiting is nine years. What do we find the department is doing to try to mask (and, I must say, to trick) people into thinking that the wait will not be too long and that they will at some time or another get some treatment? I have here a copy of the circular sent out, under the name of the Dental Department, to people on the waiting list. This circular, which I understand is sent out to people at two-year intervals to bring them in, states:

Because of the large number of persons attending for treatment involving the supply of dentures, it is necessary to give preference to those persons who have some medical or other problem which makes it essential for them to

have new dentures as soon as possible. It is agreed that you need new dentures but, as you do not appear to be in the abovementioned category, your name has been placed on a waiting list. Because there is already a long waiting list, there will be substantial delay before you can be appointed for treatment.

The delay is not spelt out, but at least there is an admission that it is substantial. To a pensioner waiting for a new set of teeth, that may mean three months, but it is likely to be three years or even nine years. The circular continues:

For this reason, you may wish to seek treatment from a private dentist. If you do not obtain private treatment within the next two years, it is suggested that you return to the Dental Department for re-examination at the end of that time. In the meantime, if adjustments to your present dentures become necessary, they will be effected as soon as possible.

I believe this is (and I say this without reflection on the actual officers who have been left to cope with this situation) a dishonest ploy to make people who are on the list believe they will be treated within a period of two years or at the end of it. Yet we know from the replies given in this place and from the complaints that honourable members have received (I have had them and I suspect other members have had them, too) that the waiting list is scandalously longer even than that period. We find that there are about 160 000 people in South Australia eligible for treatment at the Dental Department. That is not my figure: it has been calculated by the department. I have a copy of a minute dated March 7, 1974, in which the figure is set out and the summary of numbers is as follows:

Category	*Number*
Pensioners	87 399
Dependants of pensioners	30 000
Eligible people of limited means	39 000
Hospital in-patients	2 212
Institutions	1 600
Total	160 211

The minute rounds the figure down to "say, 160 000". That is the departmental figure of the number of people entitled to go to the Royal Adelaide Hospital for dental work. We find from the replies to questions asked by the member for Bragg that 30 people are available to give treatment. We and the Government (and the Government should have done something about this much earlier) know that the situation is entirely bad and that the means provided for the health of people entitled to treatment are so meagre as to be laughable. As I point out in the motion, the increase in the number on the waiting list is about 1 000 a year. The position is getting worse all the time.

Mr. Payne: I'm not being nasty, but would you tell us what your Government did?

Mr. MILLHOUSE: It is always a ploy of any Party, on whichever side of the House it may be, to say, when being pressed, "What did you do about it?" I would not for a moment suggest (and I hope I have made this clear earlier) that this Government was the only Government that let the matter slip. Between 1968 and 1970 we did not do as much as we should have done. However, I point out to the member for Mitchell that the Government that he supports through thick and thin and right or wrong has now been in office for more than four years, so the question that he has thrown across the House is having less and less effect, because that is sufficient time for any Government to take effective action where the need is so desperately urgent. I am not suggesting that the Playford Government, the Walsh Government between 1965 and 1968, or the Hall Government between 1968 and 1970, did what it should have done. None of those Governments did, and the Labor Government did not do it in its previous term of office. However, the honourable member knows that that is no excuse for inaction now, when the situation is getting worse more quickly.

Mr. Payne: Do you agree that ploys are sometimes used in answers as well as in questions?

Mr. MILLHOUSE: I agree, but I suspect that the member for Mitchell does not like what I am saying and is trying to put me off. I have been here long enough not to let honourable members on either side put me off unless I want to be led along a path for some profit of my own. I am not saddling this Government with sole responsibility for the position but I am blaming it for not doing anything effective to remedy the position. I have said that the notice that has been circularized is not much more than a confidence trick, because it holds out to people the vague hope that they can get some treatment. It would be better for the Government, instead of saying that there would be some substantial delay, to tell people that they had no chance whatever of being treated before eight or nine years passed and that they must either put up with their position, because the Government could not help them, or seek private advice. That would be the honest thing to say if the Government was not willing to do anything to improve the position. The Australian Dental Association is willing to help, and I have seen several circulars prepared by the association in which it canvasses schemes and gives reports to the Minister on the matter. Perhaps I should refer now to a newspaper report of July this year. It states:

South Australia has a dental crisis. Thousands of people, many of them pensioners, are denied adequate dental treatment.

Then an example is given of what can happen. Dr. Brian Penhall, Director of Restorative Dentistry in the department, a public servant, is referred to, and the report states:

Dr. Brian Penhall, the Director of Restorative Dentistry in the Dental Department at the Royal Adelaide Hospital predicted her fate—

that is, the fate of the woman mentioned in the example given—

at a meeting of dental specialists in Adelaide last week. Nellie will return to the hospital when she is in her fifties or sixties. Her mouth will be sore and full of pus.

This is an extremely unpleasant topic and an unpleasant thought, yet we are allowing that position to occur. The report also states:

Because so many of the 1 200 new patients a month need end-of-the-line treatment at the Royal Adelaide Hospital Dental Department, it constitutes a major health crisis in South Australia, not because many of them have never seen a dentist but because so many will get only the briefest and, at best, inadequate service. The waiting lists, with thousands of names on them, will deny many people full treatment. A total of 9 000 patients, most of them pensioners, are on the waiting list for new dentures. Some of them have been waiting since 1957, and wait they will. There is only a small staff making dentures for about 20 pensioner patients a week. In a month 130 names are added to the waiting list, which increases by more than 1 000 patients a year.

That is stated in a report by Barry Hailstone, so I am not the only one saying these things: they are public knowledge. What do we find from the Australian Dental Association? In a newsletter of June, 1973, the President of the association (Dr. Geoffrey Hall) states:

Our recent meeting with the Minister of Health involved discussion once more about the problem of treatment of pensioners and indigents, particularly in country areas.

I think the dentists are jolly decent to have made the next comment, namely:

The Minister showed his interest and stated that his department would attempt to make some assessment of the needs in various areas in an attempt to provide some service.

We find from the replies given to the member for Bragg yesterday that the Government is trying to engage a company to investigate what should be done. John Clements Proprietary Limited, working in association with P.A. Management Consultants Proprietary Limited, was appointed on October 22, 1973; in other words, almost a year ago, and we find that it is impossible for the Government to do anything until the report is received at the end of 1974. So, we have to wait until the end of this year for a report and for the Government to decide what action should be taken. This is not good enough.

In November, 1973, there is, over the signature of Dr. Mount (Chairman of the Auxiliary Personnel Committee), a reference to dental hygienists. It seems to me that the only way the Dental Department itself can do anything is to use dental hygienists, if it is unwilling to do what I suggest should be done: let work out on contract to private dentists, a policy which I would strongly support. There is the canvassing of the jobs permitted to be undertaken by dental hygienists. Dental health education and various treatments are set out. That is the situation regarding pensioners and other persons in need in the community. But what, in contrast, is being provided by way of help for Aborigines? I have received a letter, sent to all dentists and dated April 4, 1974. Let us contrast one letter with the other. The latter letter states:

The Australian Government has provided funds for dental treatment of Aborigines in South Australia. A scheme will be implemented on lines similar to the Repatriation Dental Service, and private practitioners will carry out the work. The Department of Public Health will be the State authority responsible for administration of the service and payment of accounts. The schedule of fees will be the same as that applied by the Australian Treasury for the treatment of patients under the Repatriation Dental Service. Where procedures are not listed under the repatriation schedule, the fees paid will be in accordance with the A.D.A. (S.A. Branch) basis for fee assessment. These will include such services as examinations, topical fluoride application, and dental health education.

The Aboriginal patient will present himself at the dentist's office and, at the end of treatment, will complete a form D1 supplied by the Department of Public Health to all dentists willing to participate in the scheme. The treatment procedures that may be performed without prior approval are: examination; extractions (not requiring a general anaesthetic); restorations (exclusive of gold and ceramic work); provision of dentures (including reline or rebase) and repairs thereto, where there are less than 10 pairs of opposing natural teeth; removal of tooth pulp, and inserting of root fillings; prophylaxis; X-rays; topical fluoride application; and dental health education.

This covers just about all the kinds of treatment a person could require. Indeed, such treatment is available to Aborigines from private dentists at rates set under the repatriation scheme. Why, if it can be done for Aborigines, can it not be done for other members of the community proven to be in need, of whom there are about 160 000? I shall wait with interest to see whether the Minister, any other Government member or even a fellow Opposition member is able to answer that question, because I do not believe there is an answer. I believe it is simply a fact that this Government has not bothered to deal with this problem but has allowed the problem to become worse and worse during the time it has been in office. The Government alone has the responsibility and opportunity to act on this matter.

I do not know what the fate of my motion will be. Whether it succeeds (which is highly unlikely) or fails, I hope my moving it will result in an answer from the Government as to why it has not stood by its responsibilities, and an undertaking that it will do something more quickly than it was willing to say, even yesterday, it would do about this problem, which is nothing more or less than a scandal in our community.

The Hon. L. J. KING secured the adjournment of the debate.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

Mr. MATHWIN (Glenelg) obtained leave and introduced a Bill for an Act to amend the Industrial Conciliation and Arbitration Act, 1972-1974. Read a first time.

Mr. MATHWIN: I move:

That this Bill be now read a second time.

I thank my colleagues for the help they have given me in enabling me to introduce this Bill today. It should have been introduced last week but unfortunately, as a result of the special emergency then prevailing, I could not introduce it. However, with the assistance of my colleagues I am now able to introduce the Bill.

In introducing the Bill, I have the full support of the Liberal Party, and I hope that the Government will also give its full support because, by so doing, it will prove to be genuine in its support of the workers of this State. I do not mean a selected few but rather the rank-and-file members; indeed, all the workers of South Australia. This Bill will give the full right (the full democratic right) which this Government so often professes to have, the sole mandate, to all union members who request a secret ballot and, subject to the Industrial Court's approval, it would be given to them.

The aims of this Bill are obvious. It will enable the ordinary member to have a say, to support or reject strike action, without the fear of intimidation or pressure from union bosses. This would mean that a true indication of what the worker really wants is not given unless the person is allowed a secret vote.

How would it be if Caucus elections were not conducted by secret ballot? It would make it very easy for debts to be settled. What if John Citizen was refused a secret ballot at election time or was asked which way he had voted? The reason why that would not be tolerated is simple. People should have the right to register their vote and to express their opinion as they desire, without any fears, so why should the trade unionist, the worker, be any different when he has to choose, in some cases, whether to put the State to ransom, or to refuse the order of the Industrial Court in relation to an award (this would make it an illegal strike)?

Unionists should have the chance to choose whether they are going to endanger the livelihood of their mates and their families, as well as the chance to consider the loss of pay for the time they are out of work. They may find it difficult to catch up with this loss, because sometimes it is a matter of hundreds of dollars. It is easy for a union official, because he does not lose his pay, and I do not condemn all such officials: they are not all tarred with the same brush, but we know that there are militants who label the ordinary member who desires to go against them as a "scab".

Mr. Wells: You're ratty. You're bloody stupid!

Mr. MATHWIN: The honourable member says I am bloody stupid for mentioning the word "scab". I have a newspaper report that I was not going to use, but a report in the *Advertiser* of April 2, under the heading "War on scabs as 'dry ends", states:

However, it is feared in hotel and club trade circles that conditions in the aftermath of the strike will be far from normal, as the unionists' meeting directed union officials to wage "war" on "scab labour", and the hotels and clubs who employed them during the stoppage.

Mr. Wells: Quite right, too.

Mr. MATHWIN: I do not disagree with that, but I disagree with the honourable member who called me a stupid fool, or whatever he said, when I used the word bloody "scab". The honourable member was going to suggest that this word is not used, but that article proves that it is used frequently. The modest unionist is reluctant (and at times almost powerless) to express his opinion. Some members will argue that within the union rules members have the ability to demand a secret ballot. However, I refer them to the Rule Book of the Australian Boot Trade Employees Federation, which states, at page 37:

Voting while in session: On all questions of general character brought before the Federal Council, the votes shall be taken by a show of hands. Any member may demand a ballot of members present, or two-thirds of the members present may demand a ballot of the Federation.

Would one person be courageous enough to ask for a secret ballot? The same condition is contained in the Rule Book of the Vehicle Builders Employees Federation of Australia, and the vote is taken by a show of hands. Also, the same proposition is contained in the rules of the Federated Miscellaneous Workers Union, because page 83 states:

Manner of voting: The manner of voting at any meeting in the branch shall be on the voices or by show of hands unless a division is called for by at least seven (7) members.

Mr. Wells: That is their own constitution that they formulated.

Mr. Evans: How do they change it? They wouldn't be game.

Mr. Wells: Don't be stupid.

Mr. MATHWIN: I have quoted from the rules of three unions, but I can get many more from which to quote. This Bill is not a new idea. In fact, much discussion took place when a similar Bill was before this Parliament in 1971. As a Party, we believe in the freedom of the people and the rights of the individual, and we support the right of all workers to be able to express their opinions without fear or favour. Newspapers at that time supported secret ballots. Referring to the then Deputy Leader of the Australian Labor Party (Mr. Barnard) an article in the *Advertiser* at that time states:

The Deputy Leader of the Federal Opposition (Mr. Barnard) said yesterday he supported the idea of having secret ballots on strikes.

The article continues:

My personal opinion is that secret ballots should apply. This may mean there ought to be some alteration to the industrial laws of this country. I believe everyone should have the opportunity to express their opinion in this way.

The editorial in that same newspaper states:

No-one will venture to suggest that secret union ballots would be a cure-all for strikes. They could hardly be expected to eliminate sudden stoppages, or small-scale strikes of the rolling or guerilla type, especially in situations where militant officials are bent on promoting these.

In cases of threatened or actual disruptions of industry on a major scale, however, they could be of considerable value. The principle of consulting unionists in a democratic way about measures which could affect their livelihood is obviously sound. Rank-and-file members surely have a right to make their views known in a calm, deliberate way, with no risk of mental or physical intimidation.

Provision for them to do this would in itself be a deterrent to irresponsible action by radical officials or executives, because any lack of majority support would be promptly exposed. Secret ballot facilities, too, could be a safeguard in cases where a sectional strike seemed likely to engulf many other members of the same union.

Mr. Clyde Cameron, who has had plenty to say on this matter and has made no secret of the fact that he fully supports secret ballots, is referred to in an article in a newspaper of October 5, as follows:

Mr. Cameron, M.H.R., the Labor Party's chief spokesman on industrial relations, sounded a clear warning about "push button political strikes," the sort that can get under way without the rank and file having a say or even knowing what the strike is all about. Mr. Cameron expressed concern for the unfortunate union member who might lose pay in such strikes.

It seems that we have the full support of the previous Deputy Leader of the Labor Party (Mr. Barnard), the full support of the present Minister for Labor and Immigration (Mr. Cameron), and the full support of members of the general public.

Mr. Wells: And the member for Florey objects.

Mr. Wright: Why not read further? What's your authority? I say you are telling lies, and you should quote your authority about Cameron. What's your authority?

Mr. Gunn: That's unparliamentary.

Mr. Wells: Tell us where Mr. Cameron said he supported the secret ballot.

Mr. MATHWIN: The honourable member can have the newspaper, as I am willing to table it.

Mr. Wells: Tell us, so that *Hansard* can get it.

Mr. MATHWIN: *Hansard* will have the newspaper later. The Premier of this State, who has boasted of his achievements in the industrial field, has deliberately juggled figures to try and fool the people of South Australia. This State is led by a person who is a trained lawyer, an amateur actor, and an experienced politician, all rolled into one. What a combination! I remind the Premier that you can fool some of the people some of the time but you cannot fool all the people all the time. The Premier is lucky to a certain extent that the Bureau of Statistics is still quoting April figures. It will be interesting to find out the full figures for July.

