

**HOUSE OF ASSEMBLY**

Thursday, February 20, 1975

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

**ASSENT TO BILLS**

His Excellency the Governor, by message, intimated his assent to the following Bills:

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

**BOATING BILL**

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

**PETITION: RIVERLAND STORM DAMAGE**

Mr. NANKIVELL presented a petition signed by 324 residents of Riverland stating that special assistance by way of a grant-in-aid was needed by families of the New Residence district who had suffered severe damage to their properties as a result of a freak cyclonic storm in the area on January 7, 1975, and praying that the House of Assembly would grant the necessary aid as a matter of urgency to enable those families to rebuild and reconstruct their houses and properties.

Petition received and read.

**MINISTER'S ABSENCE**

The SPEAKER: Before calling for Questions without Notice, I inform honourable members that, in the absence of the honourable Attorney-General, who is in another State on Ministerial duty, questions normally directed to him may be directed to the honourable Premier.

**QUESTIONS****PETROL PRICES**

Dr. EASTICK: Will the Premier give a firm undertaking that any increase, in the price of petrol will not lead to an automatic increase in the amount of tax payable under the Government's petroleum franchise legislation? Today's press carries speculation that, if applications for petrol price increases currently before the Prices Justification Tribunal are successful, the price of petrol will rise by 9c a gallon to 75c. If this occurs, the existing 10 per cent surcharge on petroleum products imposed by the Government would mean an increased rake-off from the motoring public of almost \$4 000 000 a year. However, I point out to the Premier that, in the Bill passed by this House last year, there was provision for the Minister to determine what value should be attributed to petroleum products, and for the tax to be assessed on that attributed value. Therefore, it would be simple for the Minister to freeze the attributed price of petrol for taxation purposes at the existing level, so that the Government did not attempt to use authorised petrol price increases as a built-in inflation factor for its own tax collections. This is why I ask the Premier to give a clear assurance to the people of South Australia and members of this House that the motoring public of South Australia will not be called on to provide a growth tax for the State.

The Hon. D. A. DUNSTAN: I very much doubt that the Leader's analysis is accurate, if my memory of the measures before the House is correct. However, I will bring down a report.

**EMERGENCY ASSISTANCE**

Mr. CUMBE: Will the Premier provide information concerning what I understand are now called the State emergency services (previously known as the civil defence organisation) in South Australia? Following the Darwin disaster, I believe that representatives of various organisations were called to a meeting in the Premier's Department. I take this opportunity of saying that I believe high praise is due to all the organisations connected with that operation. The object of the meeting, as I understand it, was to collate material and evidence of experiences of the handling of Darwin evacuees to South Australia and later present recommendations to the Government on the organisation involved. What has happened so far with regard to this exercise, and what does the Government foresee, apart from the national disaster organisation, with regard to the future in this State of such emergency services?

The Hon. D. A. DUNSTAN: In relation to the question with which the honourable member opened his explanation, the answer is "Yes".

Mr. NANKIVELL: Will the Premier consider providing a disaster fund from which either direct disbursements or supplementary disbursements can be made to augment funds collected locally at properly constituted appeals, such as those sponsored by councils, to provide relief and assistance to distressed persons in cases of disaster? Members realise that early this afternoon I introduced a petition relating to a disaster that took place at New Residence. Attempts to find ways of obtaining assistance for these people made obvious the fact that no funds or reserves were available to help people in the case of a natural disaster. In many cases, these disasters have meant a loss of livelihood for a person for perhaps two years. I believe that certain Government members have subsequently visited the New Residence area. I understand that, since that disaster, a locally sponsored appeal set up by the Mayor of Loxton has raised about \$4 000 to assist those affected. As the Minister responsible for the legislation will know, the Primary Producers Emergency Assistance Act does not adequately cover the case of a person who loses his livelihood and has no guaranteed income for up to two years. Although such cases are rare, they do occur and, through no fault of his own, a person can lose his property, as well as his livelihood for two years or even permanently.

The Hon. J. D. Corcoran: I got assistance for these people through the Community Welfare Department. It was done a fortnight ago and, in some cases, they received \$100 a week immediately.

Mr. NANKIVELL: If the Premier can say officially that this is what can be done for people in such circumstances, I shall be pleased. If the Minister will tell the Premier how these people can obtain assistance in these circumstances, that will be the information that I desire.

The Hon. D. A. DUNSTAN: I will see to it that the honourable member receives a full report on the matter, and I will bring that report down on Tuesday.

#### PENSIONER ACCOMMODATION

Mr. MATHWIN: Can the Minister of Development and Mines, as Minister in charge of housing, say what is the Government's policy in relation to the building of high-rise flats for pensioners? The Minister is reported as saying that, although the building of 10-storey high-rise flats at Elizabeth has been scrapped, it can in no way be interpreted that the Government is abandoning the concept of high-rise flats for pensioners. He has also stated that the Government believes there is a real advantage in this type of building. The Minister would know that, in Europe, the United Kingdom and the United States of America, the building of high-rise flats for pensioners ceased about 10 years ago. The Victorian Housing Commission also ceased building this type of housing for pensioners this year, and is now phasing out the whole system. It is virtually impossible, as the Minister well knows, to demolish this type of building once it is erected. Buildings of this nature have problems relating to fire and other hazards, particularly when aged pensioners are concerned, that are much too horrible to think about.

The Hon. D. J. HOPGOOD: The honourable member has just put forward a farrago of nonsense.

Mr. Mathwin: That's not right.

The SPEAKER: Order!

The Hon. D. J. HOPGOOD: He has been completely emotional about the matter, and I contest the various statements he has made.

Mr. Mathwin: Tell me why.

The SPEAKER: Order!

The Hon. D. J. HOPGOOD: The paraphrase he made of the statement I issued accurately reflects what the Government feels about the matter except for one omission, which is that the whole purpose of the strategy is to have elderly people within convenient distance of public supports and facilities they need. These are matters that are difficult to provide if elderly people are in a typical suburban situation. So, if it is possible for the Government to find suitable sites in a town environment where such a project can proceed, it will proceed. It certainly will not proceed in a typical suburban situation. The reference to the Victorian Housing Commission is totally irrelevant. That commission years ago made a tactical error in entering into a vigorous programme of high-rise development over the whole spectrum of tenancy. That, of course, was quite wrong. It is a tragedy that, when one talks about high-rise, the only response one gets usually is the view that people see from the railway line as they go into the main railway terminal in Victoria. The failure of that initiative by the Victorian Government at that time has unfortunately cast an unmerited shadow over the whole area of high-rise development. As I said previously, the Government intends that, when it provides accommodation for elderly people, it should do it in those locations that are as convenient as possible to town centres and the services they badly need. This cannot happen in a suburban situation, but it can happen in a town situation. Where there are suitable sites, they will be used for this purpose.

#### RAILWAY TAKE-OVER

Mr. GUNN: Can the Minister of Transport say what stage negotiations between the South Australian and Commonwealth Governments have reached in relation to the transfer of the South Australian Railways to the Commonwealth? Members will be aware that the Premier attended a conference in Canberra and that when he returned to South Australia he made a public statement that South Australia was willing to hand over its railways to the Commonwealth. A few hours later the Minister of Transport contradicted that statement, and much confusion has been caused in the minds of the public about the true position. I therefore ask the Minister to inform the House what is the true position, in view of the split in Cabinet—

The SPEAKER: Order!

Mr. GUNN: —over this matter.

*Members interjecting:*

The SPEAKER: Order! The honourable Minister of Transport.

The Hon. D. A. Dunstan: What a lie!

The SPEAKER: Order!

Mr. Gunn: That's unparliamentary.

The SPEAKER: Order!

Mr. Venning: It should apply to both sides.

The SPEAKER: Order! Both sides will be treated alike and there will be no exemptions concerning an infringement of Standing Orders. The honourable Minister of Transport.

The Hon. G. T. VIRGO: I am grateful for the opportunity to put straight the very crooked thinking of the member for Eyre. For him to suggest that the Premier

of this State and I are at variance on this matter is not only ridiculous but also a complete untruth, and the honourable member knows it.

Mr. Gunn: Not according to the newspaper!

The Hon. G. T. VIRGO: I am not responsible for what statements, according to the newspaper, are made. The plain fact is that, following the election of the Commonwealth Labor Government in 1972, the Premier of this State and the Prime Minister agreed that a working party would consider the practicability and desirability of transferring the South Australian Railways to the Commonwealth Government.

Mr. Gunn: So Jones could wreck them like he has wrecked everything else he's put his hands on!

The SPEAKER: Order! Honourable members will suffer the penalty under Standing Orders if they are going to infringe those Standing Orders. The honourable Minister of Transport.

The Hon. G. T. VIRGO: I regret that the member for Eyre has spoken in disparaging terms in Coward's Castle of the Australian Minister for Transport (Hon. Charles Jones). If the Hon. Mr. Jones is not worthy of being called Mr. Jones—

Dr. TONKIN: On a point of order, I take exception, as a member of this House, to this place being called Coward's Castle.

The SPEAKER: It is a term that has been used frequently in this House over many years. As the honourable member has objected to it, I ask the honourable Minister whether he desires to withdraw the statement.

The Hon. G. T. VIRGO: As you have said, Mr. Speaker, it has been used many times in the past and I am sure it will be used in future. I can see no reason for withdrawing it.

*Members interjecting:*

The SPEAKER: Order! The honourable Minister.

The Hon. G. T. VIRGO: I want to make clear that I, as State Minister of Transport, have the highest respect for the Commonwealth Minister for Transport. Equally, I had a high respect for the former Minister (Mr. Nixon), and I certainly did not stoop to the gutter-type tactics of referring to the Hon. Mr. Nixon as "Nixon wrecking the programme". Obviously, the honourable member wants to play politics, as do some of his colleagues in other States who do not understand the game. Discussions on transferring the railways are proceeding and, in due course, the honourable member will be informed of the result.

#### LAND TAX

Mr. RUSSACK: Will the Treasurer give details of his promised equalisation scheme relating to land valuations and will he say whether legislation will be introduced during the present session of Parliament to establish such a scheme and also to adjust the scale of rates of tax, exemptions, and concessions, so as to lessen the impact of this impost and give relief to that section of taxpayers that, because of the present admitted unfair system, has been obliged to pay excessively high land tax during the 1974-75 financial year? Many landholders who have spoken to me have paid, during this financial year, an increase in land tax of many times more than 100 per cent, from two figures to four figures, and in many cases there has been hardship. These people have asked me whether there will be some rebate or refund of the tax that is being paid if this equalisation scheme is introduced. The United Farmers and Graziers of South Australia Incorporated and the Stockowners Association have been

represented on deputations to the Treasurer, and I understand that the Treasurer hopes to have taken action by July this year to rectify the unacceptable current situation relating to land tax, especially on primary-producing land. Therefore, I ask the Treasurer whether it is not necessary that action be taken by legislation during the closing weeks of this present session of Parliament.

The Hon. D. A. DUNSTAN: I am by no means certain that during this session of Parliament it will be possible to introduce legislation for equalisation in relation to land tax. I have received a report from the Commissioner of Land Tax concerning equalisation of land tax, and that matter needs to be considered in detail by the Cabinet. When that has been done and a policy has been finally determined on how the equalisation scheme will be implemented, the necessary action will be taken. However, the Government will introduce legislation to effect the next round of valuations that takes place, the provision of land tax bills in respect of the next financial year, and provisions affecting the bills for the next financial year which occur in relation to those landholders who have had a reassessment in this financial year. Until legislation has been drafted after a final determination by the Cabinet, I cannot give the honourable member an exact time table but, in relation to the next set of land tax bills that go out, the provisions of the equalisation scheme will apply, and that will affect not only those who are assessed in the next round—

Mr. Coumbe: In 1975-76?

