HOUSE OF ASSEMBLY

Thursday, October 30, 1975

The SPEAKER (Hon. E. Connelly) took the Chair at 2 p.m. and read prayers.

CIGARETTES (LABELLING) ACT AMENDMENT BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

LONG SERVICE LEAVE (CASUAL EMPLOYMENT) BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

FURTHER EDUCATION BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

TEACHER HOUSING AUTHORITY ACT AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PUBLIC FINANCE (SPECIAL PROVISIONS) BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

SOUTH AUSTRALIAN MUSEUM BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PETITION: SUCCESSION DUTIES

Mrs. BYRNE presented a petition signed by 506 residents of South Australia praying that the House support the abolition of succession duties on that part of an estate passing to a surviving spouse.

Petition received.

PETITION: DAYLIGHT SAVING

Mr. NANKIVELL presented a petition signed by 80 residents of Sherlock and Peake districts praying that the House urge the Government not to reintroduce daylight saving in South Australia until the Government has a mandate by referendum.

Petition received.

OMBUDSMAN'S REPORT

The SPEAKER laid on the table the report of the Ombudsman for 1974-75.

QUESTIONS

The SPEAKER: I direct that the following written answer to a question be distributed and printed in *Hansard.*

VEHICLE WEIGHTS

In reply to Mr. BLACKER (October 15).

The Hon. G. T. VIRGO: Mr. Duncan, Chairman of the Committee on Load Ratings, is willing to visit Port Lincoln on Tuesday, November 11, 1975, and to stay as long as necessary. He could not undertake to inspect vehicles, but would be available to interview owners at the Port Lincoln Branch of the Motor Registration Division. Mr. Duncan considers that such discussions will solve most problems. My office will advertise the visit. Those wishing to consult Mr. Duncan should contact Mr. B. Williams, Manager of the Port Lincoln Branch of the Motor Registration Division, who will make the appointments.

ATTORNEY-GENERAL

Dr. TONKIN: Has the Attorney-General, the Government of South Australia, or any Government officer, threatened to take legal action against the Australian Broadcasting Commission or any journalist in respect of the interview conducted with the Attorney-General in New South Wales on Saturday last, or in relation to the news item that stated in part:

He (Mr. Duncan) had told the South Australian Parliament at the time of debate on the Homosexual Law Reform Act that he would abhor homosexuals going into schools. He had said this to ensure passage of the bill through Parliament.

So far, the A.B.C. has refused to release the record of the interview. I have written to the General Manager of the A.B.C. (Mr. Duckmanton), stressing that the A.B.C. should release the full transcript of the interview in the public interest. The Attorney should take action himself to bring this about, in the public interest, and also should give a direct reply to the question put to him by the member for Mount Gambier yesterday, when he asked whether the Attorney-General believed that the original A.B.C. news report on Saturday was a fair and accurate report and, if it was not, what were the specific errors in the question the Attorney skirted around in his reply. If the Attorney believes that the A.B.C. report of his comments are fair and accurate, but is taking no action to get a transcript of the interview and is stopping the release of the transcript by threat of legal action, there must be something in it he wants to hide. If the report is not fair and just, what has he got to lose by obtaining it?

The Hon. PETER DUNCAN: The Leader's suggestion that the South Australian Government or I have threatened legal action against anyone over this matter is pure fantasy, and the reply is "No".

Mr. GOLDSWORTHY: Did the Attorney-General, or did he not, say or imply at the meeting of the Council for Civil Liberties in Sydney on Saturday, or in the subsequent A.B.C. interview, that he told the South Australian Parliament at the time of the debate on the Criminal Law (Sexual Offences) Bill that he would abhor homosexuals going into schools, in order to ensure the passage of the Bill through Parliament?

The Hon. PETER DUNCAN: I have already answered that question; the answer is "No".

Mr. EVANS: Has the Premier, the Attorney-General, or any other Government member, or member of the Premier's or Attorney-General's staff, seen the full transcript of the A.B.C. interview with Mr. Duncan in Sydney last Saturday, or any part of the transcript, or had any section of it relayed to him in any way, either in full or in part, or had a precis given to him in any way, and if he has, by whom was it given? On Tuesday, when the matter of Mr. Duncan's statement was first raised in the House, during part of the debate on the motion of no confidence moved by the Leader of the Opposition the Vice-Chairman of the A.B.C., Dr. Earle Hackett, was seen within the precincts of Parliament House. Because

of that I ask the Premier whether he or any member of his Party has had any contact made with him in relation to this subject.