From January to April this year, in South Australia 153 700 working days were lost, in Queensland 132 600 working days were lost, in Western Australia 36 400 working days were lost, and in Tasmania 60 600 working days were lost. During 1973, only 130 600 working days were lost in South Australia as a result of strikes, yet from January to April this year 153 700 days have been lost. When we get the figures for July this year, they will raise the hats of all members. I believe we are faced with what even the Premier would admit (I term it in the lightest phraseology) industrial turmoil the like of which we have never seen before in South Australia. The people of this State are crying out for leadership. All citizens are now fearful of the future for themselves, their families, and their dear ones: the old and infirm are the ones who suffer most from "push-cost inflation".

I believe that if this Bill is supported by the Government it will help this State and put it back in its rightful place as the State that has the best industrial harmony in

the Commonwealth. Let us look at the present situation, if one is able to keep up with it. One strike that would not be on at this moment if this Bill were in force is the fiasco that has gone on for more than four months at Port Adelaide over a demarcation dispute between the Transport Workers Union and the Waterside Workers Federation. Over 10 000 tonnes of steel has been imprisoned for over four months at Port Adelaide. The argument is about who should load the steel. Because of this dispute, hundreds of people are out of work and the steel, rusting away, is just about fit for salvage.

Members interjecting:

The SPEAKER: Order! Although I realize this is a private member's Bill, it is still a Bill being considered by the House. It deals with the ordering of a secret ballot in the event of strikes. As the honourable member for Glenelg is getting away from the intention of the Bill, he must confine his remarks in his second reading explanation to the Bill itself. The honourable member must link up his remarks to the Bill, which provides for a secret ballot to be ordered by the courts.

Mr. MATHWIN: With all respect, I point out that I am speaking about strikes which are happening in this State at present and which I believe would not have happened if these provisions had been in force. I am making these points in order to strengthen my argument and to convince Government members that this is a democratic Bill that has been brought before the House to help the workers of South Australia.

Last week we had a building strike. A meeting was called and about 500 to 600 union members attended, but it was reported that as many as 1 200 attended, although I have serious doubts about the hall being able to hold 1 200 people. The guest speaker was a Mr. Boatswain from Victoria (Assistant Secretary of the Building Workers Industrial Union). The poor State Secretary (lock Martin), declared "black", was not allowed to speak. A strike involving 8 000 building workers was called by a put-up meeting at which only selected speakers were allowed to speak. I believe that, if a secret ballot could have been ordered, that strike would not have occurred. What person present at the meeting of ordinary workers would have dared to vote openly against the strike on a show of hands? Those workers were included in the strike of the builders labourers federation, which is now deregistered. The State Secretary of that union (Mr. L. J. Robinson) has just returned from Russia—

Mr. Wells: He was not in Russia at all.

Mr. MATHWIN: I am happy to say that I have in my notes a reference to China. Mr. Robinson has come back with the glorious news that China is a marvellous place and that every household in China has a bicycle. The Australian Builders Labourers Federation was deregistered for hindering and preventing the application of the Act by preventing the promotion of goodwill in the industry, the encouragement of conciliation and amicable agreement, and the observance and enforcement of agreements and awards. Further points made by the court were that strikes were continual during the period 1970 to 1973. No goodwill was fostered and the action of the federation was grossly offensive. There was high-handed interference with employers' work. Safety measures of satisfaction to the Department of Labour and Industry were not accepted by the union. Losses due to strikes were not matched by gains to members. Many demands were not genuine. Wholesale intimidation was carried out by the union. The A.B.L.F. claimed autocratic power, overruling Government authority. Conciliation and arbitration was used and observed by the Master Builders Association, which achieved little aid from the ordinary law of the land. The union's policy of direct action was incompatible with the objects of the Act. They are the reasons why this union was deregistered, and they are concerned with the strike action that occurred last week. We all know about Mr. Nyland.

Mr. Wells: What do we know about him?

Mr. MATHWIN: He is the boss of the Transport Workers Union, and you cannot do anything with him. At a meeting last week, he told the men that they were going on strike. He called a vote by the voices and, from a report I received, it would appear that about one-third of those present said "Yes" and another one-third said "No". Mr. Nyland then said, "Right, we are out."

Mr. Wells: He wasn't even in the chair.

Mr. MATHWIN: He did not have to be.

Mr. Wells: You've just shown your crass ignorance.

Mr. MATHWIN: When asked on television that evening what the figures were, Mr. Nyland said that no figures were available. I suggest that he did not know how many people voted for the strike and how many voted against it; he just told the men, "We are out." I suggest that, had there been a secret ballot at that meeting, undoubtedly there would have been no strike. This strike caused great hardship and resulted in a health hazard. Last week butchers, when faced with getting rid of their waste, had to take it themselves to the rendering-down works at Wingfield. When they got there, they found a picket that would not let them in. They were threatened that, if they left the waste, they would never have waste picked up again from their shops.

So the sorry story goes on and on, with the Government saying it is powerless to do anything about it. If that is the case, it should resign, making way for a Government that can take some action. We are faced with a situation in which the whole arbitration system is in danger of breaking down. The Secretary of the Communist Party of Australia (Mr. Aarons) has warned that the main industrial purpose is a determined militant confrontation of the arbitration system. On Sunday evening, the President of the Communist Party (Mr. Mundey) also gave a warning about this. Members opposite, with the experience they have had in these matters, are not so naive that they do not know what is going on. Some of them know what this is all about.

Mr. Wells: Mr. Mundey doesn't speak for the work force.

Mr. MATHWIN: Hundreds of people have been out of work during July because of strikes, some of which were fortunately settled. A secret ballot would assist in reducing the number of strikes. For instance, there would have been no strike at the fertilizer works if there had been a secret ballot.

Mr. Wells: You're crazy.

Mr. MATHWIN: I am improving; a little earlier I was bloody stupid, whereas now I am just crazy. On the land opposite Parliament House, on which the Ansett company is erecting a building, the situation recently has been that a union official, under the direction of the union leader, has been told not to allow trucks to enter unless they are driven by union members. The man who has approached me about this is a financial member of an association of tip-truck drivers. When he drove up to this site, the man on the gate asked him

whether he was a member of the union. Although he said that he was a member of an association, he was told that his truck would not be loaded, so his livelihood was taken away. The problem in this case is that an owner-driver is neither an employee nor an employer. Therefore, he cannot enjoy protection through the Industrial Court. In addition, there is some doubt whether, under its constitution, the Trades and Labor Council will accept as union members people other than those classified as employees. If that is the position, how can a union legally force a non-employee to pay his subscriptions? This man was not allowed to go on to the site opposite Parliament House.

The SPEAKER: Order! Once again, I call the attention of the honourable member to the fact that there is a certain Bill before the House. I think that the honourable member is wandering away from the contents of that Bill, which deals with court orders in cases where strikes are expected. The honourable member must link up his remarks to the Bill, as all other members will be expected to do.

Mr. MATHWIN: Perhaps I was straying a little. I now refer to the strike at Port Stanvac. Recently, I asked the Premier a question about ships lying off Port Stanvac because of the expected strike. I believe that, in this case, had there been a secret ballot, there would have been no strike. Last Monday two ships were lying off Port Stanvac because workers had refused to unload them. A tug was brought from Port Adelaide three times at a cost of $1 200 or $1 300. In the case of one of these ships, the cost of lying off the port is $10 000 a day, and in the other case the cost is $14 000 a day. The matter at issue seemed to be (and I suggest that this would not happen if we had a ballot) that the men would not work overtime, so the ship was berthed at 7.30 a.m., but the union representative said, "We are saying that we will not do any extra type of duty, and we regard the coupling of the ship as an extra type of duty." These men have been granted a 35-hour week.

Laurie Carmichael, another prominent Communist in Australia, when speaking about an increase of $50 in his industry, was asked how the 35-hour week linked up with the claim, and stated, "The 35-hour week will not buy us any bread and butter." I also attach some blame to industry. Recently General Motors-Holden's, when trying to save its own hide, I suppose, did a private trade in collective bargaining with some unions, but this did the company no good, because the electricians caught up with the company. Regarding relativity, tradesmen ought to have recognition for the extra duties that they perform.

The SPEAKER: Order! I hope that the honourable member for Glenelg does not think that, when he is explaining a private member's Bill, he is allowed to discuss any other matter. The Bill before the House is the matter under consideration and, even though the honourable member is giving a second reading explanation of the Bill, he is still confined to that measure. Otherwise, he will be out of order.

Mr. MATHWIN: Industrial Commissioners have made decisions and the unions involved have gone on strike without having any concern about the plight of their fellow citizens. Again, I suggest that, when we are faced with an illegal strike, there should be a call for a secret ballot. If that was done, the strikes would not occur. In terms of the Bill, 10 or more persons, or half the number in the organization, would be able to call for a secret ballot. In the case of decisions made by Industrial Commissioners, I do not consider that any normal union members would vote for a strike. A recent report in the *Advertiser* quotes Mr. Cavanagh as having stated, "We got everything we wanted." The Commissioner had granted what the union had asked for, namely, an increase of $25 a week. Further, a report in the *Advertiser* of August 2 refers to another strike and quotes Mr. Morley as having stated, "If they want a fight, we will give them one."

The Bill provides for a voluntary vote: we are not asking that the workers be forced to vote. I suggest that many of the political strikes that we are faced with would not happen if there was the opportunity for workers to have a free, secret and voluntary vote. The position at present is as has been predicted by the Communist Party. People who have come here from foreign countries and who have seen what has happened in places like Hungary, which has had industrial anarchy and subversion within the ranks of the people and in the factories, have asked me what is being done to this great country. These people say that this is the finest country in the world and that someone must take action before it is too late.

I also draw attention to a log of claims that has been served on the Master Builders Association. I certainly can link this matter up with the Bill, because if these demands are not met there will be a strike. I suggest that that log of claims is so ridiculous that the ordinary trade unionist, if given the opportunity to vote at a secret ballot, would not vote to go on strike in such a case. The log of claims deals with such matters as increments and site allowance, and if the application is granted the minimum rate for any person in the building industry will be $120 a week.

The SPEAKER: Order! I will not continually bring the honourable member back to his Bill, but once again I point out to him that he is dealing with a measure (I presume he has read it) that authorizes the court to order a secret ballot when a strike is taking place or is expected to take place. This does not give the honourable member the right or authority to open up the matter of the trade union movement activities in any way other than in connection with the Bill. I point out again that, if the honourable member wants to get away from the Bill, every other honourable member must speak to what is contained in the Bill.

Mr. MATHWIN: Mr. Speaker, do I take it that, in referring to the log of claims served on the Master Builders Association, which I consider will cause strikes—

The SPEAKER: Order!

Mr. MATHWIN: I am seeking your ruling.

The SPEAKER: The honourable member cannot seek my ruling when he is explaining a Bill. I only point out that he cannot anticipate what will happen and he can deal only with the subject matter of the Bill. It is not a general discussion or an Address in Reply debate: it is an explanation of a Bill introduced by the honourable member. They are the terms of the debate, and they are confined to the Bill.

Mr. MATHWIN: In that case, I shall not be able to go on with the log of claims.

The SPEAKER: The honourable member will be out of order if he does.

Mr. MATHWIN: I consider that the log of claims will cause widespread strikes in the community. Under the claim, income could increase to about $280 a week, plus meal allowances totalling $10 and an accommodation allowance of $30. No genuine worker who thought about

the matter would vote for a strike in connection with that claim. If I am not allowed to refer to a claim for about $280, I will not deal with that matter further.

The SPEAKER: If the honourable member is going to flout the authority of the Chair, which he has done many times, I will have to rule him out of order and not allow him to proceed.

Mr. MATHWIN: It seems that there is little left for me to do but explain the Bill, and I will do that now.

The Hon. L. J. King: How can we consider the Bill if we haven't even got a copy of it?

Mr. MATHWIN: The Bill was prepared four weeks ago. It is not usual to distribute a Bill four weeks before it is introduced. I should like the Minister to give me such an opportunity when he introduces a Bill. When I received a copy of one Bill the Minister introduced last year, the print was not even dry.

Members interjecting:

The SPEAKER: Order! We are discussing the introduction of a Bill by the member for Glenelg. The honourable member for Glenelg.

Mr. MATHWIN: Has the Minister a copy?

The Hon. L. J. King: We haven't got it now.

Mr. MATHWIN: The Bill has been typed and, if the staff could not distribute the copies, that is not my fault.

The SPEAKER: Order! The honourable member is out of order in referring to the staff when introducing a Bill. The honourable member for Glenelg.

Mr. MATHWIN: The Government has accused me of refusing to give it copies of the Bill, although it has been ready for three weeks. Clause 1 is formal. Clause 2 amends section 3 of the principal Act by inserting after Division 2, lock-outs and strikes, Division 2A, secret ballots. Clause 3 sets out a new clause 152A. This provides that when a strike is taking place or is likely to take place the Industrial Court may order, on application, that a secret ballot of members of an association may be taken. This is to ascertain whether or not the majority are in favour of the strike taking place or continuing as the case may be. The court will direct a person or body who will conduct the secret ballot, also the form and manner in which it will take, and the court will also specify who will bear the cost of the secret ballot.

Subclause (3) sets out conditions that are required before an order for a ballot can be given, the application of half or not less than 10 members of the association or an application of an association or body that can satisfy the court that it would be directly affected by the strike. Section 152B lays down the penalties for disrupting a ballot, with a maximum $200 fine, and that would rely entirely on the judgment of the court. I again appeal to Government members and all members to support this truly democratic Bill which gives the workers the democratic right to a fair and proper ballot and this is the only fair, proper and safe way of voting, namely, a secret ballot.

This is in accordance with the rules of the Australian Labor Party (South Australian branch) clause 3 (*d*), which deals with free elections under universal adult, equal and secret franchise. Those who watched television on Sunday will recall that Pat Mackie, of Mt. Isa fame, said that workers generally were controlled by the militants. He knows the wishes of the rank-and-file workers. The unions should carry out the wishes of their members. Pat Mackie believes that secret ballots are needed. No compulsion is requested in the Bill, which is purely a voluntary vote.

The Bill does not override any present provisions of the Industrial Code. I ask the House who will lose by the passage of this Bill. Only those who openly encourage industrial gerrymander and those who support the breakdown of the arbitration system. They are the only people who will vote against the Bill. On the other side of the coin we have the workers who in general look for security not only for themselves but mainly for their families, those whose pay packets suffer by unwarranted strike action and those workers who fear the militants within the unions and who are disadvantaged because they are unable, for the reasons I have explained, to give a true indication under the present method employed at some meetings, of their feelings and those of their families.

Mr. WELLS secured the adjournment of the debate.

OMBUDSMAN'S RECOMMENDATION

The Legislative Council transmitted the following resolution in which it requested the concurrence of the House of Assembly:

That in the opinion of this Council, the Engineering and Water Supply Department should give effect to the recommendation of the Ombudsman that a 41-acre water licence in respect of section 290, hundred of Paringa, be granted to Mr. B. T. Kennedy of the Clovercrest Cattle Company.

COMMONWEALTH SENATORS

The Legislative Council transmitted the following resolution in which it requested the concurrence of the House of Assembly:

That in the opinion of this House the South Australian Government should institute an action in the High Court to challenge the constitutionality of the right of the Commonwealth Parliament to legislate for the provision of Senators for Territories of the Commonwealth.

LITTER CONTROL BILL

Mr. GUNN (Eyre) obtained leave and introduced a Bill for an Act to provide for the control of litter; and for purposes incidental thereto. Read a first time.

Mr. GUNN: I move:

That this Bill be now read a second lime.