The Hon. D. A. DUNSTAN: It will affect all land tax payers in South Australia, including those who were affected by an assessment this year.

*Members interjecting:*

The SPEAKER: Order! There can be only one question at a time.

The Hon. D. A. DUNSTAN: I have been asked about land tax and that is the position in relation to land tax.

Mr. Venning: Any refunds?

The Hon. D. A. DUNSTAN: When the policy has been determined I will be able to detail it. I have had a report from the Commissioner of Land Tax which has yet to be considered in detail by the Cabinet, but the submissions that have been made to me by the stockowners, shearers and United Farmers and Graziers have been taken into account in the proposals going before Cabinet.

Mr. BOUNDY: Is the total abolition of this iniquitous tax in rural areas of the State being considered by the Government? This tax bears no relationship to productivity, and it is not levied in the Eastern States. Furthermore, its abolition is Liberal Movement policy.

The Hon. D. A. DUNSTAN: No.

#### MONARTO

Mr. WARDLE: Can the Minister of Development and Mines say whether the Government intends to purchase all (by "all" I mean from the smallest allotment to the largest farm) of the land within the designated site of Monarto, and whether the Government has sufficient funds in hand at the moment to make that purchase? If it is not intended that the Government should purchase all that land within the designated site, does it intend to amend the Act in order to create exemptions from purchase? The Minister will be aware that the trustees of the Lutheran Church and Lutheran property within the area are concerned about this property, and I am not sure what stage has been reached in negotiations concerning the property in question. The Minister will also know that there are certain dwelling allotments on the eastern fringe of the

designated site. I am wondering, as are the people involved, whether all properties, from the smallest to the largest, within the designated site will be acquired. I should therefore be pleased if the Minister could give me now, or after some consideration, replies to my questions.

The Hon. D. J. HOPGOOD: The Government intends to acquire the whole of the designated site. If this action should cause any unusual problems beyond the various problems we have had to deal with throughout the acquisition programme, we should be pleased to hear of them from the trustees of the Lutheran property or from any other people concerned. My door is open to anyone who wants to explain why, perhaps, such a programme should not proceed. The Government's policy is to acquire the whole of the designated site. Of course, as honourable members know, the commission has also acquired certain areas outside the designated site, where these areas have been offered to us.

Mr. Wardle: Will any amendments be necessary?

The Hon. D. J. HOPGOOD: I have no doubt that if, for whatever reason, we were not to proceed as I have outlined, some amendments would be required. It would be up to the people concerned to convince me and, through me, the Government that such a change of policy would be necessary.

#### ROAD MAINTENANCE CHARGES

Mr. VENNING: Can the Minister of Transport give any information about the investigations of the Flint committee regarding road maintenance charges? As members will know, the work of the Flint committee was twofold, with the first part of its programme being completed last year. The understanding was that it was to investigate road maintenance charges as well. There was also the opinion that, when the Commonwealth tax was imposed, road maintenance charges would be abolished.

The Hon. G. T. VIRGO: Although it has had discussions with me, the committee has not yet finalised its deliberations. However, I hope that before long the matter can be concluded.

#### COMPANIES ACT

Mr. McANANEY: Will the Premier consider amending the Companies Act to ensure that a company must have a certain proportion of capital in relation to its liability, and also to limit the first priority that the Commonwealth Taxation Department has over funds? Frequently, companies that have been started with little share capital go broke, with no resources left to draw on. In this connection, I refer to Woodside Motors Proprietary Limited, which was taken over by a man from overseas who had little capital. Now, he has gone off with the capital of the company, and the Commonwealth Taxation Department has first priority over the assets of the company. The department apparently did not provide adequate supervision to see that regular deductions from workers' salaries were made to it by the company. The result is that 11 workmen are each owed \$1 000. As the Taxation Department will take nearly all that is realised from the assets of the company, the workers will be down the drain by \$11 000. Until the Companies Act is amended so that a company must have a certain share capital in proportion to liabilities it incurs, and until a limitation is placed on the right of the Taxation Department to go back more than a month or two months, if at all, similar disasters to the one that I have described will occur.

The Hon. D. A. DUNSTAN: I will get a report from my colleague.

#### HONOURS SYSTEM

Mr. BECKER: Will the Premier consider appointing a Parliamentary committee to review the recommendations for Australian honours and awards? Following the announcement of an Australian honours system, I understand the Premier was reported to have said that South Australia would nominate a Government officer as a representative on the awards advisory board and that such an officer would receive nominations for recognition. Who will that officer be? Will nominations be submitted through councils or members of Parliament or by members of the community? Does the Government intend to establish a Parliamentary committee to review recommendations before a list is submitted to the Governor-General, thereby avoiding accusations of showing political favouritism or awarding gongs for the boys?

The Hon. D. A. DUNSTAN: An officer will be nominated by the State Government to be a member of the advisory committee on the Australian bravery awards. Although it is not entirely clear at present how the council will be constituted, I understand that the same officer will serve on the council of Australian order. The officer concerned could be Mr. Holland, the Chief Administrative Officer of my department. Under the provisions of the Australian bravery award regulations made by Her Majesty, any person or body may make a submission directly to the advisory committee regarding Australian bravery awards. Regarding recommendations to be submitted for honours to the council, at this stage the Government does not have a copy of the necessary regulations, so I do not know exactly how the submissions will be made. I imagine that what will happen will be similar to the procedure that used to apply previously: members of Parliament, councils, and so on made submissions to the Premier's Department that were then processed and forwarded to the relevant body. As to there being gongs for the boys, I believe that, if the honourable member thinks back over the period before the present Government came to office, he will realise that his side of politics cannot exactly claim to have been unbiased in that regard.

*Members interjecting:*

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The only gong I like to keep is when I am wandering down the street in Norwood and a kid says, "Good day, Don." I do not want any other sort of gong. It is not the Government's intention to provide a Select Committee to look at this matter. I think the matter can be dealt with perfectly simply by the administrative arrangements that have been made by the Queen.

#### BAROSSA VALLEY WATER SUPPLY

Mr. GOLDSWORTHY: Will the Minister of Works have a full investigation made into the steps needed to improve the quality of water supplied to Barossa Valley towns by the Engineering and Water Supply Department? I am approached regularly by constituents from the Barossa Valley (householders especially, but also proprietors of hotels and motels) regarding the quality of water supplied to the Barossa Valley. In my experience, it is the worst quality water supplied by the department.

Dr. Tonkin: No, Burnside has the worst.

The SPEAKER: Order!

Mr. GOLDSWORTHY: Householders are concerned because they cannot do their household washing or other chores, especially during the summer months, because of the water quality. In addition, tourists coming into the area find that the water is objectionable. I have had

complaints from people in business who say that this is a bad advertisement for South Australia, particularly in this locality. I have had conversations with the district engineer, who has explained to me that the Warren reservoir is a dirty reservoir and that sediments that settle in it during the winter months are stirred up especially if there is a bad flood.

*Members interjecting:*

The SPEAKER: Order!

Mr. GOLDSWORTHY: I believe this is a matter of considerable importance not only to local residents but also to residents of the State as a whole, and especially areas that attract tourists in South Australia. I therefore ask the Minister whether he will have a full investigation made into the matter and whether it is humanly possible to implement some programme to improve the poor quality of the water supply to the Barossa Valley.

The Hon. J. D. CORCORAN: I sympathise with the honourable member. This problem, of course, is not peculiar to the Barossa Valley. I have said before publicly, and I reiterate, that the water supplied to Adelaide and to other parts of the State is unacceptable by world standards from a quality viewpoint; however, the water is perfectly healthy. All the necessary steps are taken to protect people's health when using the water, and it is completely safe to use. Unfortunately, it is not very palatable at times. The honourable member will be aware that only recently we have been able to embark on a programme that will lead eventually, over the next eight to 10 years, to the complete filtration of the metropolitan water supply. This programme is being made possible by the generosity of the Australian Government—

Mr. Millhouse: Ha, ha!

The Hon. J. D. CORCORAN: —which has made available to South Australia at least \$80 000 000 and which, no doubt, will provide more funds.

Dr. Eastick: But have the terms been spelt out?

*Members interjecting.*

The SPEAKER: Order!

The Hon. J. D. CORCORAN: The Leader knows the terms; they have been spelt out quite often. I have already taken steps, as Minister of Works, to obtain a detailed report to enable me to make representations to the Australian Government regarding the filtration of the water supplies for Port Pirie, Port Augusta and Whyalla. The honourable member will know that this is a problem not only from an appearance point of view but that there is a greater problem, which has not occurred for the past two years. I hope the filtration programme will have some effect on that problem, and I am certain that the steps taken by the department by way of heavy chlorination in those areas will stop any recurrence: I refer to amoebic meningitis. I hope that the few matters I have referred to will give the honourable member some idea of the magnitude of the problem facing us. This problem extends virtually over the whole of the State, except for the South-East; the quality of water in, say, Mount Gambier and other areas of that favoured part of the State is good.

Mr. Goldsworthy: Will you make a submission to—

The SPEAKER: Order!

The Hon. J. D. CORCORAN: The matter of a submission will be considered, because the Government has to get its priorities right. One of the reasons why the metropolitan water supply is to be filtered first is that I was warned (and, in turn, I warned the Government) that if we did not do something about the filtration of Adelaide's

water supply now we could conceivably have a problem in the foreseeable future, because the quantity of solids in the water could mask the effect of chlorination and could lead to a health problem. I will have the matter looked at for the honourable member and get a report for him as soon as I can. I do not know at this stage whether we intend to do any detailed work in the area or whether we can fit it in; however, I will let the honourable member know.

#### STUDENT UNION FEES

Mr. BLACKER: Has the Minister of Education issued directions to colleges of advanced education that it is conditional that students are required to pay union fees in advance before they can enrol in such colleges? I received a telephone call this morning from a relative of a student who attends Murray Park College of Advanced Education. The relative stated that students were advised that unless they paid \$22 in union fees by Friday (I assume this Friday) they would not be enrolled as students. There are four points involved in the question: first, very few students have the necessary finance readily available; secondly, the fees asked are considerably higher than in previous years; thirdly, the use of these tactics in issuing an ultimatum as a prerequisite to teacher training is to be questioned; and finally, if this is not a departmental direction I believe that the facilities of the Education Department are being used.

The Hon. HUGH HUDSON: If the honourable member had cared to check the legislation he would have found that on such matters I have no power to direct the college at all. In those respects they are autonomous and, certainly, there has not been (nor can there be) any departmental direction. All the tertiary institutions, the universities and advanced colleges, in South Australia, as in the other States, levy a compulsory union fee and that must be paid. However, I am sure that in the case of a student having difficulty in meeting the payment immediately, if the college was approached appropriate arrangements would be made, and I suggest that the honourable member take the trouble to telephone the Director of the college, explaining the position and asking what arrangements can be made for this student, who has some financial difficulty, to pay the fee by instalments. I am sure the college will make the appropriate arrangements. Indeed, I am surprised that the honourable member did not telephone the Director in the first place.