The Hon. D. A. DUNSTAN: The honourable member is referring to what he says is a transcript of an interview with the Attorney-General. I had understood the Opposition at times was referring to a transcript of a tape of the Attorney-General's speech in answer to questions in Sydney. I can only say to the honourable member that I am not aware personally of any transcript of anything by the A.B.C. in relation to the Attorney-General's appearance at the Civil Liberties Council meeting in Sydney.

Dr. Tonkin: Or after it?

The Hon. D. A. DUNSTAN: Or after it. I am not aware of it. If the Attorney-General has seen any part of it, I am not aware of that fact. I am not aware that any Government officer or any member of the Government Party knows anything about it, so that is the extent of my personal knowledge of the matter. As far as I am aware, nobody has seen a transcript, nor does anybody even know if such a thing exists. As to the presence of Dr. Earle Hackett in this House earlier this week, he is the Chairman of Murray Park Teachers College and came to see the Minister of Education.

Mr. GUNN: Did the Attorney-General at any time contact the A.B.C. following the news report last Saturday relating to his comments in New South Wales, and, if he did, what was his reason?

The Hon. PETER DUNCAN: I am delighted this withering fire from the Opposition is continuing at such a rapid pace that it is withering. The answer in one word is "No". That certainly does not require any reason.

Mr. NANKIVELL: In view of the reply that the Attorney-General gave a moment ago to the Deputy Leader, is he now stating that the A.B.C. news report was incorrect?

The SPEAKER: Order! I must rule that that question has been asked before, and if a question has been asked before—

Dr. TONKIN: I rise on a point of order, Mr. Speaker. I think you will find that the question has been quite definitely referred to, and is dependent on a question and answer in this House just a few questions ago today. Therefore, I submit it has not been asked before.

The SPEAKER: So that I may consider the matter further, may I ask the honourable member for Mallee to ask the question again?

Mr. NANKIVELL: I would like to ask the Attorney-General whether, in view of his reply to the Deputy Leader, he is now stating that the A.B.C. news report was incorrect.

The SPEAKER: I must say that it is similar in substance. I point out that if this practice continues, I shall have to put a stop to it, but I will allow the question.

The Hon. PETER DUNCAN: As you are allowing it, I will again reply to this question but it does seem that the repetition that is entering the questions being asked on this matter by the Opposition is becoming rather tiresome, to say the least. The answer I gave yesterday and the answer I give again today is that the A.B.C. report of my comments in Sydney was not a true representation of my comments.

Mr. MILLHOUSE: Can the Minister of Education say whether the Government now intends either to amend the Education Act or a regulation to prevent homosexuals from going into schools to speak, or to look for converts? My question obviously arises out of the continuing controversy over the Attorney-General's remarks or, shall I say, non-remarks, last weekend but, whatever the facts of that may be, undoubtedly there has been a revival of interest in this matter in the community as a result of what has been published and a strong revulsion against any suggestion that homosexuals should be allowed into schools for these purposes. The Minister will recall that, when I spoke on the no-confidence motion last Tuesday, I said that the Liberal Movement would introduce such amendments to the Education Act if the Government did not. It was made clear by those Government members who defended the Attorney-General that the Government's policy was against allowing homosexuals into schools, and the Minister earlier on (I think at the weekend) in a statement repudiating the reported statements of the Attorney-General said as much. Obviously, the L.M. does not want to have to go to the trouble of preparing amendments if the Government is going to do what is now definitely and urgently required: to put into some legislative form its own avowed policy. I therefore ask the question in view of the controversy that has been stirred up in the past few days.