It gives local government and the State Government the necessary powers to make a concerted effort to control the general litter problem in this State. All members would be aware that throughout the whole State, in both the metropolitan and country areas, roads and streets are being littered with paper, food wrappers, bottles, cans and many other items of general litter. This measure will empower authorities charged with the responsibility of keeping the roadsides and general recreation areas in a clean and tidy state. This measure was one of the recommendations of the Jordan committee, set up by a previous Government, to inquire into the protection of the environment. I sincerely hope that the Government will give this Bill its serious attention and make the facilities available so that it will pass through this House as soon as possible to allow the measures contained in it to be put into effect.

Clauses 1 and 2 of the Bill are formal. Clause 3 sets out the definitions. "Authorized officers", to be responsible for enforcement of litter control, are defined as members of the Police Force and persons appointed under Clause 4 by the Government and local government. Clause 5 provides that it shall be an offence to abandon litter anywhere other than the places specified in subclause (2) and empowers a court convicting a person of the offence to order the person to pay to the owner or occupier of land on which the litter was abandoned the

cost of its disposal. Clause 6 provides that a person who has abandoned litter, if he disposes of it properly on the request of an authorized officer, shall not be liable to prosecution. Clause 7 requires a person to give his true name and address to an authorized officer. Clause 8 provides for expiation of an offence involving only a minor infringement on payment of $10 to the appropriate authority.

Clause 9 provides that offences be heard by courts of summary jurisdiction and prosecutions commenced only on the complaint of authorized officers. Clause 10 is formal, and clause 11 empowers regulations relating to the provision of receptacles for litter and the disposal of litter.

I hope that the Government will accept this Bill in the spirit in which I have introduced it, because the Opposition is concerned with the problems of littering the environment. I also hope the Government will enable the measure to pass through the House as quickly as possible.

The Hon. L. J. KING secured the adjournment of the debate.

LAW ADVISORY COUNCIL

Mr. GOLDSWORTHY (Kavel): I move:

That in the opinion of this House an advisory council be established in accordance with the recommendations of the first Mitchell report.

Many reports are commissioned by Governments of all political complexions: some are minor and some have major significance. Several reports of some magnitude have come to my attention since I became a member. For instance, the Karmel Report on Education in South Australia, the Metropolitan Adelaide Transportation Study, and now the first report of the Criminal Law and Penal Methods Reform Committee. This committee was sponsored as a result of a private member's motion by the former member for Flinders and supported by the member for Bragg and other members, but the Government, in its wisdom, established this committee.

The Hon. L. J. King: You know it was part of our policy speech.

Mr. GOLDSWORTHY: Yes, but the Government was rather tardy in implementing this part of its policy. I am not being belligerent nor do I wish to detract from the Government's actions in any way, and I congratulate the Government on establishing this committee, the first report of which is an excellent publication. The Chairman of the committee is the Hon. Justice Roma Mitchell, who has given her name to the report. Professor Colin Howard (Hearn Professor of Law, University of Melbourne) and Mr. David Biles (Senior Lecturer in Criminology, University of Melbourne) are members of the committee. A consultant to the committee is Miss Mary Wendy Daunton-Fear (Senior Lecturer in Law, University of Adelaide). The Research Officer is Mr. Julian Douglas Claessen, and the Secretary and Research Officer is Mr. Geoffrey Louis Muecke.

I commend the report as being eminently readable, logical, and sensible. Some sections of the report deal with matters of some controversy in which references have been made to capital and corporal punishment, Aboriginal problems, periodic detention, and other matters. However, one of the key recommendations of the report is the matter to which I have referred in my motion. It should be the aim of the Attorney-General and his department to facilitate the implementation of the recommendations of this report. I am not one who is keen on setting up boards and committees, particularly those set up to tell people what they can or cannot do. However, by my motion the council to be established would advise the Minister not only on the implementation of the recommendations of the report but also on many other matters in the correctional system.

Many committees and boards can prove expensive, but I do not believe that the State would be involved in much expense if my recommendation were adopted. The Mitchell committee was charged with the responsibility of investigating whether any changes could be effected in *(a)* the substantive law, *(b)* criminal investigation and procedures, (c) court procedures and rules of evidence, and *(d)* penal methods. At the request of the Attorney-General, the committee reported on the last of these topics in its initial report, and I hope that subsequent reports will be of the same high standard. There would be much merit in having an advisory council that would be independent of a Government department to which it would give advice. The Minister of Education has indicated that he will set up a council for educational planning and research separate from the department, but I understand that this will be an expensive exercise.

The principle of having an independent advisory council is sound, because it could comprise people interested in the matter. Councils that are concerned with correctional services and institutions exist elsewhere. On a similar council in New South Wales the Government department is represented, and I believe that a similar council has been established in Great Britain after the Second World War with a judge as Chairman. It has been reconstituted and the personnel changed and is no longer chaired by a judge. The section on law and order in *Britain* 1973 gives the following brief description of the penal systems there:

The chief aims of the penal systems of the United Kingdom are to deter the potential law-breaker and to reform the convicted offender. The element of deterrence is intended to lie in the fear of detection, public trial and possibility of punishment rather than in the severity of the punishment itself. In England and Wales the Home Secretary is assisted by an Advisory Council on the Penal System, which makes recommendations on specific aspects of the prevention of crime and the treatment of offenders. In Scotland the Scottish Council on Crime keeps under review questions relating to the prevention of crime and the treatment of offenders in Scotland, in consultation with the Secretary of State for Scotland.

The British Council appears to be somewhat larger and its scope much wider than the expected scope of our advisory council. Work undertaken by the Mitchell committee is similar to that undertaken by the British Council, which has brought down fairly detailed special reports. For the purpose of obtaining material for these reports a subcommittee is established to do the spade work and the subcommittee comprises about five people. I think such a number would be desirable on our council. I believe these councils can get too big and unwieldy, and in this regard I have often referred to the size of the Adelaide University Council. It has become a structured body with representatives from various interests within the university. The end result of the decisions of the council do not appear to be any wiser or better informed and the meetings have become interminably long. It would be undesirable for a council of the type I have in mind to become too large. The questions to which the council in Britain addresses itself are diverse. It does not issue annual reports but reports on special subjects such as the following: conditions of maximum security for long-term prisoners, 1968; detention centres; non-custodial and semi-custodial penalties, 1970; reparation, 1971; and the latest

publication, on young adult offenders, was produced in 1974. The council in Britain, which is active, produces reports regularly for the Home Secretary.

The recommendation of the Mitchell committee is that the council be chaired by a judge. I personally do not believe that this constraint is necessarily desirable and here I am certainly in no way reflecting on the competence of the Judiciary. I believe it could be desirable for the options to be kept open. The Attorney-General may know of people in the community who would be suitable to chair such a council and I do not believe there is any merit in stipulating, when setting up such a council, that the chairman should necessarily be a member of the Judiciary. The present chairman of the council in Britain is the Rt. Hon. Sir Kenneth Younger, who was a Minister during the Labor Administration and who has also held other important appointments. I do not believe it will be necessary to be as definitive as are some of the recommendations.

A criminologist was appointed in New South Wales in 1970 and his terms of employment were to plan and supervise the programmes of data collection and research in the general field of the activities of the Bureau of Crime Statistics and Research. The terms of the appointment of the criminologist in South Australia were published in Public Service Notice No. 329 of April 3, 1974, as follows:

Advise Attorney-General on crime prevention, criminal law reform and other issues upon which crime has a bearing and liaise with the Australian Institute of Criminology on such matters; to be State's representative on Criminal Research Committee; assist in implementation of recommendations of Criminal Law and Penal Methods Reform Committee; co-ordinate criminal research within South Australia.

He must also help in the implementation of the recommendations of the Mitchell committee. I believe this officer can perform a most useful function in the collection and collation of data, but he would not provide the detachment from the correctional system which is implicit in the terms of the recommendation of the Mitchell report. Moreover, I think there is considerable merit in spreading the breadth of experience on that council. Although the officer appointed is a man of undoubted competence, I believe there is merit in having this council completely detached from the correctional system. For this reason, I consider that the criminologist would be a most valuable officer in providing statistical information for the Minister. Nevertheless, I certainly do not think he could in any way replace or supplant a council in the way contemplated in the recommendations. I believe this applies to all other officers employed by the Government. Mr. Gard (Director of Correctional Services) had the following to say at the Fifth National Conference of the Australian Crime Prevention and Correction and After Care Council, in 1969:

One of the first and most basic problems of a comptroller, I find, is that everybody in the Prisons Department has time except the comptroller; he seems to have very little indeed, because there seem to be so many things on his plate all at the one time. I am most fortunate in having a dedicated and competent staff, but there are so many things which are time consuming and which reflect on the whole future of the organization; and after all, if you are the permanent head of a department, you have to be thinking many, many years ahead of the immediate financial year, which seems to be our main problem anyway.

Mr. Gard sums up the position in which a head of a department or other senior officer finds himself these days. Because of the nature of Government departments and other instrumentalities, complete detachment is impossible. What Mr. Gard has said about his own situation is true and lends weight to the point I am making about the need for complete independence of this council.

I stress two factors: the council must be independent and it must have some permanence. As I have said, the council should not be too large. It should draw on the expertise most valuable to it. I suggest that there should be legal representation on the council but that the chairman need not necessarily be from the Judiciary. There should be someone expert in the behavioural sciences, and a member of an interested community group, such as the John Howard Society. I understand that Sir Kenneth Younger, who chairs the British council, is a member of that society. Perhaps a member of the Prisoners Aid Association could be considered. I believe that the members of the council should come from outside the governmental system. I commend to members the first report of the Criminal Law and Penal Methods Reform Committee of South Australia, as I believe it is excellent. On page 168 of the report appears recommendation 4.3.5, which is one of the key recommendations, as follows:

Advisory Council. Finally we recommend that the operation of the correctional system as a whole be kept under regular review by a permanent, independent advisory council composed of qualified persons appointed by the Minister and chaired by a judge. This council would be responsible to the Minister and could be called upon to report on particular aspects of the department's work as occasion arose, although we do not envisage that its activities would be limited to particular issues referred to it by the Minister. It should be free to consider proposals from interested bodies and persons at any stage.

Except for my qualification as to whether a judge should be chairman, I support that recommendation entirely. I believe that penal and correctional services are matters of continuing interest to the community. Members of the Government (particularly the Attorney-General) owe it to the community to establish such a council. This sort of body should be completely free from Party politics, as the appointment of the Mitchell committee was, having been endorsed by members on this side. I urge the Attorney-General to consider this matter urgently and to set up an advisory council.

The Hon. L. J. KING secured the adjournment of the debate.

STATUTES AMENDMENT (MOTOR VEHICLES AND ROAD TRAFFIC) BILL

Dr. EASTICK (Leader of the Opposition) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1973, and the Road Traffic Act, 1961-1974. Read a first time.

Dr. EASTICK: I move:

That this Bill be now read a second time.

This is the first of a series of positive initiatives to be taken by the Opposition during this Parliamentary session to fill urgent needs denied the people of South Australia by the present Government. In the area of road safety, this Government has an abysmal record of inactivity and lack of concern for the welfare of all persons who use the roads. It has made noises about the rising road toll, and it has conducted appeals and specific campaigns aimed at various holiday periods. However, it has so far refused to take the bit between its teeth and lay down firm rules by which those of us who use the road must abide or risk losing our right to retain that privilege.

The right to drive a motor vehicle is a privilege which must be earned, not a right which can be bought by

handing over $3 for a piece of paper. If a person shows by his record that he has refused to uphold his responsibility to other road users, he must be taken off the road. The public is calling out for action. Many people have indicated to my office their wholehearted support for a strong stand by the Parliament in the area of road safety, and it is on this basis that I present this Bill this afternoon.

It is a practical step towards the reduction of the ever-increasing horror of road carnage. My Party has consistently pressed the Government for immediate sane and sensible efforts in this direction. The Minister of Transport has repeatedly acknowledged the fact that the road toll is increasing at a sickening rate and that something must be done to curb it. Only recently, he came out with his proposals for taking drunken drivers off the road if they were found to be chronic alcoholics. However, this does not fully solve the problem of the senseless slaughter. A problem such as this must be nipped in the bud before it begins.

Members interjecting:

Dr. EASTICK: When we are dealing with a subject as important as this, I would expect more rational comment from the Government front bench, particularly from the Minister who is responsible for road safety. For any measure to successfully curb an epidemic, it is necessary to find a remedy at the very source of the problem. Here the problems are twofold: first, persons obtain a driving licence before they have had sufficient time to adjust to the everyday wear and tear of driving, with its accompanying hazards, and secondly, having obtained a licence rather too soon and too easily, many abuse their privilege by mixing drinking with driving.

In other States of Australia the "P" plate has been tried and tested, and found successful. It is a means by which a person to all intents and purposes has a full licence, but with conditions attached concerning the use of the car, such as speed limits, and the use of "P" plates. In this way persons are on trial with a full licence for 12 months, and their ability as drivers is tested to the full. In Victoria the "P" plate is issued for three years, but we feel that 12 months is an adequate base period but with extensions of this period for offences as prescribed.

At present the Consultative Committee to the Registrar of Motor Vehicles has power to recommend suspension or cancellation of a learner's permit and driver's licence where the holder of the licence has been convicted of driving under the influence of liquor, of driving recklessly or in a manner dangerous to the public, or of any offence that the committee considers shows him to be unfit to drive a vehicle. The committee retains this power over provisional licences. Four further offences are added to those already in the Act. Three further offences are added to the committee's power in regard to learners' permits.

It therefore becomes far easier to lose a learner's permit or provisional licence than an ordinary licence. Holders of learner's and provisional licences must be constantly aware of their performance as drivers. By this means it is to be fervently hoped that the need to abide by these conditions will instil good driving habits in the learner and "P" drivers at a time when it is important that they obtain maximum driving skill.

The scale of demerit points has been overhauled. There arc inconsistencies in the present Act between the gravity of the offence and the number of demerit points the offence attracts. For example, the hit-and-run driver under the present scheme is penalized only five out of the maximum of six points that can be lost on any one offence. We have raised it to the maximum. The scale has been adjusted in value from 1.6 to 1.9. The maximum number of points at which the licence is automatically lost has become 18 instead of 12. Thus the present position of twice the maximum number of points on the demerit scale equalling automatic disqualification is retained.

The recent metric amendment of speed past schools has come in for considerable criticism. At the time when the Bill was introduced my Party tried to have the metric speed lowered from the Government's figure, but was unsuccessful. Since its introduction on July 1, there have been letters to the press from worried parents on this subject. Therefore, past schools, school buses, and roadworks (another danger zone) we have lowered the speed from 30 km/h to 25 km/h.

As another means of attacking the road toll, my Party will later give serious and detailed consideration to the matter of periodic detention, as recommended in the Mitchell report, and that intent should be considered in concert with the measures now presented. To have included this provision, which is an essential part of a worthwhile attack on the road toil, would have complicated the matter. I have given notice of other action that will be taken soon.

First, regarding the provisions of the Bill, clauses 1 to 4 are formal, and clauses 5 to 10 are consequential amendments. Clause 11 inserts new sections 78a and 78b, which provide for the introduction of provisional licences and the "P" plate. Under these provisions a person who has obtained a learner's permit, and subsequently passes the practical examination required under the Act, obtains a provisional licence for 12 months, instead of immediately obtaining a driving licence as is the present situation. The requirements covering the issue of the licence, and conditions attached to it, are similar to the present requirements for drivers' licences.

However, any person who is driving with a provisional licence is restricted to driving at a speed of 80 km/h or less, and must have a "P" plate displayed at the front and rear of the car or rear of the motor cycle. The Registrar may add any conditions that he deems necessary. These requirements are standard in other States that have a provisional licence system. Any person who has his licence cancelled or suspended under the provisions of the new section 81a must, when the licence is reinstated, begin a completely new 12-month period. Clauses 12 and 13 are consequential amendments.