#### HEALTH SCHEME

Dr. TONKIN: Will the Premier say whether the Government has agreed that the State's public hospitals should participate in the Commonwealth Government's proposed National Health Insurance scheme and, if it has so agreed, will he say whether any requests or suggestions have been made to private or community hospitals that they should provide public beds under this scheme? One of the carrots that has been dangled, and is dangling, before State Governments (and I may say that the carrots have varied in each case) has been the offer to pay 50 per cent of the running costs of public hospitals in each State. At least four other States have decided that the acceptance of such a proposition would lead to a general lowering of health care standards, and they have not agreed to the proposals. The number of public hospital beds in South Australia is not sufficient to cater for the needs of the health insurance scheme as it has been proposed, and the financial position of many of the State's private and community hospitals is being affected seriously because of the uncertainty of the situation. It may suit the Commonwealth Government to see the private and community

hospitals in this State in financial straits preparatory to the take-over, but it does not help to maintain the standard of health care that we have come to expect in this State.

The Hon. D. A. DUNSTAN: The answer to both questions is "Yes". In fact, arrangements in course of preparation with the Commonwealth Government will advantage the public of South Australia, the State's public and community hospitals, and the medical profession.

### PRIORITY ROADS

Mr. CHAPMAN: Will the Minister of Transport say whether he intends to introduce a Bill to amend the Road Traffic Act so as to provide for a priority road system and, if he so intends, will he say when he will do so? It is understood that certain national highways are so declared, but my concern is directed more particularly to main roads and State highway sites. It seems that at highway intersections in country areas the installation of "stop" signs, traffic lights, etc., is either unacceptable or impracticable, in the opinion of the Highways Department. I seek guidance on this matter generally, and submit as an example the highway intersection of Kohinoor Road and Centenary Avenue, Kingscote, where the council has for some time been in a deadlock with the Highways Department, despite continued requests and records regarding accidents, including accidents resulting in multiple deaths. The council's concern over a long period has been genuine, but the problem is to have local opinions accepted by the Highways Department. It seems that the only possible solution in this instance is to declare one of the roads at an intersection to be a priority road. Accordingly, I ask the Minister what he intends to do about that matter.

The Hon. G. T. VIRGO: The matter of priority roads has been discussed by the Road Traffic Board for a long time. No finality has been reached yet but I think the honourable member ought to realise that there are two ways to achieve what properly can be described as a priority road. One is the way the honourable member has suggested: namely, to provide for a road to be so declared and marked. The other way is to use the existing provisions of the Road Traffic Act. In fact, those provisions have been used, and in South Australia we have priority roads. West Terrace is a classic example. It is a priority road and it has been for the past five years. Somehow or other, there is some mesmerism about the term "priority road". Merely because there is not a sign displayed, similar to that used in the Australian Capital Territory and in Western Australia to proclaim or declare the road a priority road, does not matter. It does not matter whether the road is proclaimed or not. The question is whether the road operates as a priority road, and West Terrace does operate as a priority road. To have a provision in the Road Traffic Act so that streets can be declared priority roads would do absolutely nothing in regard to West Terrace, because that road would simply continue to operate as it operates at present.

The second point the honourable member must bear in mind is that, with the altered definition of the "stop" sign, the use of such a sign at strategic points can, and in fact will, convert many roads to what people describe as priority roads, because after March 1, a person who arrives at a "stop" sign must stop and give way to traffic in all directions. If a person is travelling through on the major road, he will have priority to go right through the same as he has now on West Terrace, and on Main North Road through Elizabeth.

Mr. Chapman: What about streets—

The SPEAKER: Order!

The Hon. G. T. VIRGO: What I am saying can apply to all streets or roads in South Australia, because they are all subject to the Road Traffic Act. The effect can be obtained by using the provisions in that Act but, notwithstanding that, the desirability of actually having declared priority roads is a matter on which I expect the Road Traffic Board to report to me soon. I stress that we ought not be mesmerised by this term, because the effect of a priority road can be achieved under the existing provisions of the Road Traffic Act.

### HOUSING PROJECT

Mr. DEAN BROWN: Before the 1973 State election, the Premier announced the construction of low-cost housing by the Australian Council of Trade Unions on about 120 hectares south of Adelaide. Will he say whether there has been any further development of this proposal, or whether the proposal was just another piece of deceitful election propaganda?

The SPEAKER: Order!

Mr. DEAN BROWN: I have a complete list, as far as I can find, of newspaper cuttings and news releases on this matter. The Premier mentioned the proposal in his policy speech, as I have said, and he made quite a song and dance about how his Government would not allow a housing shortage to develop in this State. I can find no announcement since the end of March, 1973, and several trade unions have opposed the proposal, I understand largely on the ground that it seemed that houses would be far too cheap (the Premier claimed that they could be bought for between \$10 000 and \$11 000) and also because 80 per cent of the finance would come from overseas. Two years later, there has been no further development, and one can only assume that what the Premier did was done for deceitful election propaganda.

The SPEAKER: Order! The latter remarks of the honourable member are ruled out. The honourable Premier.

The Hon. D. A. DUNSTAN: Before the previous election the A.C.T.U. asked the South Australian Government to make available to it land for the purpose of this project, and that land was made available in accordance with my election promise. However, the A.C.T.U. has not proceeded to invest in this land, although it was made available to the council. The Government has carried out its undertakings in relation to the matter. I am interested that the honourable member should suggest that this is something which he condemns me for failing to do, because before the election I was under bitter attack from the Liberal Party for promising to make land available.

Mr. Coumbe: Where was the money coming from?

The Hon. D. A. DUNSTAN: The money was to be made available from Histadruth in Israel and also from German trade union banks in West Germany. The President of the A.C.T.U. had asked that this land be made available, and it was made available but the A.C.T.U. has not proceeded further with these arrangements. I point out to the honourable member that, if this is so, it is in accordance with the requests and demands of his own Party, which have demanded that we should not proceed with the deal.

### SCHOOL ASSISTANCE

Mr. ARNOLD: Can the Minister of Education explain the degree of special assistance that is to be given to schools classified as disadvantaged or priority project schools? I use the Cadell Primary School as an example, because in 1974 it was placed in this category. Several facilities are unsatisfactory at this school, such as water

supply and general resources within the school. I would appreciate any explanation the Minister can give as to what special assistance is to be given to these schools. Will it be to upgrade them in order to bring them into line with the average school in the State?

The Hon. HUGH HUDSON: Two programmes of assistance are available for disadvantaged schools: one is a building programme for which money was available to the South Australian Education Department, and the second a programme of recurrent assistance, that is, year-by-year assistance to meet recurring costs. About 90 per cent of the money available for the building programme for disadvantaged schools to the end of this year has already been spent. Although the total amount available was about \$2 000 000, most has been spent already, but that money would not be enough to do the job in the two-year period. For the recurrent programmes we have established what we call a task force in both the primary and secondary divisions to consider the various projects for assistance submitted by schools. The Schools Commission in its approach to this matter considered it was extremely important that there should be local involvement and local initiative in developing the recurrent programmes, and it has specifically asked the department not to establish its own recurrent programmes. We have relied for the priority of project schools on various suggestions that they have initiated, and we tried to assess and evaluate the suggestions and implement certain schemes accordingly. As I am not familiar with any special considerations that arise at Cadell, I will obtain a report for the honourable member.

#### FAIRVIEW PARK SCHOOL

Mrs. BYRNE: Will the Minister of Education give me an up-to-date report on his department's plan to establish a primary school at Fairview Park? The Minister will be aware that it was expected that a school in Demac construction would be erected and it was hoped that it would be opened in time for the beginning of this school year, but that has not taken place. Also, the Public Works Committee report on this school was tabled in the House on Tuesday of this week.

The Hon. HUGH HUDSON: At Fairview Park, as at Strathalbyn, Camden, Fraser Park in Murray Bridge, and Coromandel Valley South, it was hoped that Demac schools would be developed in time for the first term of this year. For one reason or another, partly because of lack of funds and the increased costs the department has experienced on other projects, and partly because the Demac programme, although it is developing very well, has not yet reached the rate of production we had hoped for, and things have not progressed as well as was expected initially. For these two reasons there has been a deferment of these projects, but I think Fairview Park is now planned to be completed by the end of this year. However, I will obtain a report for the honourable member.

#### WAGE CLAIMS

Mr. MILLHOUSE: Can the Premier say what action, if any, the Government intends to take to enable public servants and other Government employees to receive wage increases as soon as they have been granted by the South Australian Industrial Commission? I have received (and I guess other members have also received) a letter from the Australian Government Workers Association, complaining about the delay that has taken place between the time the increases are granted in the commission and when they are paid. The letter I have received states:

Our members are deeply concerned over the length of time taken for wage increases that have been processed through the South Australian Industrial Commission for Government awards to be paid to our members. This problem relates to the pay sections of various Government departments.

We are totally dissatisfied with the lapse between the time an increase is granted by the court and the time the employee actually receives it in his pay packet. This lapse could be anything up to two months, depending on the amount of work at the Government Printer at any given time.

This is obviously an unsatisfactory state of affairs and, as I see from the letter that the A.G.W.A. states that it is a long-standing problem, I am happy to give that union my support in helping it solve this problem.

The Hon. D. A. DUNSTAN: It is a refreshing novelty to hear the honourable member raise something on behalf of trade unionists.

Mr. Millhouse: Why don't you get on with the reply and stop being sarcastic?

The Hon. D. A. DUNSTAN: The honourable member's prejudice against trade unions is so constantly evident in this House that I find his interest refreshing, and I wanted to remark on that fact and pay the honourable member a due tribute.

Mr. Millhouse: Why don't you reply and stop playing politics?

The Hon. J. D. Corcoran: You didn't ask the question for any political gain!

Mr. Millhouse: I asked the question because I was invited to do so by the A.G.W.A., and every other member could have done the same.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I will bring down next week a reply for the honourable member to the circular sent out by the A.G.W.A.

#### OIL SPILLAGE

Dr. EASTICK: Can the Minister of Marine say what emergency procedures would be taken and what emergency facilities could be swung into use at short notice should the Adelaide metropolitan coastline be threatened by massive oil spillages in the gulf waters? My question arises from the relatively minor spillage which occurred off Port Stanvac last week and which resulted in thick oil being washed up on nearby beaches and in popular swimming beaches to the north of Port Stanvac being threatened. The Jordan report on the environment in South Australia, which refers to the dangers from oil spillage, states on page 39:

The movement of vast quantities of oil by sea in oil tankers of up to 300 000 tons or more in size, together with the siting of most oil refineries on the coast, has led to the possibility of accidents of disastrous proportions. The report refers to disasters due to collisions or wrecking of tankers in various parts of the world. The report also states that the first action in treating any oil spillage is to try to contain oil within floating portable barriers so that it can be removed from the surface by suction. The report points to the obvious drawback, however, as such action has to be taken speedily and the sea has to be relatively calm. Several other methods of handling the problem are also referred to, but one of the most significant statements in the report is that a mere 40 gallons of oil can cause a slick one mile square. It does not require much imagination to realise the danger to the metropolitan beaches if there is a major spillage involving tens of thousands of gallons in St. Vincent Gulf, either at Port Stanvac or farther out to sea. Last week's minor spillage has given a warning

that must be heeded. What procedures would be adopted if a tanker sank in the gulf and what effect, for instance, would known tidal flows have on the dispersing of the oil?

The Hon. J. D. CORCORAN: I am surprised that the Leader is not aware that about two years ago an agreement was reached between the State Governments and the Australian Government in relation to the equipping of supply points around the whole of Australia, placed at strategic points such as Port Adelaide and Port Lincoln, with oil dispersants in sufficient quantity to handle initially, not the sort of oil spillage the Leader has referred to, but the sort of accident that could, and did, happen at Port Stanvac last week. Those in control of the organisation can call for and quickly receive added supplies of detergents and equipment in order to handle even a major spillage. That is not to say they could adequately and effectively prevent totally the damage that can occur from a major spillage. That may be inevitable but the same sort of action taken last week could be taken if beaches were polluted. Not only did we amend the Act at that time, but there is complementary legislation throughout Australia to increase fines under the Pollution of Waters by Oil Act from \$2 000 to a maximum of \$50 000.