The Hon. D. J. HOPGOOD: When the Criminal Law (Sexual Offences) Amendment Bill was going through the Upper House I was approached by one of my colleagues in that place and asked whether that colleague could say on my behalf to the Upper House that I would explore the possibility of a suitable amendment to the departmental regulations that would have the effect the honourable member has canvassed. I gave that assurance but, whether that was passed on to the other place, I do not know, and I have not checked the record to see exactly what was said. However, to discharge the obligation that I then undertook, I and my officers have been examining the regulations to see what amendment would be suitable. I have not yet had an opportunity to make an appropriate recommendation to the Government, nor am I wiling now to give an undertaking to the honourable member as to the time table, except to say that I will be making that recommendation fairly soon.

Dr. TONKIN: Can the Attorney-General, in view of his denial this afternoon that he contacted the A.B.C. following the news story which is the subject of the present controversy, say whether his press secretary or any other person approached the A.B.C. on his behalf, or whether the A.B.C. contacted the Attorney-General, or his press secretary, or any other member of his staff to ask for a statement following the original news story? On Sunday Last a further news item was broadcast by the A.B.C. saying that the Attorney General denied that he had misled Parliament. These news items were broadcast at 6.41 p.m. and 10.36 p.m. This fact seems totally irreconcilable with the Attorney-General's earlier statement, and his statement this afternoon, that he was misrepresented by the A.B.C., with his statement yesterday that he had not reflected on the A.B.C.

The Hon. PETER DUNCAN: I said earlier this afternoon that I and the Government had not contacted the A.B.C. concerning this matter. I understand that the A.B.C. contacted my press secretary seeking a denial. I did not in any way mislead the House this afternoon on that: the question I was asked was whether I or this Government had contacted the A.B.C., and that is the position. On Sunday (I do not know the time because I was not contacted personally) a reporter from the A.B.C. contacted my press secretary and asked for a comment, and the statement that is now well known to the Leader was given to the A.B.C. by my press secretary.

OFF-ROAD VEHICLES

Mr. KENEALLY: Can the Minister for the Environment outline the Government's policy on the use of off-road vehicles such as trail bikes, dune buggies, four-wheel drive vehicles, and other vehicles? Within the past few weeks, the Port Augusta council has discussed this problem, and it believes that councils should be empowered to declare certain areas to be prohibited for the use of off-road vehicles. The Port Augusta and Flinders Range area is part of the fragile ecological system that could easily be destroyed by the uncontrolled abuse of off-road vehicles. Because the use of off-road vehicles is now a major recreational activity, the community must come to terms with this matter. There are two kinds of bikie: one rides around on roads and smashes bottles and people; the other is normally a responsible citizen who spends much time off sealed roads, consequently causing damage that is not so readily apparent. So that the environment and this healthy recreational activity can both be protected, I seek to know the Government's policy.

The Hon. D. W. SIMMONS: The member for Stuart has raised a matter of some concern. In fact, I have a letter in the course of preparation to the member for Heysen, I believe, on the same topic, so he, too, no doubt, will be interested to hear what I have to say. I believe that a detailed 40-page report on this matter has been prepared by my department. It is an illustrated report, and I believe that it will soon be available from the Government Printer. It will then, of course, be circulated to other departments concerned for their comment and report on the proposed legislation, and it will also be made public. To date, I have not had the opportunity to read this report because, as I say, it is with the printer at the moment, but I have read a short summary of it, and I think one sentence from that summary sets out my department's attitude to this matter. The summary states:

> Either the use of the vehicles should be strictly controlled so that their impact is reduced to an acceptable level, and the costs of the sport be internalised in such a way that the off-road vehicle enthusiast rather than the general community pays for this activity, or else the vehicles should be banned.

I may say that in the early stages of the preparation of the report the motor cycle clubs were fully consulted in this matter, and the report does allow fully for the fact that this is a popular and a worthwhile recreational activity. On the other hand, there is a real threat to community peace and the amenity involved when these people make indiscriminate use of public lands in order to engage in this sport. The Victorians, I believe, have introduced legislation recently on this matter, but there are doubts as to whether it is very effective. The Commonwealth Parliament has also set up an inquiry. We, of course, are past that stage; we have already had an inquiry into the matter, and we are now ready for the public debate which I am sure will follow the issue of this report.