Clause 14 inserts a new section, section 81a, which provides for the cancellation or suspension of learners' permits and provisional licences. The present offences that can result in suspension or cancellation have been retained, with the addition of four new offences. They are driving a motor vehicle with over .08 per cent alcohol present in the blood (section 47b of the Road Traffic Act), refusing to submit to compulsory alcotest or breath analysis (section 47e of the Road Traffic Act), refusing to submit to a compulsory blood test (section 47i of the Road Traffic Act), and, in the case of a provisional licence, being in breach of any of the conditions attached to the licence.

The consultative committee still retains a discretion to recommend suspension or cancellation for any offence that it considers shows a person to be unfit to hold a learner's permit or provisional licence, and the discretion to recommend suspension or cancellation in any circumstances which it deems to warrant this action. The offences which can

result in the suspension or cancellation of an ordinary licence have not been altered. Therefore, it will be easier to lose a provisional licence than an ordinary licence.

Clauses 15 to 20 are consequential. Clause 21 amends section 98b of the principal Act by amending the maximum number of demerit points which attract automatic disqualification from 12 to 18. The provisional licence also operates under the demerit points system.

Clauses 21 to 25 are consequential. Clause 26 amends the third schedule to the Act by raising the scale of demerit points each offence attracts from 1.6 to 1.9. A few offences have remained static in value, but most have been raised. Finally, regarding amendments to Road Traffic Act, clause 27 is formal. Clause 28 amends section 49 of the principal Act. The speed limit past school omnibuses, all school crossings when indicated by flashing lights or signs, and roadworks is lowered from 30 km/h to 25 km/h.

The Hon. G. T. VIRGO secured the adjournment of the debate.

BILL OF RIGHTS

Mr. MILLHOUSE (Mitcham) moved:

That the Bill of Rights, 1973, be restored to the Notice Paper as a lapsed Bill, pursuant to section 57 of the Constitution Act, 1934-1974.

The SPEAKER: Is the motion seconded?

Mr. BOUNDY: Yes, Mr. Speaker.

Motion carried.

The Hon. L. J. KING (Attorney-General): I move:

That the time for bringing up the report of the Select Committee on the Bill of Rights be extended until Wednesday, October 23, 1974.

The resolution already passed revives the Select Committee appointed last session by the House to consider the Bill. The House is therefore required to set a date for the bringing up of the report. The problem that besets the Select Committee is that the Commonwealth Government has in motion a Human Rights Bill which, I understand, it intends to bring before the Commonwealth Parliament in the forthcoming session. I do not know at what stage this Bill will be disposed of, but I believe that it is vital for the deliberations of the Select Committee of this House to know what is the outcome of that proposal before the Select Committee reports to this House.

If the Commonwealth Bill becomes law and is held to be constitutionally valid, it will bind not only the Commonwealth but also the States, and will, in my view, leave no room for the operation of a State Bill of Rights covering similar ground in part and couched in different terms. So it seems to me that, if there is a valid Commonwealth Bill of Rights binding on the State of South Australia, there is no room for a State Bill of Rights. If the Commonwealth Bill does not become law or, having become law, is held to be invalid on constitutional grounds, the question then arises as to what any State ought to do about a Bill of Rights. Several questions will fall to be considered by the Select Committee, not the least of which is whether it is desirable to have a Bill of Rights operating in this State along the lines of the American Bill of Rights, which has the effect of striking down, as invalid, laws of Parliament that are inconsistent with the Bill of Rights.

There are alternatives, and one which has been canvassed and which needs consideration is the possibility of writing into the State Constitution a Bill of Rights in the form of legislative goal. So, the Parliament of the State would impose on itself the aim of making the laws it passes conform to the laws set out in that Bill of Rights (perhaps, added to that, some commission or other machinery exempting the existing law at common law, to see what alterations should be made to bring the law into conformity with such a Bill of Rights). These are possible but I think that, for the moment, the question that occupies the House is the date by which the Select Committee should be called on to report. In my view, it is necessary to allow sufficient time to elapse for us to know what has become of the Commonwealth Bill of Rights. I therefore intend that the date be Wednesday, October 23, 1974.

Mr. MILLHOUSE: I second and support the motion and rise to speak briefly to it, but not to canvass the most unhappy matters that were canvassed on this topic on the last two occasions we discussed the question of the date for the report. I hope indeed that, despite what the Attorney-General has said, a real attempt will be made by the Select Committee to bring in its report on the day named. I say that advisedly, because I know that, as the Minister in charge of the Bill (and, therefore, the Chairman of the Select Committee), he is the one who effectively has the say whether or not that shall be done. My complaint is that he has not, in the past, allowed the committee to sit sufficiently often for it to bring in its report.

I do not subscribe (nor have I ever subscribed) to the view the Attorney-General has put. Indeed, I vigorously oppose (and I always have) that we in this Parliament must wait on something that might or might not happen in the Commonwealth Parliament with regard to a Bill of Rights passed by that body. I believe that, despite all that is happening in the constitutional life of Australia, we still have some areas in which we can act independently, and this is one of them. I do not believe, frankly, that the Commonwealth Parliament will come to a conclusion by October 23 and I doubt whether the Attorney-General does, either; it is unlikely that it will. I am not sure, nor is the Attorney-General, what stage the Commonwealth Bill has reached. It is certainly at an early stage. I believe that we should go ahead irrespective of what happens in the Commonwealth Parliament and, if problems arise later, bad luck; but nothing will be solved by our waiting indefinitely on the Commonwealth Parliament. Therefore, in seconding and supporting the motion, I hope it is a genuine motion that will be fulfilled.

Motion carried.

WATER LICENCE

Mr. MILLHOUSE (Mitcham): I move:

That in the opinion of this House the recommendations to the Engineering and Water Supply Department contained in the two reports of the Ombudsman laid on the table of the House on July 23, 1974, and relating to the issue of a water licence and the provision of an indirect water service, respectively, should have been approved.

This is the first time this House has had an opportunity to consider a report of the Ombudsman. It is in some ways then (and I hope that the description is not too grandiloquent or pompous) a historic motion. I move the motion in the belief that we would be doing less than justice to the idea of an Ombudsman (one that I have championed for about 10 years, and I moved the first motion in this House in regard to this matter in 1964) if we were not to take an opportunity to debate his reports to Parliament. However, that does not mean to say that in every case I will necessarily support the view the Ombudsman takes, but I believe that it would be churlish in the extreme if the House were to ignore the Ombudsman's reports.

That is why I take the first opportunity to move this motion, after these reports have been laid on the table.

At the very least it will mean that, in due course, the Minister will have to justify what has been done by his department: indeed, what has been done by him and by Cabinet. I will refer briefly to the reports on members' files as papers Nos. 3 and 4. The first report concerns the refusal of the Engineering and Water Supply Department to issue a water licence. Having read both reports, I believe that on the face of it this is the more serious of the two, and the consequence of the refusal is greater than in the other case. The Ombudsman reported on both matters, and I hope to hear from the Minister when he speaks in this debate something about both cases.

Concerning the issue of the water licence, the introduction to the report is common to both cases and explains the procedure adopted by the Ombudsman. Under the next heading "Complaint" is set out the history of the matter. The third heading "Cabinet Policy" refers to the policy adopted by Cabinet in December, 1968, as follows:

> On December 9, 1968, Cabinet approved a policy whereby on transfer of ownership of a property on which there existed a current water licence, the application for a new water licence by the new owner or occupier should be considered in the light of the type and extent of plantings at the time of the proposed transfer. Where the area is not developed to the full entitlement the licence should be reduced to cover the developed area.

That policy was changed in 1969, as set out, and Mr. Combe continues:

> The relevant Cabinet decision governing the issue of water licences at the time Mr. Kennedy's application was made was formulated on May 29, 1969, as a result of Cabinet consideration of a minute from the then Minister of Works in the following terms:

These are set out. Mr. Combe's recommendation is as follows:

> I recommend that approval be given to the Minister of Works to transfer licences to the full amount of acreage contained in a current licence upon property transfers where he thinks it proper.

Mr. Combe continues:

> On June 9, 1969, the Cabinet decision and new policy were promulgated in the press. This Cabinet decision was current at the time Mr. Kennedy's complaint arose.

Under the next heading, "Departmental instruction", the report states:

> On October 20, 1970, the Director and Engineer-in-Chief (Mr. H. L. Beaney) issued an internal departmental administrative instruction wherein he directed officers that recommendations to the Minister should suggest that the discretion of the Minister be used to refuse transfer of water licences where there was no evidence of development of existing licences. To me such an instruction appeared incompatible with the Cabinet decision of May 29, 1969, but the Director saw no inconsistency.

From what Mr. Combe has set out in his report, it seems that Cabinet issued a policy directive in 1968, altered it in 1969, and made it public. That directive has stood, despite changes of Government since then, and it was the policy when Mr. Kennedy applied. The policy was that a transfer of a licence to the full extent of the acreage would be given. However, the departmental head had issued a directive to his officers contrary to that policy, and he used his discretion not to approve of a licence to the full extent of the acreage. One would have thought that the prevailing policy would be the directive of Cabinet, but that was not so, because Cabinet supported the department. Mr. Combe's report of the essence of the complaint and the basis for his opinion states:

> The grounds on which I reached my conclusion that Mr. Kennedy's complaint was justified are set out in the reports which appear hereunder. In essence, my opinion is that the Engineering and Water Supply Department made a decision to issue a 7.6 ha water licence in respect of a property where a 16.5 ha water licence had been current immediately prior to the purchase by Mr. Kennedy and that in making that decision the hardship likely to flow therefrom was not taken into consideration as I believe was required by the relevant Cabinet authority. To grant Mr. Kennedy's application would not have increased the previously existing commitment on the use of Murray River water.

That is an important point, because it seems that the previous owner from whom Mr. Kennedy purchased the property was a person under both physical and mental handicap and an unfortunate member of our community, and that seemed to be the reason why there had not been full development of his land. His family could not develop the land, but it seems that that matter was not considered by the department in coming to its conclusion. In the correspondence, the Ombudsman points out that, because of the refusal to grant a licence, the value of the properly had been reduced, thereby causing hardship to Mr. Kennedy. It seems that the property would have depreciated in the hands of the previous owner and that, too, would have caused him hardship. The course of action taken by the department as a result of the policy directive issued by Mr. Beaney must have caused hardship either to the vendor or to the purchaser.

On the face of the correspondence it seems that definite hardship has been caused, and something done that should be righted by the Government doing what the Ombudsman says, in his opinion, it should have done. Therefore, I support the Ombudsman at present, but that is not to say that the Minister, when speaking in this debate, may not put another point of view that justifies the department's action. Certainly the department considers itself justified in what it did, and I am not critical of any officers who have come to that conclusion and given that advice. It is desirable, in every case in which a report of the Ombudsman is tabled, that the matter should be debated so that we can get to the truth and, more importantly, that members of the public shall know that we take the Ombudsman seriously by Parliament being willing to consider what he has said and to indicate to the Government what it should do. I hope that this matter will be fully debated and that members will vote regardless of Party considerations. It would be a great day for this House if that happened.

I now turn to the other matter, which is the refusal by the Engineering and Water Supply Department to provide an indirect water service in the metropolitan watershed area. This is probably a less serious matter to the individual concerned, because it is less of a hardship to him than the hardship evident in the other case. However, Mr. Combe regarded it as sufficiently important to make a report. On the face of it, I believe that he is justified in making the report and that a wrong decision, made by the department, was upheld by the Government. In his letter dated August 23, 1973, to the Director and Engineer-in-Chief, the Ombudsman said:

> I am fully cognizant that the metropolitan watersheds are a vital part of the water supply and distribution system of our population and must be kept free from significant pollution. Obviously a policy in order to achieve this end should be adopted but my concern as Ombudsman is that in the occasional case the department in its absolute adherence to the policy and its fear of creating a precedent which could cause future embarrassment, may be acting unreasonably.

There is no doubt at all that one of the most difficult aspects of Government (and I know this from my own experience in office; indeed, every senior public servant knows this) is the exercise of discretion. We make rules and we have guidelines and principles but, despite all the wit of man, it is never possible to tell in advance all the various circumstances that will arise, and it is always necessary for someone in an administrative matter to be prepared on occasion to exercise a discretion. The attitude of the Engineering and Water Supply Department seems to be that under no circumstances will it exercise discretion or make exception to the rules it has laid down. Mr. Combe, in his letter, goes on to say why he believes a discretion should have been exercised in this case. He had a reply from the Director and Engineer-in-Chief, stating:

The facts are that this department is charged with the responsibility of administering the policy which has been approved by the Government. Whilst it might be considered that "strict adherence" to such policies is not justified such a view is in most instances contrary to administrative experience. The department is convinced that this case is no exception.

In his report to Mr. Beaney, as required by the Act, the Ombudsman points out that the Minister himself is given the right to exercise a discretion but that he has not been prepared to exercise it. This is what he states:

In pursuance of section 25 (4) of the Ombudsman Act, 1972, I wish to inform you that I am of opinion that Mr. K. E. Smith should have been granted an indirect water service. My reasons for expressing this opinion are, in essence, that the department's policy not to grant an indirect water service in this area, a policy which is stated in paragraph 7 of the Engineering and Water Supply Department's pamplet "Metropolitan Watersheds—Water Pollution Control" operated in this case to exclude any consideration of the exercise of the statutory discretion by the Minister to grant an indirect water supply as is conferred by section 35 (1) (*b*) of the Waterworks Act, 1932-1972.

The Minister has the discretion, but the way the department has been administering the matter is for him never to exercise that discretion. I will read one more paragraph and then go to the conclusion. The Ombudsman's report states:

The policy for water pollution control in the metropolitan area (motivated, as it undoubtedly could be contended, in the public interest) was neither initiated nor approved by Parliament and the rigidity of the application of this policy destroys by executive act the discretion conferred, by Parliament and operates to prevent water being supplied to an individual citizen irrespective of the merits of his particular case. I believe that the practice of a departmental policy being used to justify the abdication of a Ministerial discretion conferred by Parliament is wrong in principle.

That is a serious charge to make in any matter and the majority of members who know Mr. Combe would realize it is not a charge he would make lightly. I do not believe this Parliament should take it lightly, either. His conclusion is as follows:

I appreciate that the exercise of a Statute-conferred discretion poses problems for any administration. I believe that, however firm departmental policy may be, nothing should absolve a department from the judgment on the facts of each case if that is what the Statute intended—and that is how I interpret the governing Statute in this case. To me, this case epitomizes undue departmental concern with precedent rather than pollution and in the process the individual needlessly suffers.

This is the situation: we expect an answer from the Minister, and my motion gives him an opportunity to give that answer. In all fairness to the Minister, I acknowledge that there may be reasons that do not appear in the report that completely justify what has been done. I must say I shall be surprised if that is the case, because Cabinet, although it has had an opportunity to make such reasons clear in correspondence with the Ombudsman, has not done so.

For some reason that has not come out, there may be a complete justification for what has been done, and the Minister may be able to give that. If he cannot justify what has been done, in my opinion he should be willing to accept the responsibility that he has by Statute (and this is clearly pointed out by the Ombudsman) to exercise a discretion in those cases where the rule should not be observed to the letter. I look forward to hearing from the Minister. All I have done is point to the salient features of these reports. If Parliament is not to be satisfied in these cases where the Ombudsman takes the extreme step of making a report to Parliament, it will be clear that the whole institution of the Ombudsman is a mockery. As I do not believe any member wants that, I hope that the Minister will in due course give an explanation that satisfies all members. If he cannot do that, we will take the action foreshadowed in the motion.