At the same time, the marine centre was established and depots all around Australia were set up which contain the type of equipment that would be needed to tackle a major spillage, and such equipment could be called on from other parts of the State to assist. That is the system in vogue. It has not yet been put to the test, because we have not had a major spillage, but, from my knowledge of the operation and from the advice we have had from experts, I believe the system would work successfully if there was a major spillage. I assure the Leader that several things can be done to contain an oil spillage and that the necessary equipment would be available, if not immediately, within a short time. I think it can be fairly said that adequate provision has been made to cater for most situations that could occur.

*At 3.10 p.m., the bells having been rung:*

The SPEAKER: Call on the business of the day.

#### **ROAD TRAFFIC ACT AMENDMENT BILL (INSPECTIONS)**

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act, 1961-1974. Read a first time.

The Hon. G. T. VIRGO: I move:

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

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

#### **EXPLANATION OF BILL**

The principal object of this Bill is to provide for the inspection, at regular intervals, of all buses that operate in this State, and all other vehicles that ply for hire or reward. I have been very much concerned for some time over the various deficiencies in the laws relating to the safety of commercial passenger vehicles. First, the inspection requirements differ, according to whether the vehicle is a metropolitan taxi, a country taxi, a school bus, a Municipal Tramways Trust bus, a chartered bus, or a vehicle licensed under the Road and Railway Transport Act. Furthermore, the Act as it now stands applies only to vehicles that carry passengers for a fee or charge. There are many situations in which a bus service is run completely free of charge; some that come to mind are those

buses that are operated by shopping complexes, private schools, hospitals, and some Government departments and instrumentalities.

It is quite obvious that, in the interests of the community, all such vehicles ought to be subject to regular inspection. Another problem arises from the fact that such a diversity of people may be appointed or authorised as inspectors under the safety inspection provisions of the Act. Whilst in no way criticising the inspections carried out by members of the Police Force and council officers, I believe that such vital and highly specialised work ought to be the function of only those people who are trained and skilled vehicle mechanics.

As a reflection of my whole concern in this matter, in 1970, I formed an advisory committee comprised of representatives of various authorities involved in inspecting vehicles and a representative of the Bus Proprietors Association. This committee has done much fruitful work, and some of its major recommendations have been adopted on a national level by the Australian Transport Advisory Council. This Bill reflects the decision of that committee to achieve uniformity between the States as to vehicle inspection requirements. The present situation whereby some bus operators are able to evade the law under the guise of section 92 of the Constitution will therefore no longer prevail.

The Bill intends to establish a central inspection authority for the purposes of inspecting all omnibuses and all vehicles that ply for hire or reward, at intervals of six months. It is intended that the Government Motor Garage will perform the functions of the central authority, as it already has the expertise and equipment necessary to carry out the required work. The only vehicles that are not encompassed by the proposed inspection requirements are taxis licensed by the Metropolitan Taxi-Cab Board, as adequate machinery now exists for the regular and proper inspection of these vehicles.

The Bill also makes numerous minor amendments to the principal Act, which is constantly under critical review in an effort to keep pace with modern road traffic requirements. These amendments will be explained in full as I deal with the individual clauses. I commend this Bill to members as a vital and necessary part of the Government's commitment to achieve a higher standard of road safety in this State. I shall now deal with the clauses of the Bill in detail.

Clause 1 is formal. Clause 2 fixes the commencement of the Act on a day to be proclaimed. Clause 3 rationalises the various definitions relating to cycles, motor cycles, and pedal cycles. The definition of "breath analysing instrument" is superfluous. Various other definitions are amended either consequentially or by way of statute revision. Clause 4 effects a consequential amendment.

Clause 5 empowers the Governor to declare that certain kinds of vehicle are to be treated as a specified kind of motor vehicle. Difficulties have arisen over the gradually increasing incidence of "hybrid" motor vehicles on the roads: for example, a "moped", a combination motorbike and pushbike, is quite a common sight today. It may be desirable to treat such a vehicle as a motor cycle. The three-wheel car also causes a problem: in some cases it may be desirable to classify such a vehicle as a motor cycle, in others, as a motor car. The Governor may exempt such vehicles from certain provisions of the Act: for example, the driver of a three-wheel "car" that is classified as a motor cycle may be exempted from the safety helmet provisions of the Act.



Clauses 6, 7 and 8 provide that those sections of the Act that deal with the installation and maintenance of traffic control devices also apply in the situation where existing devices are altered in any way. Clause 8 also provides for the situation where a council erects parking signs on a road that is not vested in its care. Obviously, the cost of installing and maintaining such signs should primarily be the council's responsibility, but exceptions to this rule may be made by regulation.

Clause 9 provides for the recovery of the costs of installing and maintaining traffic control devices from the owners of businesses that necessitate the installation of such a device. For example, where a pedestrian crossing has been installed at a large shopping complex, it is reasonable to assume that, if it had not been for the custom attracted by the complex, it would not have been necessary to install any such control device. In those circumstances it is proper for the Minister to require the business owners to make some contribution to the authority responsible for the installation of the device. However, a right of appeal to the Supreme Court against any such requirement is given to business owners.

Clause 10 enacts new provisions relating to the temporary exhibition of "stop" signs in relation to pedestrian crossings and road works. Only authorised persons may exhibit such signs. Clause 11 corrects a minor anomaly in the general provisions relating to traffic control devices, and also effects an amendment consequential to clause 8. Clause 12 empowers the Road Traffic Board to require the owner of a light, device, or sign, which is a traffic hazard, to be removed or moderated in some way. As the principal Act now stands, the board may exercise this power only when there is a likelihood of increasing the risk of accident. The power is now broadened to include situations where a light or sign might detract from the visibility of, or be confused with, a traffic control device. It is very necessary that the multitudinous directions given to drivers must be as clear and apparent as possible.

Clause 13 corrects a minor self-explanatory fault in the provision relating to the power of members of the Police Force and inspectors to ask questions in certain circumstances. Clause 14 raises the monetary limit before an accident need be reported to the police to an amount more in line with present values. The standard provision relating to the evidentiary worth of a certificate is also inserted. Clause 15 effects a consequential amendment. Clause 16 deletes a provision that is re-enacted in clause 20. Clause 17 removes any doubt relating to the prohibition against making U turns at intersections when the traffic lights are not operating. Clause 18 clarifies the duties placed upon drivers and pedestrians at traffic lights. Clause 19 extends the duty to comply with signs prohibiting turns to cases where such signs are erected elsewhere than at an intersection or junction.

Clause 20 inserts in this general provision relating to the duty at "stop" signs the duties to comply with temporary "stop" signs exhibited at pedestrian crossings or road works. Clause 21 corrects a minor anomaly. Clause 22 widens the effect of this section so that the driver of a bus, whether it is carrying any passengers or not, and the driver of a vehicle designed to carry certain specified dangerous goods, whether the vehicle is empty or not, must comply with the duty to stop at rail crossings. The need for such a "blanket" obligation is very clear. Clause 23 effects a statute law revision amendment. Clause 24 widens the scope of this section by prohibiting the placing of a sign on a road for the purpose of advertising goods, etc. Exemptions from any provision of this section may be

given to individual persons, or certain classes of person. Clauses 25 to 30, inclusive, effect consequential amendments;

Clause 31 repeals certain sections of the Act dealing with the various kinds of lamp and reflector to be fitted to vehicles. A new comprehensive section is enacted whereby a vehicle that is driven, or parked in a road, must be fitted with all such lamps or reflectors that may be prescribed in respect of that class of vehicle. This provision simplifies matters in a manner similar to the present braking provisions of the Act. It is quite unsuitable to clutter the principal Act with the many and various lamp provisions that properly belong to the regulations. Clause 32 adds a penalty to the section that provides the duty to light lamps on a vehicle in accordance with the regulations. Clause 33 repeals section 123 of the Act which is also amalgamated in new section 111 of the Act. Clause 34 corrects a minor anomaly.

Clauses 35 and 36 effect consequential amendments. Clause 37 brings this section into line with the various lighting provisions of the Act in which the division of day from night is taken as simply sunrise or sunset. The flags to be carried by wide vehicles are to be prescribed in the regulations. Clause 38 inserts a provision that the weight on any two or more axles of a vehicle must not exceed the aggregate of the weights permitted on those individual axles under the section. This provision used to be in the Act before the 1973 amendment to the maximum weight provisions, and, apparently, it is helpful in determining whether an offence has been committed in the case of a vehicle with multiple axles.

Clause 39 repeals section 159 of the Act which deals with the inspection of certain passenger vehicles. This section is replaced by new Part IVA contained in clause 43. Clause 40 corrects an anomaly in the seat belt provisions of the Act. Clause 41 clarifies the provisions relating to persons who hold certificates of exemption from wearing seat belts. Such a person must produce the certificate to a police officer, upon his request, either immediately or at a police station nominated by the person. Production at a police station must be effected within 48 hours. Clause 42 re-enacts the provision relating to the wearing of safety helmets by motor cyclists. The Governor is given the power to make regulations as to the design, etc., of safety helmets and to any other matter relating thereto.

Clause 43 inserts new Part IVA of the principal Act. New section 163a establishes a central inspection authority. As I have already mentioned, the Government Motor Garage will be declared to be the body constituting the authority. The authority may delegate its functions to any other body with the approval of the Minister. New section 163b provides for the appointment of inspectors. New section 163c specifies the vehicles to which this Part applies. All buses and all vehicles that ply for hire are subject to this Part. The way is left open for other vehicles to be brought, by regulation, within the ambit of this Part. If any such vehicle is driven for the purpose of carrying passengers and is not the subject of a current certificate of inspection, the driver and his employer are each guilty of an offence. The Registrar of Motor Vehicles is given the power to suspend the registration of a vehicle where he believes that an offence has been committed.

New section 163d provides for the inspection of vehicles at regular prescribed intervals. It is intended that the intervals will be six months, but leeway will be given in respect of the first prescribed interval, so that the authority has time to organise country inspections in a rational manner. A fee will be payable on each inspection, and,

at present, it is intended that this fee will be \$7.50. The authority may decline to issue a certificate where an inspection reveals a defect that, in its opinion, renders the vehicle unsafe for the carriage of passengers. The Minister may make exemptions from payment of the prescribed fee. Such bodies as charitable organisations will be exempted, as will any bus that is used exclusively for family purposes.

New section 163e empowers the authority to make random inspections. New section 163f sets out the conditions under which the authority may cancel certificates of inspection. New section 163g empowers an inspector or a member of the Police Force to inspect any certificate of inspection. It is intended that certificates of inspection will take the form of an adhesive label to be attached to the vehicle. New section 163h provides the standard form of protection for inspectors acting under this Part. New section 163i provides for the evidentiary value of a certificate under the seal of the authority. Clause 44 effects an amendment consequential upon new Part IVA. Power is also given for any regulation made under the Act to refer to any set of standards. This is a normal procedure, and the effect of this amendment is to make quite clear that the regulations need not be amended each time any such standard is varied, amended or substituted.

Mr. MATHWIN secured the adjournment of the debate.

#### **MOTOR VEHICLES ACT AMENDMENT BILL (GENERAL)**

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1974. Read a first time.