The department, I think, gives the warning that it cannot be sure that the measures outlined in the report will deal adequately with the matter, but we are willing to give it a 12-month trial and, if necessary, introduce sterner measures. Part of the answer (and I know it is the answer that my predecessor has put forward) is to provide areas where there will be no environmental damage and where people can take part in this activity without harm to the public. However, these areas are not easy to find. Probably the greatest concentration of road and off-road vehicles is in the metropolitan area, and most of the surrounding countryside is of a rather fragile environmental nature, such as areas in the honourable member's district and also the Coorong. So, it is not easy to find these areas where people can engage in this sport without causing trouble.

As I said before, there is a very real limit on the inroads we can allow these people to make on the countryside. I think the member for Stuart would be doing a great service (this would apply also to any other member) if he could suggest areas in his district where this sport could take place. If any member can name such areas, we shall be glad to have a look at those areas to see what we can do about making them available for this purpose. So, I appeal to members to name areas such as this, and we will look at them. In the meantime, I hope that the people concerned will await the printing of the report and take a constructive part in the debate likely to ensue.

AIRCRAFT POLLUTION

The Hon. G. R. BROOMHILL: Can the Minister of Community Welfare, representing the Minister of Health, say whether any report has been made available on recent complaints made by constituents of mine in relation to emissions from aircraft at Adelaide Airport? In recent months, several complaints have been made by people who have suggested that their washing has been damaged by fall-out from aircraft, and there has been a constant series of complaints from people that emissions from aircraft at the Adelaide Airport are likely to constitute a health hazard. Will the Minister ask his colleague what information he is able to provide on this matter?

The Hon. R. G. PAYNE: I shall be delighted to comply with that request.

CHRYSLER RETRENCHMENTS

Mr. WOTTON: My question to the Premier is in relation to the financial policies of the State. Will he confirm reports that the recent retrenchment of 230 staff at Chrysler Australia Limited was a consequence of Government action in taking the Government contract away from Chrysler and giving it to General Motors-Holden's? Is it a fact that the company's decision was accelerated because of the Government's decision to reverse its former policy of purchasing Dodge and Valiant vehicles from Chrysler?

The Hon. D. A. DUNSTAN: I cannot confirm any reasons in terms of Chrysler as to the management of its plant. If the honourable member's contention were correct, the Government would have to accept responsibility for a reduction in employment at Holdens when we gave a contract to Chrysler for fleets. Is the honourable member suggesting that what the Government should do is to award contracts on a basis other than is allowed by the Auditor-General in order to solve the internal economies of specific companies as against others in this State? What is he contending?

Mr. Chapman: He wants to know whether as a result of your taking away the contract they sacked the men.

The Hon. D. A. DUNSTAN: I am not accepting any such responsibility. If the honourable member wants to put that forward and suggest that we should adopt a different tendering policy from that which has been adopted by every previous Government in South Australia, including Liberal Governments, perhaps he will get up and say what it. ought to be.

BACON CURING

Mr. WHITTEN: Will the Minister of Community Welfare ask the Minister of Health to obtain a report on whether or not there may be a risk to community health because of the methods adopted in South Australia in the

curing of bacon? Several oversea reports and a local radio report have stated that additives used in the curing of bacon contained an ingredient that might cause cancer. Certain medical authorities have claimed that this ingredient, if mixed with other elements, could cause cancer. It was suggested that coffee was one of the ingredients that could cause cancer if mixed with this additive.

The Hon. R. G. PAYNE: As the matter raised by the honourable member is certainly serious, I will try to obtain the report he requires.

HUNDRED-DOLLAR NOTE

Mr. BLACKER: Will the Premier consult his Federal colleague, the Treasurer of the Australian Government, with regard to opposing the printing of the $100 note? I raise this matter on behalf of the many small businesses that deal in relatively small transactions, namely, delicatessens, service stations, and grocery stores. These businesses usually engage in transactions of about $10. This week, a service station owner contacted me expressing concern about this matter for two specific reasons: first, because of the excessive amount of change that it would be necessary to keep (and there would therefore be a greater security risk in keeping this money on business premises) and, secondly, when a business proprietor was unable to change such a large note, he would be obligated to provide credit and this, in itself, would increase the cost to the small business proprietor as well as increasing the likelihood of bad debts. As the use of the $50 note has already proved these points, it is expected that the $100 note will further aggravate the situation.