Mr. EVANS (Fisher): I support the motion. The Ombudsman has recommended that Mr. Smith receive an indirect water service. The member for Heysen and I possibly have more people in our districts in this category than live in the districts of other members. Many representations have been made to the Minister and the Engineering and Water Supply Department about problems of this type. The Ombudsman's report, at page 4, quotes correspondence from Mr. Smith, as follows:

I cannot do more to help prevent pollution. Depriving me of a water supply cannot possibly improve on what has already been done unless I am being persecuted to dissuade others from buying land in the area. I am not allowed to subdivide nor build any further homes on my land; in short, my present circumstances cannot be altered so giving me a water supply cannot make any difference to or worsen the pollution problem.

I believe they are the circumstances of many people in the water catchment area. In the case of a young schoolteacher and his wife who live in my district, the Minister did all in his power to help, except approve a water supply. These people wanted to build on a building allotment that had been approved by the State Planning Office and the Lands Titles Office as a suitable block on which to build a house. The land concerned is on the outer fringe of the water catchment area.

The lending institution with which this person was dealing, when it came to the time of the first pay-out, asked him where his water supply would be, and he said that it would be 46 metres away. He was told that he would have to get water connected. The foundations were already down and work was starting on the walls. When the Engineering and Water Supply Department said that there would be no water connection, the lending institution said there would be no money. This allotment had been approved by State authorities, yet the young couple could not get finance or a water supply. In the end, after representations by the Minister and me, the institution bent its rules. I will not give its name, as many other people might apply with the same objective. However, it bent its rules, enabling this person to get out of an impossible situation. What Mr. Smith told the Ombudsman is perfectly true: more pollution is not created by approving a water supply, whether direct or indirect, to these people. The reason why I have not taken action similar to that now taken by the member for Mitcham is that a group from Nation Ridge Road in my area is to approach the Ombudsman about a similar matter.

The Hon. J. D. Corcoran: Another 200 are involved.

Mr. EVANS: Yes, at least. I know the Minister's difficulty in this regard. However, blocks of land have been approved in an area where many people desire to live. A restriction has been placed on how much land in this area can be subdivided; in fact, few more allotments will be permitted in the Adelaide Hills. Therefore, there is a considerable demand for house-building in this prime area. The rainfall in the catchment area of the Stirling council is between 102 cm and 152 cm a year. A person with a block in the area is told by his neighbour that the neighbour has no reticulated water. Therefore, if he can arrange finance to build, he can then put in rain water tanks and be sure of water supply that way. In my case, in order to dodge high water rates, I deliberately avoided the Engineering and Water Supply Department. I put in catchment tanks for rain water, and it is possible to catch over 90 kilolitres a year.

Mr. Goldsworthy: Can you grow lawns?

Mr. EVANS: Reticulated water is not needed for lawns, because it is wet most of the year. Under the present system, we are not protecting the water catchment area at all, as people still build houses. Because people are denied further use of this land, blocks available will become more expensive, bigger houses will be built, and more pollution will be created than would be the case if the average person were able to build there.

In the present circumstances, there will still be the problems associated with septic tanks, and so on. In the case of Mr. Smith, the Ombudsman has touched on the critical point when he says that we really gain nothing by not giving these people a water supply. In fact, it could be argued that, in the present circumstances, the septic systems installed can be unsatisfactory. If people try to restrict their water use by cutting down on the water used for flushing purposes, a situation could arise in which septic tanks did not work efficiently, and that could be disastrous. So we may, in fact, be creating a greater pollution problem by not giving these people a reticulated water supply. If the department made a study of how many allotments in that area came within this category, it would find that they would not be as many as at first imagined, knowing all the time that very little more subdivision can take place other than in eight-hectare lots or, in places where the State Planning Authority believes people cannot survive on an eight-hectare lot, on 30-hectare lots.

I. know the problems the Minister has and the number of requests he will soon receive in addition to the requests he has received since the Ombudsman's report was published. However, it is a problem for all the people in the area. We have said to the man who has money to put down a bore, build a massive tank or build a small house instead of a big house, "You're all right, Jack; you'll succeed. You're rich; you can build a house; you don't have to worry." However, the average person without that sort of money behind him is being forced off that type of land. That is the pity of this whole affair.

I shall be interested to hear the Minister's reply. I honestly believe that, if the departmental officers look at this matter seriously, they will find they are gaining little by enforcing a policy which was introduced in good faith and with good intentions, which was thought to be a correct policy at the time, but which in practice now achieves absolutely nothing. We can go to the Aldgate Valley, to Mylor and Echunga, and see houses still being built, but most are for the rich man. The average man should be given the same opportunity as the rich man and, if no greater pollution problem is caused by giving a water supply in these cases instead of not giving one, as citizens they are entitled to a water supply. Like the member for Mitcham, I look forward to an early reply from the Minister.

The Hon. J. D. CORCORAN secured the adjournment of the debate.

WRONGS ACT AMENDMENT BILL

Mr. MILLHOUSE (Mitcham) obtained leave and introduced a Bill for an Act to amend the Wrongs Act, 1936, as amended. Read a first time.

Mr. MILLHOUSE: I move:

That this Bill be now read a second time.

I can speak briefly to explain the reason for this Bill: it is simply the depreciation in the value of money. The Bill, which is on members' files (although I understand there has been difficulty in getting Bills printed), is short. It simply provides that the solatium under the Wrongs Act (that is, the sum to which a spouse or parent is entitled in the case of the death, wrongfully caused, of either a spouse or a child) shall be increased. The sum has not been increased since 1958.

Solatium was first introduced in 1944. In 1958, the member for Norwood (as he then was and now is) introduced a Bill to increase solatium. In fact, what he wanted to do was to increase the figure to $4 000 in respect of a child and $6 000 in respect of a spouse. That was opposed by the Government. The amounts were reduced but then there was an increase and the amount at present is $1 400 for a spouse and $1 000 for a child.

This Bill increases those amounts substantially but to no greater an amount than was proposed by the Premier when he introduced the Bill in 1958. The $1 000 payment is increased to $3 000, and the $1 400 payment to $4 200. In other words, the Bill increases the amounts threefold because of the fall in the value of money in the intervening period. That is the purpose of the Bill, which is non-contentious. I believe that we would be wrong if we did not keep amounts in legislation of this nature up with the current value of money.

The Hon. L. J. KING secured the adjournment of the debate.

FRUIT FLY (COMPENSATION) BILL

Returned from the Legislative Council without amendment.

[Sitting suspended from 5.59 to 7.30 p.m.]

SUPPLY BILL (No. 2)

(Continued from August 8. Page 379.)

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

That the adjourned debate on the second reading be now resumed.

Dr. EASTICK (Leader of the Opposition): As we go into a debate on a Supply Bill, members have the opportunity—

Mr. Keneally: To whinge!

Dr. EASTICK: No, to air grievances on behalf of the people of the community. I draw attention once again to the fact that the State Planning Office and the Lands Titles Office, because of the failure by the Government to provide the necessary staff and back-up facilities, are failing people and causing them much financial loss. In the most recent grievance debate I criticized these departments,

and in the grievance debate before that I had stated that the representations made consistently by members on this side (and, I would believe, also by members opposite) about the activities of these departments had not been heeded and the necessary action had not been taken to change the position.

I accept that circumstances arise in which the problem is associated with the vendor, the vendor's surveyor, or the legal or other adviser who submits the documents to the departments. Many investigations that I have made for people in my district have resulted in my getting a reply that directs attention away from the two departments, but I will give two specific instances that I consider show the financial disturbance that is caused to people because of lack of action within the authority, not as a result of any failure on the part of the vendor, purchaser, or other person.

One of my constituents entered into a transaction to purchase a property and in doing so gave as security certain documents and titles that he had in respect of property on Yorke Peninsula. When he gave those documents to the department through a bank, the documents proceeded through the various officers of that organization without there being noted on the title in pencil (as is the normal procedure) the fact that the documents were associated with certain mortgage documents.

The department acknowledges these facts but, for some reason unknown to the senior officers, there was a failure to note in pencil the details associated with the mortgage numbers. Reference to other documents in the department showed clearly that the mortgage documents were properly registered in the department, but information had not been noted on the other documents. Because of that failure, the bank could not pay out the funds necessary to complete the transaction until last Friday, although the original transaction had been entered into on April 17.

Funds amounting to $12 000 were involved and, because of a failure in the system, the person concerned had to pay bridging finance at 11 per cent interest, amounting to $25 a week, for every week between April 17 this year and last Friday. He had to pay out more than $300 on a transaction involving $12 000 because someone in the department had failed in his duty, but my constituent has no redress.

Another matter was brought to my notice only this morning. It relates to subdivisional documents that were lodged in the State Planning Office. The references to the documents are State Planning Office documents Nos. 1603 of 1974 (lodged on June 18) and 1620 of 1974 (lodged on June 20). These documents, which have been placed into what I refer to for this purpose as the system, and the money required to be lodged with them are still in the department, but no action has been taken to process them.

The authority for that statement is my constituent, who received the information from a senior officer in the State Planning Office only yesterday. It has been acknowledged that the documents have been put in hand according to the Act and that the money has been lodged, yet the department has not taken any action with other Government departments so that the subdivision can proceed. Alternatively, there has been no indication that any feature of the documents varies from the requirements of the Act, although such an indication might be expected if the documents were not acted on.

The person who has outlaid much money to develop blocks and the many people who are willing to purchase blocks (some have contracted with builders to build houses) are being denied access to the properties and also are being denied the opportunity to look for another block if there is a difficulty about subdivision. I am willing to go beyond the detail I have given to the House about the departmental references to the documents, and the Minister can take the matter further if he desires.

Mr. Payne: Have you taken the matter to the Minister at all?

Dr. EASTICK: There have been several occasions when these matters have been taken up with the Minister or, more particularly, with senior officers of the department. On a number of occasions over the last 12 months to 18 months members have highlighted the deficiencies within the departments and the time taken for documents to be processed. It is a disgrace not only to the Minister responsible but also to the Government for permitting that sort of situation to continue, particularly in view of the massive cost involved for the people who have correctly entered into transactions.

At this stage I will not give details of the considerable cost borne by many people as a result of the increased cost of building houses. The building of a house has sometimes had to cease before the house has been completed because a bank, in the absence of the documents required to make forward payments, has had to ask the contractors to stop work. In this connection delays of between three months and six months are not uncommon. In one instance at Birdwood a house had been completed and people had been living in it for 4½ months, yet there was still no issue of a title relative to the block. The builder was caught: he could not get a cent for building the house. He arranged for the house to be cared for by allowing the people who intended to purchase it to live in it.

Mr. Langley: Couldn't progress payments be made?

Dr. EASTICK: The builder could not get progress payments, because the funds for building the house were not available through the bank until the title had been issued. In the absence of the member for Kavel, who was overseas, I made representations, and it was not until then that something was done. The title, on a 2.8 hectare block, did not have to go through a process associated with a reduction in size. It was a title on the old system, and the department desired to issue a new title; all it did was issue a title which was on a new system but which had an exact replica of the details of the old title, which had been surrendered by the person who sold the property. When the builder inquired about progress being made on the title he was told that it would be ready "next week"; on the next occasion he was told "next week"; and on the next occasion he was told it would be the week after. This kind of practice goes on far too frequently.

Too many people young and old are adversely affected by this situation, and I speak for all of them, although I have particular sympathy for the newly married couples who are building their first home. The delays associated with the issue of titles are imposing on young couples additional costs, including interest charges and spiralling building costs. It is not their fault, and it is not the fault of the builder: it is the fault of the system.

Mr. Langley: The industry is short of tradesmen. How many apprentices have been trained in the building industry recently?

Dr. EASTICK: The honourable member should address himself to the subject I am dealing with; that is, the release of documents through the Lands Titles Office and

the State Planning Office. In many instances there has been no title available that permitted a builder to go on to a property.

During the last session this House considered a Bill to procure land at Red Cliff Point for the petro-chemical works. In information given to the House on that occasion it was clearly implied that there was an agreement with the property owners involved and that no residential buildings were associated with the area. It is history now that Mr. Reilly has had an establishment at Red Cliff Point and has spent a lifetime on development. More recently he has concentrated on building sheds and preparing the area as a holiday resort, but he has had the area taken from him without the opportunity of redress. The Ministers responsible in this place and in another place failed in their duty to satisfy members beyond any doubt that the statements they made and the statements attributed to them were correct.

The injustice done by the Ministers and the whole Government to Mr. Reilly is shameful. I should like to believe that the Government will soon give a clear undertaking that proper consideration, will be given to Mr. Reilly's case either by returning to him the area he has developed or by giving him proper compensation for the land and developments that have been taken from him. Not only the Government but also the Parliament has been in error for a long time through not taking the opportunity to amend the Land Acquisition Act, which allows adequate compensation to be given to a person whose land is acquired, the amount made available to him being related to the actual financial involvement he has in the property. I am not suggesting for a moment that a person who seeks to sell his land or who offers it to the Government (at a time when the Government is not immediately in the market for it) should get any consideration for over-capitalizing his property. However, when a person has developed a property over a long time (and the Minister of Works will realize that I am referring here specifically to one instance in the Chain of Ponds area), in the genuine belief that he will be able to continue to enjoy it for a long time in the future, and it is acquired from him for some Government purpose, then the compensation should be paid on that property's capitalized value, not on its under-capitalized value, having regard possibly to the adjacent properties.

I am speaking now of the failure of the Parliament, rather than the Government, in allowing the provision in the Act to continue unamended. A person placed in this position now or in the future should receive the benefit of the value he has added to his capitalized asset. I look forward to replies to the questions I have raised, either by direct reply from the Ministers or through their departments, once the officers involved have had the opportunity of reading *Hansard.*

Mr. COUMBE (Torrens): I will speak briefly about a subject raised by way of question in the last couple of weeks, namely, local government road grants for the coming year. Considerable concern was expressed by several members, including me and particularly members who represent country areas, about the uncertainty that exists now regarding the road grants for 1974-75 for councils and the debit order work that will be available to them. I refer, in particular, to a statement by the Minister of Transport regarding a question I asked, namely, that, under the new three-year agreement replacing the old five-year Commonwealth-State roads agreement, this year the Commonwealth is making $31 000 000 available for this type of work. The grant last year was also $31 000 000 and, by interjection, the Minister admitted that the grant this year was to be no more than that for last year.

I point out that this will have a serious effect on roadworks in the State. I know, of course, that certain grants are made available by the Department of Urban and Regional Development for urban roadworks, but nevertheless $31 000 000 is all that we are receiving for the coming year, and I know that the Minister is not happy about this; he looked uneasy last week when we discussed this matter.

Dr. Eastick: He's scowling even now.

Mr. COUMBE: I know that the Deputy Premier realizes that the $31 000 000 grant this year is not good enough. The grant makes no provision for the expansion that must be undertaken in the State's roadworks; furthermore, it makes not the slightest provision for inflation, which is currently estimated to be at least 14 per cent and, in some areas, even higher. We will be getting exactly the same sum this year as last year and this, I believe, prompted the Treasurer's statement to the House the other day to the effect that the Commonwealth Government this year will allow no more than a 10 per cent increase in revenue grants, compared to last year. I believe that this was one of the subjects discussed yesterday.

Therefore, as the Treasurer has said (and I agree with him on this matter), the physical work that will be able to be done in various areas will have to be cut back. As regards council roadworks, $31 000 000 will mean a curtailment of work in many areas. When this matter was discussed last week, I think, the Minister said that certain legislation had still yet to be passed by the Commonwealth Government. Although that legislation may now have been passed, the Commonwealth Minister for Transport (Mr. Jones) has included in the Bill only $31 000 000 for South Australia. That is the only sum he has provided in this sphere. This is a shocking state of affairs and, to councils, it is scandalous. Councils will be cut back severely, and I know that the Minister is unhappy about this problem.