The Hon. G. T. VIRGO: I move:

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

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

#### **EXPLANATION OF BILL**

The Bill is consequently on the Road Traffic Act Amendment Bill that has just been introduced. The various changes to the Road Traffic Act provided by that Bill necessitate corresponding amendments to the points demerit scheme contained in the third schedule, to the Motor Vehicles Act. No substantive change to the scheme is made by this Bill. Sundry metric amendments are also effected, and some minor anomalies corrected. Clause 1 is formal. Clause 2 fixes the commencement of the Bill on a day to be proclaimed.

Clause 3 amends the third schedule to the Act, and paragraphs (a) and (b) are consequential amendments. Paragraphs (c), (d), and (e) are metric amendments. Paragraphs (f) and (g) merely substitute the word "or" for "and" in the first column of the schedule, to remove any doubt as to the attraction of the specified demerit points upon conviction of only one offence. Paragraph (h) is consequential upon an amendment made to the Road Traffic Act in 1972. Paragraph (i) is an amendment consequential upon the Road Traffic Act Amendment Bill, 1975.

Mr. MATHWIN secured the adjournment of the debate.

#### **RUNDLE STREET MALL BILL**

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to provide for the establishment, management and operation of a mall to be known as the Rundle Street Mall, for purposes incidental thereto, and for other purposes. Read a first time.

The Hon. G. T. VIRGO: I move:

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

The establishment of Rundle Street as a pedestrian mall has been advocated for many years, particularly by people who have seen some of the very attractive malls and plazas of Europe and North America, and in fact was included in the policy of the present Government. In 1972, the Premier requested the City of Adelaide Development Committee to investigate all aspects of converting Rundle Street, between King William Street and Pulteney Street, to a pedestrian mall. This request gave rise to a series of studies and reports. The first study dealt with traffic and transport aspects of a mall, and a group, headed by the Director-General of Transport and including representation from those having commercial interests in Rundle Street, reported that there were no insurmountable problems from a traffic and transport viewpoint to establishment as a mall.

The Adelaide City Council then commissioned consultant studies to look at the financial viability of a mall, the degree of public acceptance and the design concept. The resulting reports were accepted by the council in June, 1974, and in general these studies suggested that the mall would boost trade significantly by increasing store turnover, and also demonstrated overwhelming acceptance by the public of the concept of a mall.

Mr. Becker: Not me.

The Hon. G. T. VIRGO: Any society must have some backward children. Finally, a third report was commissioned by the Government to look into certain high-cost items such as the pavement and sewer works, and the acceptance of this report will result in considerable cost savings in several areas. Architectural design of the mall is being carried out by a prominent Adelaide firm of architects and the Adelaide City Council is proposed as the constructing authority. In addition, all aspects of the mall proposals including the draft legislation have been under the scrutiny of a steering committee which has equal representation from the affected business interests, the Adelaide City Council and the Government.

From the foregoing it is clear that this Bill is the end result of a considerable period of concentrated research and discussion involving all interested parties. In the view of the Government, the proposed mall will increase trade in Rundle Street, make it a more comfortable and attractive place for shoppers and city workers and boost tourism to this State. The Rundle Street Mall will keep this State ahead in the area of central city development and provide a shopping precinct unrivalled anywhere in Australia. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

#### **EXPLANATION OF CLAUSES**

Clauses 1 and 2 are formal. Clause 3 sets out the definitions necessary for the purposes of this Act and these are commended to members' particular attention. Clause 4 provides for the fixing of an "appointed day" by His Excellency the Governor. Clause 5 provides that the "Rundle Street Mall" shall be established on and from the appointed day.

Clause 6 provides in effect that so soon as the mall is established the movement of vehicles therein will be substantially restricted to essential vehicles. Members will note that a very substantial fine is provided for offenders against the prohibitions contained in this clause. The reason for these quite substantial penalties is to emphasise

the seriousness with which a breach of this provision is viewed. Vehicles left unattended could totally disrupt the operation of the mall.

Clause 7 is a general power in the council to carry out the works, as defined, for the purposes of the mall. Clause 8 provides a specific borrowing power in the council to raise up to \$600 000 by way of loan to finance its commitment. This is based on an estimated cost of the project of the order of \$900 000, an estimate that may yet require revision.

Clause 9 empowers the council to levy a special rate on property in the special rate area, that is, the area hachured in the plan in the schedule to the Bill. The purposes for which this special rate, which is limited to 5c in the dollar, may be applied are set out in subclause (6). For present purposes the most important object is the repayment of half of the money borrowed by the council pursuant to clause 8. This clause when read with clause 13 makes clear that the cost of the mall to the extent that it does not exceed \$900 000 will, in effect, be shared equally between the Government, the council and the benefiting ratepayers.

Clause 10 provides for the regulation of traffic in the mall, in general by means of a notice published in the *Gazette* and in particular by means of special permits. Clause 11 provides for additional by-law making powers for the council and the scope of the powers proposed is commended to members' attention. Clause 12 confers a general power on the council to operate the mall. However, this clause should be considered in the light of Part V of the Bill which provides for a Rundle Street Mall Committee.

Clause 13 empowers the Treasurer to refund, up to a maximum of \$300 000, one-third of the expenditure of the council on the mall works. The reference to \$120 000 in subclause (4) is a reference to an agreed amount that has already been expended on the project. The effect of this provision is to make the Government liable to pay the council \$40 000 on this measure being enacted. Clause 14 provides for the fixing of an appointed day for the purposes of Part V of the Bill. Clause 15 establishes on and from the appointed day a Rundle Street Mall Committee which will, under powers delegated from the council, have the management and control of the mall.

Clause 16 sets out the composition of the committee which reflects the tripartite financial responsibility for the establishment of the mall. Clauses 17 to 24 are formal and, it is suggested, quite self-explanatory. Clause 25 sets out the areas in which the powers of the council may be delegated to the committee. Clause 26 sets out the areas in which the committee may expect to derive its funds. Clause 27 provides for proper budgeting control.

Clause 28 provides for the transfer to the council of an appropriate car park site. Members will be aware that the "Rundle Street traders", to use a generic term, set a great store by the provision of adequate car parking facilities to support the establishment of a mall. In earnest of its desire to meet the felt needs of the traders, the Government intends to make available the site, known as the Foy and Gibson site, on extended terms and at no interest, representing a concession in money terms of the order of \$250 000. Clause 29 is an evidentiary provision and, in brief, ensures that the principle of what may be described as "owner onus" will apply to offences in relation to vehicles. Clauses 30 and 31 are formal.

Mr. COUMBE secured the adjournment of the debate.

## LOCAL GOVERNMENT ACT AMENDMENT BILL (BOUNDARIES)

Adjourned debate on motion of Hon. G. T. Virgo:

That the report of the Select Committee be noted and adopted and the Bill be discharged.

(Continued from February 19. Page 2476.)

Mr. DUNCAN (Elizabeth): In supporting the recommendations of the Select Committee, I join with other members of that committee who have already spoken in this debate in saying what a pleasure it was to be able to serve the House on that committee and to serve with other members of the committee. I believe the work that was done was excellent, being carried out in a spirit designed to improve local government. The recommendations in the report were made unanimously, a clear indication of the spirit in which the committee operated. I want to refer, as I did in the second reading debate on this Bill, to the work that has been done in this connection by the Royal Commission. Previously, I said that the Commission had done an excellent job, and I now reiterate what I said then.

From the study the Select Committee did, it appears to me that the Royal Commission's work and reports so far have been outstanding. The problems and complexities concerned in trying to determine future local government boundaries in this State are enormous. The Royal Commission was called on to play a difficult and complicated role, and carried it out with great distinction and scholarship. What has happened on this occasion indicates the value of having Royal Commissions examine these various matters. Often, political comments are made criticising Governments for appointing Royal Commissions. On this occasion, we have a clear indication of the type of work a Royal Commission can do, work that can be done by no other body.

It would have been extraordinarily difficult for any organisation other than a Royal Commission to have carried out the work performed by the Royal Commission in relation to local government boundaries. The unique talents possessed by the people making up the Royal Commission made possible the report that was brought down. When members vote to approve the Select Committee's report, I hope they will, as recommended by the committee, give their wholehearted support to the desirability of implementing the principles embodied in the first and second reports of the Royal Commission. I believe that it is essential that we should clearly indicate to the Commission the support of this House for the work it has done and the reports it has made. We should also acknowledge our support of the general need for reallocation of council boundaries in this State.

To most of the members of the Select Committee, the experience was of great educational value. I join with the member for Gouger particularly in this respect, as he expressed his pleasure at having greatly expanded his knowledge of local government in South Australia; I certainly support those sentiments. In addition to extending my knowledge of local government, I have also enlarged my knowledge of South Australia by being a member of this committee. The reason for appointing Select Committees is that members of the House can, as delegates on those committees, apply themselves to various problems, searching out the available information presented that touches on these matters, and making decisions on that basis. A unique example of this is the work of the Select Committee whose report we are considering. I now have a much better knowledge of the problems facing local government in South Australia. All members of the committee

now know much more about the need for boundary changes, -as this has been the conclusion of the Select Committee.

When the Royal Commission brought down its reports the Government, as it had always intended, proceeded with a Bill to implement those recommendations. During the hearings of the Select Committee, it became apparent that many members of the community and employees of councils greatly feared the unknown with regard to such matters as the employment of staff, the siting of headquarters, and the future of certain smaller rural communities if councils in those areas were amalgamated. Many people who gave evidence to the committee had great fears about these matters. I believe that the course taken in the recommendations of the Select Committee will lead to a lessening of such fears, because it will be possible for the Royal Commissioners to go out into the areas concerned to discuss the matter with councils, officers, and ratepayers concerned and to clearly explain to the people what are the proposals and how the proposals will affect their areas and the people involved. I believe that this will be important. It was a matter that was causing much concern in the community. The method suggested by the Select Committee in overcoming this concern will lead to significant changes in local government boundaries in a spirit of confidence rather than in the spirit of fear that was making itself felt previously.

The necessary urgent changes will possibly not be made in all areas of the State. Some areas will continue to operate under their existing boundaries, at least for the time being anyway. I believe this will be unfortunate if it happens. The work that the Royal Commissioners will be able to do will lead to a considerable change in the boundaries in South Australia. The member for Torrens referred in his remarks to the matter of urgency, which became apparent to the members of the Select Committee when it considered boundary changes. It became apparent to the committee that local government in South Australia faces a real threat—the loss of power.

Mr. McAnaney: From the Commonwealth Government.

Mr. DUNCAN: Not at all. The real threat facing local government is the failure of many councils to exercise the powers they already have. The Select Committee heard repeated examples of councils failing to supply services that they can supply to people who require those services.

Mr. Gunn: What kind of services?

Mr. DUNCAN: I will come to that in a moment. Many councils in South Australia are providing excellent services for the people they serve. Many councils, whether large or small, are efficient organisations, and are providing the type and quality of service that people are demanding. However, in many cases the types of service that councils can supply under the Local Government Act to their areas are not being provided; in fact, some councils are vacating this field (if they were ever in it). I will refer to some of these areas, because it is important that members appreciate the sort of power that local government does have but is not exercising in many cases.

The first matter relates to public health. The Bright committee, which investigated public health in South Australia, recommended in its report that this power be taken away from local government because, in many cases, councils were failing to provide the sort of service that should be provided in modern communities. To my knowledge not one council commented on that matter before the Select Committee.