We welcome the urban and regional development grants that will be made available for the upgrading of urban transport, but we come back to the fundamentals: grants to councils, particularly in the country, will be severely cut. This prompts me to ask why no more funds will be made available. There was no mention, of these cut-backs prior to the May 18 election. At that time, we were told that all kinds of money would be made available to the States; yet, the Commonwealth Government is giving us exactly the same sum as it gave us last year, no provision being made for expansion of works or for the effects of inflations. This problem affects every member, whether city or country. One can see that this is another broken promise.

I now refer to a parochial traffic problem that is causing me and many other people concern. I have raised this matter several times, and know that you, Mr. Speaker, have commented on this problem to me, namely, the shocking traffic bottleneck at the North Adelaide railway crossing. Some years ago conditions at the crossing were improved by the installation of automatic gates. At one time, because trains would come along, the operator would not always open the gates; so, automatic gates were installed, and they partly solved the problem. However, more rail traffic and many more motor vehicles, both passenger and commercial, now use the crossing.

With the provision of the traffic lights at the Hindmarsh bridge crossing (where one cannot turn right at certain times), we are finding that much traffic headed for Main

North Road or North-East Road travels along Park Terrace, Bowden, on the edge of the District of Spence and of my district. The situation is complicated by the Bowden crossing. One crosses through the set of lights at the Hindmarsh bridge and through the traffic signals at the Bowden crossing to reach the North Adelaide crossing, at which point traffic is coming from three different directions. About a month ago a "stop" sign was erected near the Park View Hotel, and at present a rumble strip is being constructed on the golf course side of the North Adelaide crossing. The traffic congestion has reached a point where some effective action must be taken without delay.

I realize, taking the long-term view, that when the standard gauge rail system reaches Adelaide an over-pass will be constructed at that point, but I have a suggestion that I think can solve the problem in the meantime. The road that passes the electrical factory of Gerard Industries Proprietary Limited should be continued in a straight line to align with Park Terrace, Ovingham, in the position where a disused footbridge crosses the railway line. Although this would involve another railway crossing, I believe that, with the use of automatic gates, a great volume of traffic now going into the bottleneck by the golf links would be diverted to travel straight up Park Terrace, where it intersects Hawker Street by the bridge over the line (at the point now barred to Municipal Tramways Trust buses), and it would continue straight to the traffic lights at the corner of Fitzroy Terrace.

I make that constructive suggestion to the Minister. It may be only a temporary improvement pending the extension of the standard gauge rail system, but that could be some time away. Meanwhile, at peak hours, especially from 4 p.m. onwards, it is simply amazing that we do not see more accidents than those happening at present, especially when employees leave the factories in the vicinity. I am sure the member for Spence, whose district adjoins mine at that point, will agree with me; this is a dangerous traffic hazard. I use that crossing four or five times each week, and I see the problems and delays occurring. As well as passenger cars, increasing numbers of commercial vehicles use this route to the Main North Road or the North-East Road.

Mr. RODDA (Victoria): I wish to direct attention to the condition of the head office of the Agriculture Department, situated in Gawler Place. My comments are made against the background of the uncertainty regarding the immediate future of the officers in this most important department. It is fair to say that their morale could be extremely low; it is also fair to say that these officers are dedicated men and women, immersed in the duties they carry out in this most important facet of the State's production. All members should visit these offices, because the building is nothing more than a factory. Although I have never been in it, I understand the Director's suite has been modified and is in reasonably good order, but some of the officers I have visited work in accommodation that is an absolute disgrace, with cramped conditions, paint peeling off the walls, windows rusting, and so on. In this environment these people carry out their services to the agricultural industry.

The announcement that ultimately they will be transferred to Monarto is most alarming to them. Although such a move will not take place this year or next year, it is a grim prospect. I have been reading the soil report on the Monarto site, and I am doubtful whether these people will make it to Monarto. I found this week that there was to be further fragmentation in the disposition of certain officers of the Agriculture Department. The building they now occupy (formerly the offices of the department dealing with births, marriages, and deaths, in Flinders Street) is to be demolished, and the divisions of the department now housed in it will have to be relocated in other accommodation. I understand they do not know where this will be. It is a poor situation that one of our important departments should be housed in last century's accommodation. If one goes into the library, one sees the cramped conditions under which the agricultural librarians are working. Rows of filing cabinets appear to form walls, and it must be most difficult to run a library under such conditions.

Senior officers in the Livestock Division are putting up with poorly ventilated offices that must be extremely cold in winter and hot in summer. The whole atmosphere is that of temporary accommodation that has been occupied for far too long, and the Minister and his Cabinet should look at some of the better accommodation available in the city of Adelaide. Since I came to this House, some of our departments have been accommodated in greatly improved surroundings. The State Administration Centre, of course, contributed largely to this improvement. However, it is not good enough to see officers of this major department working in what can only be called clapped-out and antiquated factories. These highly trained officers, who have had many years of diligent study during their courses, should not be asked to work in this sort of accommodation.

The Hon. D. H. McKee: Have you air-conditioning for your shearers yet?

Mr. RODDA: The conditions in most shearing sheds would be far superior to the office accommodation in which these people have to work in Gawler Place.

Mr. Wright: I doubt that statement.

Mr. Gunn: Go down and look at the hovels.

Mr. RODDA: Obviously, the member for Adelaide has not visited the Gawler Place offices. Perhaps it would help if he saw what these people have to suffer within the sordid walls. I understand that the department has about 243 hectares at Northfield and that a new complex was to be built there, but this project has gone by the board. The member for Eyre referred to a site on South Terrace, and perhaps this location should be considered. Sir Allan Callaghan has made a thorough examination of the department, which is by no means a Cinderella department and which should not be accommodated in Cinderella conditions. It is an insult to the department's officers and to the primary producers of this State, that the department is housed in virtual dog-boxes. The Government of the day had a problem in the post-war period because of the expansion of this State, but that was a long time ago.

The Hon. D. H. McKee: The people took care of the problems and got rid of you.

Mr. RODDA: If the Minister could get the steel moving at the Port Adelaide wharves, we may see some improvement. Although the Government may be facing some knotty problems, the accommodation in Gawler Place is some of the nastiest that this Government has provided. Accommodation in the Investment Mutual Finance Corporation building is suitable, and perhaps some pressure should be brought on the Minister from the department so that people employed in the department may be taken out of the clapped-out factory in which they work. I hope that the Government will heed what I have said about the shocking conditions in which these excellent officers have to work.

Mr. GUNN (Eyre): I support the member for Victoria's criticism of the present accommodation of the Agriculture Department. Recently, I saw this accommodation, and it can only be described as deplorable that an important department should be housed in such disgraceful conditions. No doubt the member for Adelaide is not concerned, although the offices are situated in his district, because he has no regard for agriculture in this State. This department should be given the same treatment as has been given to other departments: it is not good enough to have excellent accommodation such as the State Administration Centre for some departments and to house the Agriculture Department in unsuitable accommodation. We should be considering a site on South Terrace. Apparently, the Government is not worrying about this accommodation, because these people are to be shunted off to Monarto. I am sure that most of those employed in this department do not wish to be housed at Monarto, where they will have to go as a result of a hair-brain scheme drawn up by the Treasurer and his think tank. The Government realizes that it will be difficult to entice industry to Monarto, but public servants are being conscripted and sent to this city.

Mr. Crimes: You should talk about conscription!

Mr. GUNN: We know the honourable member's attitude in this matter: he preaches democracy but writes nonsensical articles for publication in the *Tribune.*

Mr. Crimes: Wrong paper!

Mr. GUNN: I apologize to the honourable member: it is the *Herald.* I understand that another group of people friendly to the Australian Labor Party publish the *Tribune.* The articles written by the honourable member not only refer to the conscription of Agriculture Department officers but will lead to the complete conscription of the Australian nation. I refer to the present condition of the Stuart Highway and the unfortunate predicament of many of my constituents in Cooper Pedy and Andamooka. These people engaged in the decentralized industry of opal mining have been cut off from all communication because of seasonal conditions. This Parliament and the Government should force the Prime Minister to honour his election promise to seal the Stuart Highway within three months if he were re-elected. This was nothing more than a blatant political ploy to try to win a seat.

I have written to him but have received nothing but an acknowledgment from his Secretary. However, the Minister of Transport has told us that we will receive less money, that the Stuart Highway is not important, and that councils have to stand on their own feet. What type of situation will these unfortunate people be placed in?

Mr. Payne: On their feet.

Mr. GUNN: The honourable member likes to make snide interjections. Does he think it is just and equitable that these people should be cut off by road and air? Does he not want them to have proper lines of communication? If this important mining industry is to continue, it is absolutely essential that these people be given reasonable lines of communication. Immediate action should be taken to commence work on sealing the Stuart Highway. The Premier should approach the Prime Minister to see whether funds can be provided to seal the airstrips at Coober Pedy and Andamooka, as work on the Stuart Highway is difficult and will take much time. For months in a year the people at Andamooka are cut off by air, as aeroplanes cannot land, the airstrip being under water.

Although the Highways Department has agreed to send a grader, the progress association, which is small, is unable financially to meet the cost. Even that small concession has not been granted by the State Government. The airstrip at Coober Pedy should also be sealed. At one stage, the aeroplane of the Flying Doctor Service was trapped on that airstrip for three days. The Government should not tolerate this situation; this Parliament should demand that the Commonwealth Government carry out its election promises.

Mr. Langley: Didn't you write to the Prime Minister?

Mr. GUNN: Apparently, the honourable member is criticizing me for writing to the Prime Minister. However, the Prime Minister made a promise, which was taken in good faith by the people concerned.

Mr. Langley: At Alice Springs?

Mr. GUNN: Yes, he said this at Alice Springs. Is Alice Springs not on the Stuart Highway? We know that the member for Unley supports the vicious attack made by the Commonwealth Government on people in country areas. Not only are the people to whom I have referred confronted with inadequate roads, but they now have to pay more for petrol. No doubt the member for Unley supports the attitude of the Commonwealth Government, which took away the fuel equalization programme. The cost of that to outback people is $28 000 000. These people now have to pay exorbitant prices for petrol. If the honourable member supports that sort of activity, he should be ashamed of himself. These matters are of great concern to me and my constituents. I am rather disappointed that members opposite seem to think that these matters are not very important. I suggest that they should talk to people who live in these areas and see what they think of the attitude adopted by Mr. Whitlam and his colleagues.

Mr. Langley: Have a word with the people of Unley and see what they think of Mr. Whitlam.

Mr. GUNN: I should be interested to talk to the people of Unley.

Mr. Coumbe: What would they think of what Margaret Whitlam said about inflation?

Mr. GUNN: I want to say a little about inflation. I have read the editorial articles in the *Herald* of August, 1974.

Mr. Coumbe: Who's the editor?

Mr. GUNN: The member for Spence. He says that the whole problem of inflation in this country is caused by big business and multi-national companies. From this edition and others, it appears that the member for Spence has a hatred of and a mania about private enterprise and large corporations.

Mr. Crimes: Hear, hear!

Mr. GUNN: He believes they are the root of all evil, that they have created inflation, and that they exploit the people. Since the election of the Labor Government, we have seen a deliberate policy designed to discourage initiative, incentive and production.

Mr. Langley: Rubbish!

The SPEAKER: Order! I promise the honourable member for Unley the next call, if he wants it.

Mr. GUNN: The Commonwealth Labor Government has discouraged people in all forms of industry from producing. It is not interested in better production to produce cheaper goods. Because of its Socialist attitude and hatred of anyone who gets on, it wishes to destroy initiative, and it has created rampant inflation.

Mr. Langley: What about other countries?

Mr. GUNN: Of course, other countries have inflation but not at the rate we have in this country.

Mr. Langley: What about Japan?

The SPEAKER: Order!

Mr. GUNN: What about the United States of America and the United Kingdom? The present Commonwealth Government has a record of which it can be proud! In 18 months, it has transformed the rate of inflation from about 5 per cent to 17 per cent.

Mr. Langley: You don't know—

The SPEAKER: Order! I call the attention of the honourable member for Unley to Standing Order 159.

Mr. GUNN: Thank you, Mr. Speaker; I look forward to a speech by the member for Unley. By creating inflation at the rate of 17 per cent, the Commonwealth Government has undermined the position of everyone who receives a fixed income or social service payment. It has created a situation in which people can no longer afford to buy or build their own house. I suppose that the member for Unley thinks that this is good thing. The member for Spence would think that, because he does not believe in private enterprise. He does not believe in people owning their own home—

Mr. Crimes: I do.

Mr. GUNN: —or having any equity in anything. He wants the situation to continue in which people depend on the State and in which they will have to pay rent all their lives and own nothing. That is the type of attitude of the member for Spence and his colleagues. The policy of the Australian Labor Party has brought about a situation in which people in my district will not be able to continue to build hospitals, and other important projects will have to be cut back because inflation is eating into the money made available by the State Government. Everyone in the community is suffering, yet members opposite attempt to justify the nonsensical policies of their Commonwealth colleagues.

Mr. DEAN BROWN (Davenport): I want to refer, as my colleagues have done, to the matter of the head office of the Agriculture Department. I believe that I can speak on this topic with a certain amount of authority, having resigned as an officer of that department only within the past 18 months. The member for Victoria referred to the head office as a factory. In fact, it used to be a warehouse owned, I believe, by one of the Simpson companies. It was leased by the Government on a long-term basis; that lease will expire in 1976. I hope that the South Australian Government will find far more suitable accommodation for the department in the interim period before the move to Monarto. As I have said in this House on other occasions, I hope the move to Monarto never takes place for that department; but, if it does, I hope the State Government will find suitable interim accommodation.

About two weeks ago, I was interested to hear, in the answer given by the Minister to a Question on Notice, that even he and Cabinet considered the accommodation available was inadequate. They believed that some alternative accommodation must be found. One section of the department in that building has 22 officers working in a very small area. There are one or two partitions within that confined space, but all 22 people are served by one small window with three louvres in it. Of course, during the summer it is hot and intolerable in that room because no fresh air moves through that window; and during the winter the gentleman sitting next to the window closes it because he freezes, and the others almost suffocate because of the stale air.

I shall quote now from a recent report from the Australian Institute of Agricultural Science (South Australian branch). This was a submission made to the Committee of Inquiry into the South Australian Public Service, which committee is still sitting. This report has been circulated only recently, on a limited scale. Of course, it is going to the committee I have just mentioned (the Corbett committee). This is what the report has to say about the head office of the department, under paragraph 4.2.1 "Accommodation":

> The Agriculture Department head office building often provokes adverse comment from visitors. It is far below the standard expected in industry, is inferior to the accommodation of all other Agriculture Departments in Australia, and is clearly not in keeping with the standards of accommodation which should apply.

The Hon. D. H. McKee: Your Party put up with that for 28 years; we inherited that from a previous Liberal and Country League Government.

Mr. DEAN BROWN: I would appreciate it if the Minister would keep quiet and listen to what I have to say.

The Hon. D. H. McKee: We inherited temporary schools, and temporary accommodation for public servants.

Mr. DEAN BROWN: Thank you; perhaps I can now proceed.

The SPEAKER: Order! The Minister will get the next call.

Mr. DEAN BROWN: Following that rude interruption, I will continue to quote from this report, as follows:

> It is crowded to overflowing, is drab and dirty, and, not being air-conditioned, is quite unbearable in hot weather. The staff facilities—the library and the one conference room—

I believe more than 200 people are working in this old warehouse—

> are grossly inadequate; the toilets and canteen appear substandard. Equally important, the building is quite inadequate for service to the public.

The Hon. D. H. McKee: If we had been in Government for 28 years, I would be ashamed of that. However, I am not, because we were not in Government.

Mr. DEAN BROWN: That is a particularly damning statement about the head office of that department, made by a responsible group of senior scientists in the State, some of whose members have to work in that building. On behalf of those officers, who are trying to do the best they can in difficult circumstances, I make a plea to the Government to give them some consideration as quickly as possible so that a new building can be found and they can at least have some reasonable working conditions as quickly as possible. If we tried to compare the accommodation provided for these men with the accommodation previously available in this building before the Government decided to spend $2 800 000 on accommodation, we could make no comparison. At least, we do have a clean, ventilated atmosphere.

Mr. Payne: What floor were you on!

The Hon. D. H. McKee: You are not talking about this Chamber even now, are you?

Mr. DEAN BROWN: Compared to this building, even before the alterations were made, the accommodation at the Agriculture Department is very substandard. Whereas here two members shared an office, the department would have five or six to an office. I am delighted that the

Minister is hurt by this criticism; I hope he takes the matter to Cabinet and presents it to his colleagues so that some action may be taken.

The Hon. D. H. McKee: I realize that there is sub-standard accommodation there, but it was the fault of an incompetent Government.

Mr. DEAN BROWN: I will quote to the Minister one further fact about the Agriculture Department. I take these figures from the same report, which states that in South Australia .81 per cent of the State Budget is allocated to the Agriculture Department; the average for other States is about 2.2 per cent. That is almost a threefold increase over the figure for South Australia.

Mr. Payne: But we get a better result from less expenditure; we have the facts. Our exports were up last year.

The SPEAKER: Order!

Mr. DEAN BROWN: I am becoming a little tired of these inane comments from members opposite. The lowest percentage allocated to the Agriculture Department in any other State is 1.8 per cent, but in South Australia it is .81 per cent. This indicates that the State Government has no regard for the importance of the agricultural industries, despite the fact that they account for between 25 per cent and 30 per cent of the State's production. In 1971-72, it accounted for 59 per cent of the total export income of South Australia, yet the State Government devotes only .81 per cent of its Budget to the Agriculture Department.

I turn now to the South Australian Prices and Consumer Affairs Branch and the Commissioner for Prices and Consumer Affairs. The State Government, like the Commonwealth Government, continually claims to be a Government that supports revealing all facts: in other words, open government. In the administration of the South Australian Prices and Consumer Affairs Branch, we have the most classic case of total secrecy imaginable. It could be described as the no rules, no reason decisions, Cabinet-controlled South Australian Prices and Consumer Affairs Branch, because we all appreciate that it is controlled largely by Cabinet.

Mr. Payne: That's a nice thing to say about Mr. Baker!

Mr. DEAN BROWN: It is not Mr. Baker's fault; it is merely the Administration of this State. We saw this in the announcement, three days after the last Commonwealth elections, of increases in the price of bread, milk, and other commodities. Those prices were increased immediately after, not before, the election. It is a pity the Government does not examine the policy adopted by its Commonwealth colleagues (I support the set-up of the Prices Justification Tribunal, which fully explains its reasons for any decision it makes). On a recent decision in relation to Broken Hill Company Proprietary Limited, a 76-page report was issued by the Prices Justification Tribunal, fully setting out the guidelines, reasons and principles on which that decision was based. However, in this State either the application is rejected or the applicant is told that a percentage increase will be given, but no reasons for the decision are given.

Perhaps I should give some reasons why our system is inadequate. First, it leads to bad labour relations, and I am sure that the Minister of Labour and Industry would be interested in that. A company cannot forward plan its over-award payments and its negotiations with unions on wage increases, because it has no assurance from the Commissioner for Prices and Consumer Affairs that it will be able to retrieve those increases. This puts the whole relationship between the company and its employees on an unsound basis.

Secondly, it is impossible for the company to plan for the future in relation to what its potential income or profit may be. It cannot plan expenses until it has some indication of what the profitability will be in return, whereas a company like B.H.P is told by the Prices Justification Tribunal what profitability it can expect and how it can meet over-award payments and increases.

The unfortunate industries that come under the Commissioner are at a big disadvantage compared to the industries that do not. Industries in each group are likely to be competing for labour. The controlled industry cannot compete, because it cannot assure employees that it will be able to accept the wage increases that the non-controlled industry passes on. The final reason why I consider the present system inadequate is that Cabinet controls it and the Commissioner can give no reasons for his decisions.

I make a plea to members of Cabinet, particularly to the Premier, to reconsider the present system of administration of the branch. I ask that the Commissioner be given power to set down guidelines and policy decisions, and power to justify to the people and to the companies concerned the granting of specific increases. Furthermore, I consider that a change in the system would lead to far more responsible negotiations by the companies concerned.

We all recall the recent Prices Justification Tribunal's decision regarding Mayne Nickless Limited, which had granted a $25 increase to employees working under the Transport Workers Union two-year award. That was done by consent, not by arbitration, and the increase was shown to be unreasonable by a subsequent hearing in Melbourne, when only $14 was granted. As the Road Transport Association has been unreasonable in its negotiations and awards, I was pleased that the Prices Justification Tribunal did not allow the association to pass on a cost to cover $25 but allowed it to pass on a cost to cover only $14.

In this way, Australia has benefited from the policy of the Prices Justification Tribunal. That policy has kept down the inflation rate and has led to sound decision making by companies. It has meant that we do not get ridiculous consent awards. I know that Max Harris has made a plea about this matter on two occasions but, unfortunately, the Government has not listened to his plea. I make the plea a third time, hoping that the Government will see the benefits that will accrue if it does as I have suggested.

Mr. ARNOLD (Chaffey): I express concern about the land tenure arrangements in this State. The Leader has dealt with the matter at length, but I will refer to a somewhat different aspect. Whilst the Leader has dealt with land tenures mainly regarding housing blocks, I wish to deal with broad acre farming and grazing properties, particularly in a part of the Riverland known as the McIntosh Division of the Cobdogla irrigation area, where broad acre farmers and graziers for several years have been developing properties held on miscellaneous leases.

When I was a member of this House in 1968 and 1969, the matter was given much prominence from the point of view of ensuring that people on those properties and with that type of lease were given more security of tenure, and these people were encouraged to apply to convert miscellaneous leases to perpetual leases. Most graziers concerned did this, and later members of the Land Board inspected the properties. In about 1971 the graziers were told that they could expect the perpetual leases to be issued soon afterwards.

Following that, the State Planning Authority has moved into the area to establish an, Upper Murray planning region, and I have been told that, until this plan has been authorized, no decision can be made about land tenure in this area. Not only have many graziers held their miscellaneous leases for periods up to 21 years: most of them are now down to an annual licence basis. They have worked all their lives and put their life savings into the properties, and most members opposite would recognize that, if their own house was erected on a property held on an annual licence, the property would not be worth much to them.

An annual licence can be cancelled at any time, as the Minister told me in reply to a question only a week ago. Following that question, I asked the Minister of Environment and Conservation to ascertain when the plan being prepared by the State Planning Authority would be authorized, so that a decision could be made, thereby giving the people in the area some security. The people are in an impossible situation. A family man, after a lifetime of work, may have no form of security to leave to his family. If it is to be a considerable time before the plan for the Upper Murray is authorized, the Government should seek a decision on what the McIntosh Division will be used for. If it will remain for grazing and farming, for goodness sake let us have that information, so that the Lands Department can make a decision and resolve the worries of the people.

The Minister of Education would surely agree that the Waikerie Primary School buildings are some of the worst in the State; this is readily accepted in education circles. How does the Education Department arrive at priorities for erecting school buildings? The only other primary school buildings in the State that are on a par with the Waikerie Primary School buildings are at Port Pirie, in the district of the Minister of Labour and Industry. The Waikerie Primary School is overcrowded and, although a temporary classroom has been supplied, a class has been operating for the last year or so in the porch. The schoolgrounds are so small that the children cannot use their recreation periods properly.

Other areas in the Riverland are now well catered for by dental units. There are more than 1 000 students at the schools at Waikerie, Cadell, Morgan and Blanchetown, but there is no dental unit for the area. I do not know why Waikerie has missed out over the years. Perhaps it is because the Waikerie people do not make much fuss: it is the squeaking door that gets the oil. I acknowledge that much has been done for some parts of the Riverland, but how does the Education Department arrive at priorities for school buildings?

The Hon. Hugh Hudson: Which school should have priority—Barmera or Waikerie?

Mr. ARNOLD: I believe that the Minister knows that a school at Port Pirie and the Waikerie Primary School have buildings that are generally regarded as being the worst in the State.

The Hon. Hugh Hudson: That's not correct. There are others that are much worse than the buildings at Waikerie.

Mr. ARNOLD: It does not make sense for a primary school in a rural area to have such small grounds. I readily acknowledge the work done on the schools at Renmark, Renmark North, Renmark West, Berri and Cobdogla.

The Hon. Hugh Hudson: Won't you state your priority? Are you saying that we should give Waikerie priority over Barmera?

Mr. ARNOLD: Why take away from Barmera to give to Waikerie? The Waikerie Primary School is one of the most overcrowded schools in the State. I only hope that the Minister will discuss these matters with his departmental officers and see whether the points I am making are valid. The Waikerie area is somewhat isolated from the rest of the Riverland. The student population of Waikerie, Cadell, Morgan and Blanchetown is not served by dental unit facilities, which have been provided in most other parts of South Australia.

Mr. RUSSACK (Gouger): I raise a matter that has been aired frequently during the last week or two, namely, grants to local councils. Councils need finance, and the frustration and anticipation to which I referred in the House last week still prevail. The Minister is still insisting that councils stand on their own two feet financially. Although they are trying to do this, they are still going through difficult times. I cannot understand the Government's attitude. We are in an inflationary period and, if councils perform much of this work, it is a saving to the Government. It is an accepted fact that the cost of roadworks carried out by council employees is only two-thirds of that carried out by the Highways Department. Why, for the sake of economy, does the Government not do something about at last advising councils of the grants they can expect to receive soon?

The work that has been completed over the years by councils would not have been completed had it not been for local government and the work of genuine councillors and officers in local government. I stress "genuine" because I take umbrage at the reply given me by the Minister of Transport recently when I asked him about the advice to councils of road grants. He said:

Much stirring seems to be going on about the problem we now have regarding the allocation of grant moneys, in particular, and the programme of the Highways Department for the coming year. Councils that have felt so concerned on this matter have inquired themselves, rather than being involved in the matter that the honourable member has raised about being spoonfed by the Highways Department. Those councils have made submissions and, when those submissions have been genuine, the councils have received assistance.

Is the Minister suggesting that councils would dare apply for grants if they were not genuine? My experience has been that country councils have been most generous and hard-working and have saved Governments not only thousands of dollars but millions of dollars in the works they have carried out over the years.

I was interested today, on contacting certain councils in my district, to find that hitherto they had not received definite satisfaction regarding road grants or the alleviation of their problem to any concrete degree. I was also interested to learn that councils today received a letter not from the State Minister but from the Commonwealth Minister for Transport. I suggest that the letter has been sent not only to South Australian councils but to councils throughout the Commonwealth, as it is addressed "Mr. President", the usual method of addressing the President of a shire council. Although the letter contains information for district councils, it is most political. The letter does the same as the Minister has done in the House: it blames the Opposition for the hold-up in funds being distributed to the States, but that is not the real reason. The letter states:

Whilst we emphasize that delays in introducing the legislation are not of the Government's making, interim finances have been arranged in anticipation of legislation passing in this Parliamentary session. We are informed that many local authorities are not receiving funds from the

States for roadworks. If this is the case, your council should immediately contact the appropriate State Minister. The States have been told that, for the immediate interim, finance for roads can be made available pending enactment of legislation.

Dr Eastick: Who wrote the letter?

Mr. RUSSACK: Mr. C. K. Jones, Minister for Transport, Canberra.

Dr. Eastick: To whom is it addressed?

Mr. RUSSACK: To councils, not the States. Queensland, South Australia, Western Australia, and Tasmania have already received funds under these arrangements. Either Mr. Jones is not right, or we have been misled in this House. We have never been told that funds have been received.

Dr. Eastick: Who is sitting on the funds?

Mr. RUSSACK: The Minister should know that. We should be told what was said by the Minister and other officers at the Woodside conference last Friday. I believe it was said there that councils must stand on their own two feet. The Commonwealth Minister said that the money was for local district roads as well as for other purposes. Therefore, there must be a share for the councils.

Mr. Coumbe: You're not suggesting there's some difference between the two Ministers, are you?

Mr. RUSSACK: Perhaps there is a difference between them. Why has the Commonwealth Minister ignored the States and gone straight to the councils? Does that not prove what the Opposition has been saying for weeks: Canberra is calling the tune and the States are dancing to it (not all States, but South Australia's Government is of the same political persuasion as the Commonwealth Government). I think that the Minister has attacked the councils in States that have non-Australian Labor Party Governments and tried to put them in a net, but the South Australian Government has been caught as well.

Dr. Eastick: Both the Minister of Transport and the Treasurer.

Mr. RUSSACK: Yes, because the Treasurer is responsible for funds and the Minister of Transport is responsible for the distribution of the funds and grants to councils. Why should councils have to come cap in hand to the State Government for finance? Councillors do not receive remuneration for the work they do and the long hours they spend on council affairs. Therefore, why is the same procedure not adopted as has been adopted over the years: namely, councils should be advised? Are the councils in South Australia being purposely put in a position that might make their acceptance of the recommendations in the first Report of the Royal Commission into Local Government Areas more necessary? I hope that that is not the case; perhaps I should not dare suggest it. Regarding the letter from the Minister for Transport, someone must be wrong or someone has not brought the facts forwards and told the people. The Minister of Transport said in the House:

> We expect soon to be able to provide both the member for Gouger, and other members who may be interested, with the full details of this matter but, until the final sum that the Highways Department will have available for the current year is determined, it will not be possible to do so.

I wonder whether the Minister knew then that these funds were available. I think possibly he did know.

Dr. Eastick: I think I'll write a letter to Mr. Jones asking whether he will release the funds.

Mr. RUSSACK: And he should be entitled to reply. I think we will find that it was only recently—

The Hon. Hugh Hudson: There is one additional point. The funds are not made available by Canberra to local councils. The funds that are made available are allocated by the State Treasurer.

Mr. RUSSACK: That is the very point: although the States have had the money, the funds have not been made available. Mr. Jones has found out by writing to the councils that the State Government has not done the right thing and he has told them to approach the Minister.

The Hon. Hugh Hudson: The total sum available will not support the road effort that went in last year. The funds are made available by the Minister of Transport to local councils needing assistance to keep going.

Mr. Coumbe: It is no more in total—

The Hon. Hugh Hudson: Everyone is getting cut back, including the Highways Department. The final decision can't be made on the highways programme until it can be determined what allocation goes to the local councils.

Mr. RUSSACK: The Minister of Local Government has said, "Let the councils come." I think everyone heard him say that no unemployment would be allowed in the councils and that if there was any difficulty the councils should come to the Government. There must be money available, so why should the councils have to come in this way? With its record in this State, why should not local government be told of the position, certainly in the short term if not in the long term? The Commonwealth Minister, ignoring the States, has communicated directly with the State local government authority.

Here is another fact: there is a move to ignore the State Administration and to deal directly. In the same letter, Mr. Jones says there must be better co-operation between the three levels of government—local government, State Government, and Commonwealth Government. I imagine he thinks there is greater co-operation to be gained by dealing directly with local government. I call on the Minister to be fair about this, to tell the House what money has been received and to communicate with councils to see that they get a fair and adequate share, not of what they want but of what they need, so that they may become viable and continue to be an asset to the State. Such bodies are not merely an asset to the local area. Local government has been a great asset to South Australia in the work it has done. So that the frustration and anxiety of local government can be appeased, I ask the Minister to tell the councils what they can expect by way of grants in the short term, if not in the long term.