It seems to me that public health is an important part at present of local government activities. Many members of the House who have been on councils know that public

health takes up to 20 per cent of the time and activities of a council. If councils do not provide the sort of service they have the power to provide, and if such service is not provided efficiently, this power will be lost by local government.

It was suggested to the Select Committee that local government still exercises planning powers but that it is rapidly losing those powers to the State Planning Authority. Part of the reason is that local government is too weak financially to afford to appoint planning officers, trained people, who can do this work. Many councils are completely opting out of this field by simply allowing the State Planning Authority to do the work for them.

Mr. Gunn: They are handing this work over to the State Planning Authority because of their lack of knowledge.

*Members interjecting:*

The SPEAKER: Order!

Mr. DUNCAN: I do not believe that those members opposite who are interjecting have any real disagreement with me, because I believe this sort of work should be done by councils. It is unfortunate that councils will not grasp the nettle and employ officers who could do this sort of work.

Mr. Mathwin: What about planning officers?

Mr. DUNCAN: That interjection is an example of the very thing I am talking about. Small councils will not have the sort of financial power and resources to employ this type of staff. Leaving the metropolitan area and looking at the situation in district councils, one finds that very few district councils have planning officers: one could count such councils on one hand. The reason they do not have planning officers is that many district councils see their role simply as one of providing roads, weed control and fire services for the people they serve. I do not criticise the provision of those services, because it is clear that they are urgently needed and necessary in country areas. However, many district councils consider other services to be beyond the scope of the demands of the people they serve, and I believe that planning is one of those services.

Councils are also losing powers in the area of the general control of the environment. We have seen the establishment of the Coast Protection Board. Previously, seaside councils controlled the foreshore areas of the State and had the power to make by-laws for the care, control and protection of foreshore areas. Unfortunately, many councils failed to exercise those powers or, if they exercised them by making by-laws, they failed to enforce such by-laws. This led to a situation where Parliament, being responsible for the good government of South Australia, believed it was necessary to step in and take action to ensure that the foreshore and coastal areas of the State were protected.

When taking evidence, members of the Select Committee often heard councils complaining about their neighbours not taking sufficient action to eradicate weeds or about other problems in areas that were controlled by councils nearby. Again, we see that, if local government does not use the power it has to provide the sort of service people require, it might be, for instance, that a regional weed control body will be set up to ensure that the job is done. An officer appearing before the Select Committee, in answer to a question I asked him about whether his council had looked at the possibility of constructing cottage accommodation for elderly people under the appropriate Commonwealth Government Act, said that he did not know that local government had the power to construct such accommodation.

That was an officer of a council, and it seems to me appalling that that should have happened. As I have said, throughout the State there are excellent examples of councils doing a good job, but there are also examples of councils not doing so.

I consider that it was a fundamental concern of the committee to ensure the survival of local government in South Australia, and one urgent requirement is the reforming of boundaries. This is not the only solution to the problems of local government in South Australia, and no-one suggests that it is, but it is one thing that is necessary to ensure the survival of local government. It may well be the fundamental thing and, if council boundaries are not adjusted so as to make councils stronger entities, the third tier of government will not survive. I hope that it does survive and I hope that this Parliament, by endorsing the recommendations of the committee, will follow that philosophy when the vote is taken on the Bill. Local government, as the third tier of government, has a vital role to play. I do not think any honourable member would deny that. Suggestions that it has not that role to play are completely incorrect.

Another matter with which I want to deal is the suggestion that has been made that this Parliament has no role to play in interfering with or altering local government boundaries. I consider that this Parliament has every right to do that. As I have said, this Government is charged with the good government of South Australia and, as we have that responsibility, we have an obligation to ensure that local government in South Australia operates effectively and efficiently.

Mr. Gunn: You must consider the views of the people, though.

Mr. DUNCAN: Certainly, and I have not suggested that we should not. I have said that we have an obligation to ensure that local government in South Australia operates effectively and efficiently. No honourable member would suggest that, if a council got into financial difficulties, the Local Government Office, which has been established by this Parliament, should not be called in to assist the council to straighten out its affairs. Surely the Government has an obligation to ensure that local government is operating efficiently and effectively. We must discharge our role and duty towards local government in South Australia in the best way that we can, and in the present circumstances the acceptance of the recommendations of the Select Committee is the best method available to ensure that local government survives as a strong and viable entity as the third tier of government.

It is absolutely vital that we accept these recommendations, unanimously if possible, and I hope that all honourable members will support them. It is important that we clearly recognise the urgent need for boundary alterations, and this Parliament should give the Royal Commission the green light, the go-ahead, to ensure that local government boundaries are altered to give the best and most viable boundaries that can be drawn up.

Mr. Gunn: What are you going to do about the Garden Suburb? What is the recommendation there?

Mr. DUNCAN: That is a matter for the Minister, not one on which I can comment. I understand that the Garden Suburb is going to the Mitcham council but, as I have said, that is a matter for the Minister. One matter that became clear during the deliberations of the Select Committee was the poor standard of local government in some areas. I considered that local government was doing the best job it could in difficult circumstances, but some of the smaller country district councils that gave evidence

to the committee showed, merely by the standard of the submissions that they made, that they were suffering from an extremely poor standard of administrative staff. Submissions were expressed in poor English, with spelling mistakes, and they were typed in an extremely poor and shoddy way.

I do not suggest that we can use that as a complete guide to show that local government in those areas is going well and doing the job or that it is not, but it is an indication. If a council that sees its survival threatened presents a report to the Select Committee in a shoddy way, that is probably some indication of the administrative standards of that council area, and I consider that some councils urgently need revitalisation. The only way to give such revitalisation will be by changing boundaries. I hope that the Parliament will support these recommendations.

To see the quality of some officers who came before the committee was extremely depressing, and Parliament ought to do all in its power to try to ensure that councils suffering from this type of administration are strengthened so that they will no longer suffer from it. Another aspect has been the significant impact on local government of the appointment of the Royal Commission, the bringing down of the Royal Commission's reports, the appointment of the Select Committee, the deliberations of the committee, and now the presentation of this report.

As I said when speaking in the debate on the Bill last October, the Government has made a significant contribution to local government by appointing this Royal Commission. I know that there are many reasons involved, but interest in local government never has been as high as it is at present: it is at an all-time high. Many people are taking an interest in local government now, although not only because of the boundaries of an area or the deliberations of various Government authorities and Parliamentary committees set up to deal with the matter. Many people in my area are taking an interest in local government whereas they were not taking as much interest in it three or four years ago.

Much of that interest has been generated by the appointment of the Royal Commission and the raising of this matter by the Government. I consider that this development will be useful in future, because a council cannot but be strengthened by greater awareness on the part of ratepayers. I am sure all honourable members opposite are aware of the tendency to which I have referred. It has been a unique experience to see how people are more active and more interested in local government in South Australia. It is a healthy tendency, and I hope it will continue. The Government is to be commended for raising this matter. There was no doubt that the matter of local government boundaries would be a most controversial one. I think the member for Gouger is well aware of the problems involved with boundaries in his area, and no doubt those problems are known to other members. I believe the interest created by the setting up of the Royal Commission and the subsequent events has been all to the good. There is a real chance, with the educative process that has surrounded these matters, that many more local government officers, ratepayers and councillors are looking seriously at the alternatives facing them regarding boundary changes.

This is an excellent development, and the Government is to be commended. As a Parliament, when voting on this Bill we must look basically at the future development of local government. Local government at present faces a real threat; it faces the threat of loss of powers, not, as has been suggested by members opposite, through

those powers' being taken away by the State Government or the Australian Government, but principally through local government vacating fields where at present it has powers. That threat should be of concern to this Parliament.

I hope members will bear that in mind and that it will be a fundamental motive driving them to support the recommendations of the Select Committee. I turn now to the processes that will be gone through in future by the Royal Commissioners. As I understand it, they will be charged with going to meetings of local councils, of ratepayers, and of council officers, discussing and negotiating with them the possibilities of boundary changes, and assisting in the promotion of boundary changes when agreement is reached. We are placing on the Royal Commission a heavy and onerous task, and I earnestly ask every member of the Parliament, when voting on this measure, to give wholehearted support to the work the Royal Commissioners will have to do. Certainly, it will not be an easy task, but it is one that must be successful if local government is to survive in South Australia.

Mr. McANANEY (Heysen): In supporting the Bill, I commend the members of the Select Committee for the work they have done. I think the member for Elizabeth spoke on this Bill with greater maturity than he has shown previously; becoming involved with local government has been an education to him. I think the Royal Commission was necessary. Whether it is because the Act has made the procedure too complicated, or whether it is because of the inertia of the people, few amalgamations have taken place in South Australia in recent years. When speaking to the Bill previously, I was a little disturbed, but I thought the Royal Commission had come up with something that was beneficial to more than half the State, although some bad points were involved. I thought there might be some opposition to the Bill if people adopted parochial attitudes. I would have voted against the Bill, because certain things in it just could not be done.

I hoped the Select Committee would correct the obvious mistake that had been made in relation to my own area, but perhaps that was expecting too much of the Select Committee in the limited time at its disposal. As a local person I am much more aware of the situation in my area. The view put forward by the councils was more pro council than pro ratepayers in some cases, but in the time available it would not have been possible for the Select Committee to correct all the anomalies. However, it will be possible now, as long as local government accepts the challenge and examines impartially what has been suggested, to put forward a logical case and to reach agreement on a fair basis. Much can be achieved in that way, but if district councils in the areas involved are purely parochial and refuse to listen to reason, local government will suffer a heavy blow.

I should like the Minister to clarify one matter for me in his reply. Minor alterations must be made, irrespective of whether or not major alterations are to be carried out in certain areas. The Royal Commissioners will go along to councils involved, and perhaps they will be told that the councils do not want change. However, small groups of ratepayers more isolated from one council than the other must have some scope to put their viewpoint, irrespective of what is wanted by the council area as a whole. If small groups want to make their own decisions we cannot have councils pushing around people who want to make a change.

I agree with the member for Elizabeth that some councils have not carried out their obligations as they should have done, and I hope that, with larger areas or adjustments to be made, councils will be in a better situation to fulfil their obligations. When I was Chairman of a council many years ago, I was made aware that, if a council depends on some other organisation for grants or hand-outs, it is not possible always to speak up and say what is right. As an example, a council could be in receipt of a grant from the Highways Fund. The department's engineer, not knowing local conditions, might want to build up a road where it was not necessary, but he could not be told that. One could not offend him. This is what I am frightened of now that the Commonwealth Government is by-passing the State Government. The Commonwealth Government does not know local conditions, and councils will not be game to tell it that what it is suggesting is completely irrational. If local government is to survive, it must be given the responsibility to spend money in its area. If a council has not done a good job, the Government can tell it that it will not get any more money if it does not become more efficient.

The member for Elizabeth referred to the question of weeds. The Weeds Act provides that, where a council does not carry out its obligations, the Minister of Agriculture can step in and see that the weeds are eradicated. Unfortunately, African daisy has been allowed to get out of hand. Having just moved into a house at Langhorne Creek, I have weeks of work ahead of me in trying to get rid of salvation jane. When I was a council member, we asked the Agriculture Department to declare salvation jane a noxious weed, but we were told that it was all right. Later, however, we were told that salvation jane should be declared a noxious weed. This sort of action breaks one's heart. More responsibility should be given to local government. If children are given no responsibility, they grow up to be no-hopers. However, if they are given responsibility, provided they do not overstep the mark, they grow up to be good citizens. Similarly, Government departments should set a good example, so that others will follow suit. The member for Elizabeth also referred to planning. I believe that our planning legislation treats councils like schoolboys. Having travelled widely, I have seen how freeways can disrupt small country towns. In many cases by-passes should be built around country towns. For example, I refer to Mount Barker.

The Hon. G. T. Virgo: Does this have anything to do with the Bill?

Mr. McANANEY: I am referring to what the member for Elizabeth said.

The Hon. G. T. Virgo: He said nothing about Mount Barker. Why don't you get back to the Bill?

Mr. McANANEY: If local government is to be effective, it must not be dependent on hand-outs. One council may be efficient, while a neighbouring council may not provide the necessary facilities for its ratepayers. The inefficient council may put a case to the Commonwealth Government, thousands of miles away, and it may be given assistance. This sort of thing will kill local government. If a council is efficient, it may not get hand-outs. I hope and trust that local government will show that it has the capacity and willingness to drop parochial attitudes. When the Royal Commission goes to an area, I hope councils will consider what is best for the area, rather than saying, "The council has existed for many years, and it therefore ought to stay." People must look at the matter from a broad viewpoint. What the Select Committee has

done will go down in history as something good. However, if councils do not carry out their responsibilities, it will be very harmful to local government in South Australia.

Mr. HARRISON (Albert Park): I support the motion and sincerely appreciate the opportunity that I had of being a Government member of the Select Committee. I congratulate the Minister of Local Government, who was the Chairman of the Select Committee, on his conduct of the 37 meetings. The committee appreciated his valuable advice. He was ably assisted by the Secretary of the Select Committee, and the wide knowledge and experience of the Secretary for Local Government (Mr. K. T. Hockridge) was readily available at all times. This assistance gave members of the committee a clear picture of all the problems that had to be faced and an idea of the questions that had to be put to the witnesses. All members conducted themselves well in the examination of the 249 witnesses, thus enabling the committee to submit to Parliament the report now being discussed. I hope sincerely that the recommendations contained therein are carried unanimously. All relevant matters have been thoroughly discussed and I will not belabour the various points any longer as, in my opinion, the sooner local government bodies are given the opportunity outlined in the report, the better for local government and for all those employed in local government, and that is important. I commend those who submitted evidence and appeared as witnesses for their interest in the problems investigated by the Select Committee.

Mr. GOLDSWORTHY (Kavel): I wish to take five minutes in which to speak to this excellent report. I believe the Select Committee's inquiries proved to the Minister what was the true feeling towards this Bill. I wish to put the Minister right regarding something he blew up into a major point when this Bill was being debated. I said that my constituents in the Barossa Valley were almost unanimously opposed to the boundaries as drawn and the Minister, during the course of the debate, read from a local newspaper report and sought to ridicule me for not being in touch with the feelings of my constituents. The Minister said:

I know it must be pathetic to the honourable member, who told us about all the people in his district who opposed the Bill. He told us about the petitions that had been signed and the views of the people. However, he forgot to tell us about one thing. I bet he is kicking himself now for forgetting it and that, when he sat down he said to himself, "Gee, I wish I had said that." What he forgot is a report in the *Barossa and Light Herald* of August 15, headed "Winemakers in favour", as follows:

The idea of one local government to do for the Barossa and in particular the wine industry areas was unanimously endorsed by wine members present at last Friday's annual general meeting of the Barossa Winemakers Association. Whenever one goes to the Barossa, the first thing one is shown by the councils is the wonderful asset of the wineries, and they are a great asset. Privately, the councils will say how the wineries really provide the lion's share of council revenue. The member for Kavel spoke about all the people who signed a petition saying that they did not want to see the Commission's recommendations adopted.

The Minister went on in his voluble fashion and chided me for not being conversant with the wishes of members of my district. Yesterday the Premier chided members on this side of the House for quoting newspaper articles because, as he pointed out, newspaper articles are often incorrect and on the occasion I have just mentioned that was true. I said, by way of interjection to put the Minister on the right track, that the Minister had not taken the trouble to be conversant with the position in the Barossa Valley. I would like to refer briefly to the

submission made by the Barossa Winemakers Association. I received a letter dated January 8, 1975, from that association, which stated:

Dear Mr. Goldsworthy,

For your information we are forwarding herewith a copy of the Barossa winemakers' submission to the Select Committee on the Local Government Act Amendment Bill (No. 5), 1974.

The Barossa Winemakers Association's submission was as follows:

The Barossa Winemakers Association requested permission for a further hearing as a result of wide publicity in papers and in Parliament to the effect that the Barossa winemakers wanted the realignment of council boundaries as proposed by the Royal Commission. The area proposed by the Royal Commission has divided the area defined by our association as the Barossa, into two parts, by omitting vineyards in the Eden Valley area and a winery and vineyards in the Springton area.

The submission continued:

We therefore respectfully submit that the Barossa Winemakers Association Incorporated DOES NOT advocate a realignment of district council boundaries.

The Hon. G. T. Virgo: They came in and saw us.

Mr. GOLDSWORTHY: I know.

The Hon. G. T. Virgo: You should read the transcript.

Mr. GOLDSWORTHY: My point is that the Minister has no answer in debate. The only statement he made was false, because he sought to ridicule me by quoting from a newspaper report, which was in one aspect misleading, and then chided me for not taking notice of the report. Today he told a colleague that he should not take notice of newspaper reports, because they were frequently incorrect.

Dr. Tonkin: Do you think he has a conscience in the matter?

Mr. GOLDSWORTHY: I do not know the state of his conscience, but I am prompted to get the record straight.

The Hon. G. T. Virgo: Tell us the views of the Chairman of the Tanunda District Council.

Mr. GOLDSWORTHY: I know his views.

The Hon. G. T. Virgo: What are they: what did he give to the committee?

Mr. GOLDSWORTHY: His views have been communicated to the Minister and to the Select Committee. The Minister is trying to side-track me, because he knows I have him pinned. He tried to ridicule me in this House with statements that were patently and demonstrably incorrect. I was well aware of the views of my constituents, including those of the Chairman of the Tanunda council and of members of the council. What I said in the second reading debate was a statement of fact, and it ill behoves the Minister to rant and rave on the most tenuous of evidence, which was completely incorrect and false. I am pleased that the Minister has been educated as a result of the hearings of the Select Committee, and I have much pleasure in supporting the report. Probably Opposition members of the committee may have had considerable influence in framing the report, which has turned out to be a very sensible one.

Mr. MATHWIN (Glenelg): I support the motion that the Bill be discharged, and congratulate members of the Select Committee on the job that has been done. We are familiar with the report, and I believe that what has come out of the committee's hearing has been worth while. If it has not educated anyone else, at least it has reminded the Minister that there are many more aspects of local government than he was aware of before the hearings of the committee began. The Minister said that the results of the original circular to councils showed that

58 per cent wanted boundaries revised, but the question that was asked of councils was so open and flexible and put in such a way that it could be called a loaded question. I was surprised that only 58 per cent supported the proposal. The Local Government Act Revision Committee was appointed in 1970, and brought down a 150-page report to Parliament with statements from 587 witnesses, but the Minister saw fit not to take any directions from that report. It was a costly report and full of common sense from people who are engaged in local government.

When the Bill was originally introduced, many members on both sides (and on this side in particular) reminded the Minister that we believed some revision was needed, particularly in country areas, and many times we reminded him (certainly I did) that we believed change was needed but not in the metropolitan area. Provisions were already contained in the Act that, with the blessing of the people in the districts, various areas could be amalgamated, and all that was needed was a stimulus and not a prod in the way the Minister had put forward his ideas. This is the second time that the Minister has had his fingers burnt with local government, and he should realise that local government is the third tier of government and is the government closest to the people. When people are upset they show it, as they have demonstrated many times. Page 8 of the second report of the Royal Commission under the heading "General Observations, (1) The Future of Local Government" contains the following comment:

a. It is important that we make our position quite clear. We believe in local government. We do not wish to see the transfer of powers to central government either by default of local government or design by central government. We do not wish to see the transfer of powers from local government to any *ad hoc* bodies specifically set up for a particular purpose. We believe that if it is strong and effective, and properly staffed, local government is the appropriate tier of government to carry out the tasks currently committed to it, and no doubt many others.

b. We believe that any further transfer of powers from local government will tend to make it a hollow shell. In our view, it is pointless to have a tier of government set up with all the outward indicia of government, and little power. And we believe, following the submissions from councils, our hearing of evidence, our visits to councils, and our reading of submissions following our first report, that there is a real and ever present danger of this happening.

Indeed, I agree with that statement regarding the erosion of powers from local government and I put the blame for it at the Government's door. I recall the case of the town planning department taking over and eroding the powers of local government. I cite the powers of the Beach Protection Board as another area in which the powers of local government are being eroded. This board was set up by the Government. The Minister said in the House recently that local government had done nothing regarding the swimming pool legislation. Perhaps that is true, but, if action had been needed in the local government area, local government would have taken it. The Government has taken away local government powers, regarding swimmers on the beach, by means of the Coast Protection Board. The Government has taken all the area right back to 300 metres of the seafront and foreshore, extending right along the metropolitan area coastline, away from local government.

The powers of local government have also been eroded by the Government in connection with child-minding centres, against the wishes of the people who petitioned and led a deputation to the Minister. It was reported at a quarterly meeting of health inspectors and public health nurses that the reason why they did not want their

powers taken from them was that these officials, who administer council by-laws, are involved in child-minding centres in many ways and, therefore, should be the logical people to supervise them. But what has happened? The Minister, in his usual fashion took no notice of them and overrode them. This is yet another local government power being taken over by the Government.

Mr. Arnold: The Government has ridden roughshod over local government.

Mr. MATHWIN: Yes. The control of weeds is also to be taken away from local government by the Government: yet another erosion of powers. When moving the motion, the Minister referred to all meetings of ratepayers that had been held as being protest meetings. He said that as far as "they" were concerned (I do not know who the "they" are) the meetings had been in the form of protest meetings and that not a fair presentation had been given on behalf of both sides. I suggest that the Minister speak to his colleague (Hon. Hugh Hudson), who was present at a so-called protest meeting at Brighton and ask him what kind of case was put forward there. If the Minister of Education cannot inform the Minister I will do it for him, because a good case was put for both sides.

Aldermen of the Brighton council were detailed to speak on behalf of the Commission and the Government, and others were detailed to speak on behalf of the council and ratepayers. A fair and honest picture was given by both sides. That meeting, attended by about 800 people, voted unanimously, to the embarrassment of the Minister and the member for Brighton, that the Commission should not proceed and that no alteration to the boundaries should take place. If the Minister thinks that a fair presentation of the case was not given by both sides I suggest that he think again and, if he cannot recall what took place at the meeting, that he confer with the Minister of Education. When moving his motion, the Minister of Local Government also said that, as far as he was concerned, "they were not carried away". I presume that he was referring to the full Select Committee as regards the weight to be given to the many petitions.

The Minister said that some people find it easier to sign a petition than not to sign it. He said that they did not always know what they were doing and that petitions could not always be taken seriously. I agree with him that this could happen in some cases, but I disagree with him entirely if he was referring to local government, because I sincerely believe that the people who signed petitions signed them knowing full well the implications involved. Likewise, the people against a redistribution of boundaries who signed petitions signed them with the full knowledge that they were objecting to the Government's high-handed manner in this matter. I will be disappointed with the Minister if he does not clarify this matter when replying because, in his remarks, he was casting a doubt on the sincerity of people who saw fit to sign petitions, and that is a shocking thing to do. The Minister overrode every criterion the Commission set down in its first report, one of which was the community of interest of the people, whether economic, social, regional or otherwise. I believe that the Minister lost sight completely of that criterion.