Mr. BECKER (Hanson): My grievance is directed to the Minister of Local Government. No-one was more surprised than I when this afternoon the member for Albert Park asked the Minister of Local Government a question. I was most surprised that the honourable member would let himself fall into such a trap. He asked:

> Is the Minister of Local Government aware of the public meeting held recently at which, as reported in the *Guardian and Retailer,* Councillor Dr. R. Jennings and the member for Hanson made certain statements attacking the integrity of the Royal Commission into Local Government Areas and questioning the future with regard to high-rise zoning and rating if and when Novar Gardens was transferred from the West Torrens council to the Glenelg council?

The member for Eyre, by way of interjection, asked the Minister whether he cared to answer, and the Minister replied:

> I always care to answer questions when the opportunity is provided to reply to malicious or incorrect statements. I believe that there has been a malicious and unwarranted attack on the integrity of the Royal Commission.

The report that appeared in the *Guardian* newspaper, a Messenger newspaper production, was in the edition of Wednesday, August 7, and was headed "Takeover angers Novar citizens". The report states:

A group of angry Novar Gardens citizens are preparing to publicly demonstrate their antipathy to being yanked from West Torrens into Glenelg's bosom. Their course of action will be dictated after a public meeting decides it early this month.

The report, continuing with a statement given to the newspaper by Dr. Jennings, states:

"I have been receiving a constant stream of exasperated complaints from ratepayers in parts of Glenelg North and all over Novar Gardens," Dr. Jennings said today.

"The only step to be taken was to arrange an urgent public meeting, where a committee could be appointed to create political pressure to ensure this particular recommendation is never carried out," he added.

The report further states:

"West Torrens Mayor Mr. Steve Hamra has agreed to chair the meeting which will be attended and addressed by councillors and Hanson MP Mr. Heini Becker. . . . The logical basis of the Royal Commission's recommendations completely escapes me."

This comment is in inverted commas, coming from Dr. Jennings. The report continues:

"If it is because there is a community of interest between Novar Gardens and Glenelg, I've yet to find it. Novar Gardens is an exemplary suburb, with its neat footpaths and gutters and well made roads, which contrast sharply with adjacent areas of Glenelg. West Torrens ratepayers have long had one of the fairest rating systems in Adelaide whereas Glenelg . . ." he added.

Dr. Jennings said anyone who claimed there was a historical connection with Glenelg must be living in the past. The only historical bond between Novar Gardens and Glenelg was that Sir John Morphett used to shop in the Bay in 1840.

"When it became obvious Glenelg had designs on Novar Gardens and had hired eminent legal help to assist it, ratepayers of Novar Gardens had organized a petition which was signed by nearly everyone living in the district. The Royal Commission has wiped this off without proper consideration at all. It is scandalous that a Royal Commission should take so little regard for the people who pay taxes to support it and government officials."

"Residents of Novar Gardens certainly don't want in their suburb the type of development policy—or the rates that go with it—of Glenelg. I can see high-rise developments springing up everywhere along Sturt River, should Glenelg take over. And I am very confident there will be a large turnout of residents to protest against recommendations and to organize opposition to them," he concluded.

That is the end of the report. Nowhere in the report am I alleged to have made a statement, and nowhere am I linked with the remarks contained in it. So it was most unfair—

Mr. Harrison: What about the subsequent meeting on the Sunday?

Mr. BECKER: It was most unfair for the member for Albert Park to ask the Minister of Local Government a question that was obviously a Dorothy Dixer and to take anything out of that report and say I am linked with that statement. I challenge the member for Albert Park or the Minister of Local Government to repeat this question and the reply outside this House. I ask them not to hide in coward's castle, but to come out in the street and repeat it so that we can go to court and settle the issue. I am not linked with that, although reference was made to that report. Now we come to the subsequent meeting held on the Sunday.

Mr. Harrison: You made similar statements. You attended the meeting on the Sunday.

Mr. BECKER: I did not make similar statements. Dr. Jennings called the meeting and introduced His Worship the Mayor (Mr. Steve Hamra). The first speaker was a councillor for the ward, Councillor Joe Wells, followed by the other councillor for the ward, Councillor Shepherd. Councillor Wells spoke probably longer than anyone and referred to the rates, giving examples and comparisons of rates, among other things. Councillor Shepherd expressed his concern about the wishes of ratepayers, and, as member for the district, I was asked if there was anything I wanted to say. I referred to a statement that appears in the Commission's report regarding the wishes of the people; to the fact that a document had been circulated to the meeting setting out the petitions with a brief submission from the West Torrens council; and to the fact that over 90 per cent of ratepayers in the area had signed the petitions (that is, 1 435 people wanted to remain in the West Torrens council area and did not wish to transfer to the Glenelg council). I assumed that these facts had been submitted to the Commission by the West Torrens council.

The Hon. G. R. Broomhill: What's wrong with Glenelg?

Mr. BECKER: As the local member of Parliament I made clear that my Party insisted that members of Parliament were responsible to the electors in the district and that it was my duty to abide by the wishes of the people. If they decided to form a committee to take action and wanted a deputation to the Minister, I should be pleased to assist, and, if most people supported a previous petition and wanted to remain with the West Torrens council, it was my duty to help. Nowhere did I make an attack on the Royal Commission. I am getting sick and tired (and I know this is what the Labor Party wants) of the disgusting and deplorable tactics employed by the Minister of Transport. This is not the first time I have been smeared or threatened by his supporters: there is a master plan in my district in which the Minister puts friend against friend in order to malign me. However, when it affects my family, I assure the Minister that I will meet him anywhere outside this House. The effects are having a backlash on my family at present, and Government members should be disgusted with themselves if they support these tactics. I have become accustomed to these actions in the past four years. I am not criticizing the member for Albert Park, because I believe this is not his sort of tactic, but he was used in what I describe as a thoroughly vicious attack on my credibility.

Mr. Harrison: I did nothing of the kind.

Mr. BECKER: This was a vicious attack on my credibility, and the Minister of Transport could not jump in quickly enough, but he was wrong. I challenge the Minister publicly on this issue. What Councillor Jennings does is up to him and the Labor Party to fight out amongst themselves.

Mr. MATHWIN (Glenelg): Mr. Speaker—

Mr. Wright: Tell us about the secret ballot!

Mr. MATHWIN: I shall be pleased to do that for the honourable member. In my speech this afternoon I meant to thank the member for Adelaide for what he said last week, but I did not do so because I was led off the subject by Government members. I bring to the attention of the House two matters that concern me and my constituents, the first referring to the Warradale Youth Club. Last year I asked a question about the Oaklands crossing and Morphett Road reconstruction project, and in reply the Minister of Transport said that this work would be undertaken, possibly in 1977. The Warradale Youth Club

is situated immediately east of Morphett Road near the railway line, in the area in which a temporary crossover will be installed whilst the fly-over is being constructed. When the youth centre is taken over by the Highways Department, the youth club will have no building in which to meet, and those who have organized the centre are concerned that the club will have no home and that later it will be given an area but no building.

This club caters for 187 children at the gymnasium four evenings a week: 30 children are on the waiting list, and club officials are concerned that whilst they are seeking a new home, some of the children may lose interest in the club. Immediately west of Morphett Road, near the Oakland crossing junction is a service station that has been taken over by the Highways Department. These premises could form the nucleus of a new youth centre and be a new home for the club. I pointed this out to the Commissioner of Highways last year when speaking to him about these problems, and he said he would consider my proposal, but since then I have had no communication from him. I ask the Government to consider seriously this organization now rather than in 1977. If it is to be given a new building, that building could be constructed and ready for use soon in order to prevent the club from becoming defunct.

The second matter to which I refer is the completion of kerbing and footpaths on Oaklands Road, although I realize that constructing footpaths is the responsibility of the Marion council. I refer to an area east of Diagonal Road. I am asking not that kerbing and footpaths be constructed to Morphett Road, but that the shoulder of the road be completed on the northern side of Oaklands Road (it is completed on the southern side) because this area lacks kerbing. I ask that this work be completed from Diagonal Road to Hazelmere Street, a distance of less than 90 metres. I do not think that is asking too much.

Along this part of the road there are houses. My greatest concern is for the residents of the Allambi Home for the Aged in which many aged and invalid people are housed. When these people go to nearby shops, as they are encouraged to do, they must walk over the unmade footpath and roadway. This must hurt their feet and could easily cause them to fall and be injured. I do not ask for the whole section of the road to be completed, including the area past the Glengowrie High School, but I ask that the area to which I have referred be seriously considered. My district boundary is at Sturt River. A few weeks ago, just farther east than the boundary of my district, along the open vineyards opposite the Road Safety Instruction Centre a gang was at work doing the kerbing and completing the road. However, when it reached the boundary of my district, it stopped.

Mr. Coumbe: Why?

Mr. MATHWIN: I do not know. I thought that, after a couple of weeks, that gang would be sent to work on the area to which I have referred. Unfortunately, this did not happen. For the sake of the old people who live in Allambi, it is urgent that this work be done. As it is a small job, it would not take much time or equipment. The gang that worked in front of the vineyard could easily do the work in my district. I ask that both matters to which I have referred be seriously considered.

Mr. EVANS (Fisher): I wish to refer to two matters. First, I refer to the matter of ancillary staff in schools. Recently, I have corresponded with the Minister of Education about this and I believe another letter is presently on the way to his office. Ancillary staff has been provided in schools, where perhaps only a small staff is employed, to help lessen the work load. Although I will refer particularly to Happy Valley Primary School, what I will say applies also to other schools in the State, and that is why I raise this as a matter of small grievance. The number of students attending a school can increase from time to time. At the beginning of a school year a school is allocated a certain number of hours for secretarial work and a certain time for teacher aides. In an expanding area, there is a natural increase of students at the mid-year intake.

At the Happy Valley school, the number of students increased from about 90 to 110, an increase of only 20 students but a rather large percentage increase. Automatically, this placed a greater load on the Headmaster and staff. In such a situation, what is needed is an additional two or three hours for the two ancillary staff members, a total of six hours. If a cleaner has a contract with a school and the area to be cleaned is increased, the contract is altered accordingly, but in the case of ancillary staff that is not the practice. I believe that the present practice should be altered, with additional ancillary service being provided in such cases to the benefit of staff and students.

In 1972, unemployment relief was provided in rural areas where there was considerable unemployment, and in the metropolitan area where moneys were made available to local councils to employ people who claimed they could not get a job, although at that time the economy was buoyant. Employers in the building industry wanted employees. People had the opportunity to take up courses in bricklaying and other fields. The Labor Governments of the State and the Commonwealth made money available for councils to employ these people. Naturally, councils jumped on the band waggon. In some cases, the opportunity was taken to paint oval fences and carry out repairs that the council had not had the opportunity to carry out or been able to afford before. How stupid it was that only 18 months ago these Governments handed out money willy-nilly to councils to employ anyone to paint a fence or put a hole in a fence post, when now there is not enough money available for councils to maintain permanent staff.

These Governments should have been able to foresee the difficulties for which we were heading. Inflation has been so high that people are now telling the council that they cannot afford to pay increased rates. This applies particularly in the fringe part of the metropolitan area where people are still trying to succeed in the primary-producing sector. Government instrumentalities are saying that they want such people to stay where they are, preserving these areas as open space. They do not want houses built on these areas; they do not want them left vacant with noxious weeds growing on them, and the areas becoming full of pests and vermin. The councils are being told that not enough money is available to help them. Yet when the economy was buoyant and there was no need for anyone who wished to work to be unemployed, money was thrown around in employing people.

Many members know the reports that came back to us. We asked questions of the Treasurer and the Minister of Labour and Industry at the time. Why would many of these people still not work and report for work when work was available? All they had to do was carry a brush and make out they were working, but they would not even do that. In other words, we encouraged people to be parasites on their fellow working men. The genuine worker was carrying that type of worker in

the community. Rich people can pay taxes, but the genuine worker struggling to pay off his house and meet his commitments has been bled white by taxation to keep that parasitical group going. In Opposition, we have watched the Commonwealth Government and State Government throw money down the drain to make themselves appear to be good fellows with some people they believed would support them. That was all it was for. When we think back to the $2 000 000 that the State made available then, what could the Minister of Education do with that $2 000 000 now? What could other departments do with it? It would mean at least two new schools in the State and 10 or more kindergartens. But what has happened? Those projects have gone down the drain. In my view, that was a very bad decision but the State Government not only moved into that field of rural unemployment relief: it moved in, with its Commonwealth Government colleagues, and made money available for general unemployment relief.

Unemployment was not serious at that time. We did not impose a severe enough work test upon people. Subsequently, the Minister of Labour and Industry admitted in this House that a Commonwealth meeting had decided that the work test should be tightened up; people were bludging on their fellow workers. That is what happened. I have a grievance on this matter now because, at the time I complained, people said I was being unkind to those people out of work. Looking back now, we can see that we ran down our economy and threw down the drain money that today we could use in this crisis, and particularly in the field of local government. To permanent employees (people belonging to unions and having to meet their obligations) councils may have to say, "Sorry; we have not enough money to pay you because we squandered it on the parasites who lived off you 18 months ago." No-one can look back and say that that was a sound decision by our Commonwealth and State Governments.

Motion carried.

Dr. EASTICK (Leader of the Opposition): I support this Bill. As has been said, it is couched in the normal terms for such a measure. It appropriates $100 000 000 for use until the Revenue Account is passed in the middle of next month. It provides that the money that will be spent in the meantime shall be confined to the areas of last year's appropriation. Members on this side of the House accept that; that has been the normal procedure. Just before the last session ended in March of this year, we were called upon to pass a Supply Bill for a like amount, and it was then said that the $100 000 000 would apply for about two months. It would be improper of me not to ask the Treasurer whether, in view of the current escalating rate of inflation, the appropriation of $100 000 000 will in August, 1974, be for a period of two months or considerably less than two months. Unfortunately, in this State we are suffering from unimpeded inflation, against the background of a Commonwealth Government that refuses to accept its responsibility to check inflation. The discussions held in Canberra yesterday appear to have been of no real advantage to the economic future of Australia. The Treasurer has not revealed any final decision that will clearly benefit this State and the whole of Australia. Clause 3 of the Bill ensures that the payments made from the appropriations sought shall not be in excess of those individual items approved by Parliament in last year's appropriation measures. Members on this side support the Bill, which should have a speedy passage.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Issue and application of $100 000 000."

Mr. COUMBE: I seek information from the Treasurer. This is the clause that appropriates $100 000 000 to carry on the affairs of the State until the Estimates are passed next month. In the meantime, some of this money is to be used to pay members of the Public Service. It has been drawn to my attention by two constituents of mine that they have not received pay rises awarded as a result of the national wage case determination: one is in the Public Health Department and the other in the Lands Department. In one case, no increase has been received by the officer concerned, and in the other case his last fortnight's cheque included the new increase in pay, but no retrospectivity. As it is now August 14, it seems rather a long delay for these two officers. Surely the various pay offices in the Public Service should have been able to make these adjustments by now. Can the Treasurer explain why this has occurred; if not, will he see that the position is corrected?

The Hon. D. A. DUNSTAN (Premier and Treasurer): Decisions in the national wage case do not flow automatically in the Public Service. They require various decisions in relation to individual applications, and then the necessary gazettals take place. If something is decided in the national tribunal, that does not mean that next week everybody in the Public Service in South Australia receives an immediate result. Other processes in. the system require examination and determination. If the honourable member gives me details of the two constituents concerned, I will get specific information from the Public Service Board about them.

Dr. EASTICK (Leader of the Opposition): A short time ago I said that an amount of $100 000 000 was expected to be sufficient for requirements for two months when a similar measure was passed in March, 1974. The amount of $100 000 000 now being provided is for a period of two months until towards the end of October, and I would expect that the Premier, in due course, would be able to tell the House what degree of depreciation would be involved in the $100 000 000 when appropriated in this way.

The Hon. D. A. DUNSTAN: I think this is enough for us to get by on until the Estimates have been passed.

Clause passed.

Clause 3 and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 9.55 p.m. the House adjourned until Thursday, August 15, at 2 p.m.