This matter has now reached a reasonable conclusion. It has been reported on by a Select Committee, whose report has been brought down and whose findings we are asked to endorse. In concluding, I will read from a report in the March-April, 1971, edition of *Local Government in South Australia*, which states:

Local government is often referred to as being the grass roots of democracy. It is at this level that the citizen, every citizen, can participate in communal affairs after he



has shown himself, in most cases, to be a responsible and thrifty member of his community by becoming a householder. Luckily, in Australia, this is something attainable by everybody. Instead of wanting to remove the last vestiges of direct government, State and Federal Governments should be doing their utmost to encourage and foster local government for it is at this level that the reservoir of the nation's vitality lies. The South Australian Government certainly has a mandate to govern that State, but not a mandate to systematically eradicate all sources of local initiative and independent political power.

I support the motion.

Mr. BOUNDY (Goyder): I, too, support the motion and commend the members of the Select Committee for the sensible, acceptable and workable report they have brought down for our consideration. That report endorses the theory of the majority of ratepayers in my district and, indeed, the majority of ratepayers throughout the State, as well as the views of many members of this House.

All aspects of this measure have been well canvassed, not only now but also when the matter was before the House previously. I am sure all members will agree that the Royal Commission's first report allayed any fears that we may have had that the people of this State were apathetic regarding local government matters. The Government seemed to try to wield a big stick over the community generally in relation to local government boundaries. It may have been that the sweeping changes which were recommended caused a reflex and defensive action in some (indeed, in many) cases.

The Commissioners discharged their duties thoroughly and effectively, and it may have been better, with the benefit of hindsight, for the Commissioners to have recommended fewer changes to boundaries in this State and to have spelt out guidelines for the mechanics of amalgamation. Suspicions were engendered among councils because of the uncertainties of the mechanics of amalgamation. Perhaps, if the Commissioners had recommended the correct machinery to deal with debt adjustment and the provision of services by various councils, many of the fears that people held regarding amalgamation could have been allayed.

The Minister's verbal gymnastics and his shifting of position during all the investigations have left members agast. The Minister has changed his position very many times. Happily, however, wiser judgment has prevailed, as he now supports wholeheartedly his Select Committee's recommendation that the Bill be discharged. It is pleasing to see that democracy does prevail right down to local government levels. Now, the way is open for the voluntary shifting of boundaries after a full, frank and dispassionate discussion, and with the benefit of the detailed knowledge possessed by the Royal Commissioners.

The various councils can now look at these matters again. Many councils have been willing right through to amalgamate with other councils, and the way is now open for them to proceed immediately in this respect. Still other councils can perhaps be shown to have a need to amalgamate. However, I submit that amalgamation is not the only remedy for the problem confronting us. There are other ways in which the problem can be solved. The viability of councils is important, as is the viability of district centres, and the retention of those centres is of the utmost importance to the communities they serve.

I now refer to special grants made by the Commonwealth Government under the Regional Employment Development scheme. Money has been made available to enable those concerned to do necessary work in their communities. This is good, and I do not decry money being provided for this

purpose. However, there are other smaller rural councils which do not have this opportunity or a proven pool of unemployment in relation to which they can claim extra assistance from the Commonwealth Government. Indeed, they do not have a social or community welfare need for which they have not already provided. Despite this, there is an area in which the rural councils could need direct help.

I was interested to listen to the member for Elizabeth, who seemed to be confused about the member for Gouger and me. I suggest that, as a tourist, he should at the earliest opportunity visit my district and that of the member for Gouger to see what wonderful facilities local government and the Government have already provided for tourists, and the special needs that those districts have. I cite as an example the Warooka District Council, which has a special problem. Although its tourist potential is undoubted, the main means at its disposal in this respect are tourist development grants made by the Government on a \$1 for \$1 basis. The ratepayers are not able to provide their share, and there is a need for this kind of grant to be made so that a council's viability can benefit the community as a whole in relation to the tourist potential. Therefore, amalgamation is not the only remedy.

I am sure the Royal Commissioners will look further into this matter and see that the viability of some of these councils is enhanced in this way. There are many other smaller councils to which I could refer but which have already been canvassed in the debate. There is, therefore, little need for me to ventilate their position any further. I have much pleasure in supporting the motion.

Mr. VENNING (Rocky River): I should like to add a word of commendation to the Select Committee. It has been an education to members to see, during the whole period that evidence has been taken throughout the State, the men of a high calibre who have been successful in their own right and who have given evidence representing local government. They have come to Adelaide to give evidence in support of their thinking. These people have been of much assistance to the members of the Select Committee, who derived much benefit from listening to them promoting their lines of thought in relation to council boundaries. These men have had a busy time, and I hope that, because they were involved to the extent that they were involved, no council representatives neglected their duties in their districts to the extent of placing their positions in jeopardy at the next election. I refer particularly, in this respect, to my Labor colleagues. Members of my own political complexion would win their seats at an election, whatever happened in this regard.

As I see it, the situation is developing away from the point of view of local government; I have thought this throughout. True, with the development of the Highways Department, as we have seen it over a period of years, we have removed from local government an area of activity that would have made most councils throughout the State viable in their own right. However, I do not believe that we can afford in any rural areas in this State to have a corporation and a council operating in the same area. I believe it would be an excellent move to do away with corporations and have only councils operating in such areas. That is the one improvement that could be suggested in local government activities.

The situation at present is that the Government will not proceed with this Bill. The Select Committee recommends that the Royal Commission should continue so as to assist local government voluntarily to do certain things. I am a little concerned that what appears to be the position may

not be the entire position, for I know what has been behind the thinking of this Government and the Commonwealth Government. It is a little bit like a bush fire; one may think one has it under control but, before one knows it, it has flared up and is burning again. Other action may now be taken, not necessarily by this Parliament, in this field, with the allocation of finance being used, along with other methods, to force councils in certain areas to amalgamate to an extent that the people handing out the money think is acceptable.

With this Government, we go from one crisis to another. We have survived the present crisis in this respect, with development now taking place as people desire. Local government, which is the third tier of government, significantly affects decentralisation and should be encouraged. Regardless of amalgamation, I point out that highway and road work activity has been taken away from local government throughout the State. As I have said before, the nucleus of the operations of councils was built up in a way that it is difficult now for councils to operate as viable units, in view of their limited amount of work. I have attended many council conferences, and time and time again councils have asked that they be permitted to have the work of maintaining the roads after the roads have been sealed. However, these requests have had no effect. This work is done by the Highways Department, with local government work being considerably curtailed. Unfortunately, in some areas it has been proved that councils can do much of this road work and sealing at a far cheaper rate than the Highways Department has been able to manage. This point is most significant.

It is detrimental to local government and to decentralisation that this situation has been allowed to develop, so that we are now trying to amalgamate councils into larger areas. This is like the story of the primary producer who is told to get big or get out. We do not want this situation to develop in our local government areas. The present situation is that the Royal Commission will assist councils, with legislation being introduced to make it simpler for councils to bring about what the present Government desires. I shall be interested to see how the situation throughout the State develops. I commend the Select Committee for its work for the ratepayers of South Australia and for the way it went about its duties. In doing the work for this Parliament, members of the committee have had an education in local government affairs. I commend them for their work and for their report.

Dr. TONKIN (Bragg): I shall be brief. I did not intend to enter this debate, until I was stimulated by what the member for Elizabeth said. I entirely support the action being taken in this case; I cannot think of any better fate for this Bill than that it be read and discharged. The outcome is a vindication of the many points of view expressed not only by members on this side but also by members of councils and the general community. In many instances, their fears and concern have proved to be well founded. What has happened conclusively demonstrates the value of appointing a Select Committee. Despite the vacillations of the Minister in deciding one thing one day and another thing the next day, the Select Committee has been able to get to the true state of affairs. I am entirely satisfied with its report. However, I was disturbed to hear the member for Elizabeth explain carefully, in a rather (I think, unconsciously) paternalistic tone, that one of the major items of value to come out of the Select Committee was the education that it could give to people concerned with local government.

Mr. Duncan: No, it's the other way around; I was talking about the education of the members of the Select Committee.

Dr. TONKIN: I sincerely hope that that was the major flow of ideas, although I am sure it was a two-way flow. I am concerned that, despite the committee's finding, the inference that can be drawn is that the matter will be presented again at some time in another form, and that hopefully at this time members of local government will know what is good for them. However, I accept the assurance of the honourable member that I am wrong; I sincerely hope I am.

Mr. Keneally: Of course you're wrong; you're the only one in the Chamber who thought that.

Dr. TONKIN: Nevertheless, members on this side have gained the decided impression that the Government will once again introduce legislation that it considers is best for people, without asking them whether that is what they want. I believe local government is the best body to determine what is best for local government and the people involved in it. I believe the Government's role should be not to interfere with but rather to help in its administration. I support the motion.

Mr. GUNN (Eyre): I, too, was interested to hear the remarks of the member for Elizabeth, who told the House he had received an education in local government. Many of us were aware, following his speech on this matter on another occasion, that he had a limited knowledge of the affairs of local government. At least he has been honest and has given proof of something that members on this side already knew.

*Members interjecting:*

Mr. GUNN: For the benefit of the honourable member, I point out that I have had experience in local government, but I doubt that he has. However, I will not pursue that line, because Government members have been quite irresponsible with their interjections. I am pleased that the Select Committee has come up with the report tabled by the Minister. If one recalls the antics of the Minister since the first report of the Royal Commission was made public, one knows that he said it was going to become law no matter what anyone thought.

Mr. Venning: He got the message, though.

Mr. GUNN: We saw some discontent in a certain Minister's district.

Dr. Tonkin: In the Premier's district.

Mr. GUNN: No, that of the Minister of Education. As a result, out of sheer electoral fear, Cabinet altered the boundaries.

Dr. Eastick: Do you think they manipulated things?

Mr. GUNN: Yes. Then the matter was referred to a Select Committee. We all recall the Minister's standing in the House and abusing people for the attitudes they had adopted. In the interests of local government, I believe there has to be some amalgamation of councils in South Australia and that members must look at these proposals for the overall benefit of the State and, in some cases, they must put their parochial interests aside. If we do not consider the overall benefits to the State, local government will suffer. I believe local government has a large role to play in the affairs of this State.

One of the greatest inhibiting factors limiting the role of councils is lack of finance. In many areas councils have relied on debit order work programmes to maintain their

staffs throughout the year. Because of the irresponsible action of the Commonwealth Government in cutting back funds that were usually made available to councils, many of them are now facing serious financial problems. If the Minister of Local Government and his Government want to assist local government they should make available to councils through a State grants commission a fair proportion of the petrol franchise tax money that is being collected. Further, I believe that the time has come for the Commonwealth Government to make available to the States a percentage of its personal income tax revenue so that the State grants commission I have suggested can allocate those funds to local government.

If these two suggestions were put into effect local government would be enhanced, improved and strengthened. Many people in the community fear for the future of local government in South Australia. With those few remarks,

I support the motion and look forward to the next occasion when the Royal Commission reports to the Minister in relation to the other matters he has requested it to investigate.

Motion carried; Bill discharged.

#### **SUBORDINATE LEGISLATION COMMITTEE**

The Legislative Council intimated that it had concurred in the request of the House of Assembly that Joint Standing Order 20 be suspended to enable the House of Assembly to appoint, for the remainder of the session, two additional members to the Joint Committee on Subordinate Legislation.

#### **ADJOURNMENT**

At 4.55 p.m. the House adjourned until Tuesday, February 25, at 2 p.m.