The Hon. D. A. DUNSTAN: I do not know of any difficulties associated with the $50 note. However, I will ask my officers to investigate the matter raised by the honourable member.

UNIFORM REGIONAL BOUNDARIES

Mr. RUSSACK: Will the Premier say whether the Committee on Uniform Regional Boundaries has yet reached conclusive findings on the matters that it was appointed to investigate and, if it has, will the recommendations be released? If they are to be released, when will this happen? On August 19, in reply to a question asked by the member for Hanson, the Premier said that two committees had been appointed: the Grants Commission regions working party, and the Committee on Uniform Regional Boundaries. According to local government representatives who have spoken to me, the functions of those two committees are apparently overlapping. Rumours are afloat that local government has heard that the present regions could be changed. Many councils that are pleased with their present regions are concerned that this may happen. I therefore ask the Premier whether it is likely that the present regions will be changed. Councils are also concerned that, according to the answer given by the Premier on August 19. no local government representatives have been appointed to either of these committees. As local government is directly involved in this matter, its representatives consider that it has been overlooked. Although the members of the committee are experts in their fields (that is not denied), a special interest in local government is involved. As local government has no representatives on the committee, it seems that it has been ignored.

The Hon. D. A. DUNSTAN: This question was fully answered yesterday by the Minister of Local Government. I suggest that the honourable member read *Hansard.*

KINDERGARTEN FEES

Mrs. BYRNE: Will the Minister of Education report to the House on the plans of the Government and the Education Department to implement part of the Australian Labor Party policy as announced at the last election in respect of the elimination of all fees in kindergartens affiliated with the Kindergarten Union? The A.L.P. policy speech delivered by the Premier before the last election, under the heading "Education", states, among other things:

> The Government record in education is the best in Australia. South Australia leads all States in pre-school education provisions. We will now eliminate all fees in kindergartens affiliated with the Kindergarten Union, and proceed with the development of a universal pre-school system for four-year-olds by the end of the decade.

The Hon. D. J. HOPGOOD: As the House would realise, it is the intention of the Australian Government, through the Pre-schools Commission, in the new year to fund kindergartens up to 75 per cent of their total recurrent costs. Members may recall an exchange recently between the member for Glenelg and me in the House regarding the concept of integration in relation to pre-school centres. The point is that 75 per cent of the money will come from Commonwealth sources. Sufficient money was appropriated in this year's Budget to enable this Government to make up the difference between that and the total recurrent costs of kindergartens. I reiterate that we are referring to kindergartens that are affiliated with the Kindergarten Union. If a pre-school centre that is not affiliated with the Kindergarten Union wishes to take advantage of the elimination of fees, it should get in touch with the union as quickly as possible. If the honourable member or any other member wishes more specific and detailed information about the implementation of this policy, I can certainly obtain it for them at the appropriate time. However, I do not think I should detain the House at this stage other than to say when it is intended that will be done: that is, from the beginning of next calendar year.

PETROL DISCOUNTING

Mr. ALLEN: My question is supplementary to that asked by the member for Price yesterday regarding petrol discounting. Is the Minister of Prices and Consumer Affairs aware that most country motorists are being discriminated against by petrol companies in relation to discounts on petrol prices? The Minister will know that discounting has been going on in the metropolitan area for some time, yet in the country one sees few cases in which discounting is carried out. In fact, I have seen only one instance of its being carried out in the country: this happened on Quorn Show day. A few years ago, it was at times possible to obtain a discount in the country when buying in bulk, but this has not been practised recently. It seems that country motorists are being asked to make up for the losses that are incurred in this respect in the metropolitan area.

The Hon. PETER DUNCAN: I cannot comment on the last part of the honourable member's question. However, I do not know that any subsidising is occurring. Certainly, this matter is being investigated. I will refer the honourable member's question to the Commissioner for Prices and Consumer Affairs so that the matter he has raised can also be examined.

WAITPINGA PROPERTY

Mr. CHAPMAN: Will the Minister for the Environment determine whether the Government intends to acquire sections 51 and 67, and part section 69, hundred of Waitpinga, and, if it does, when? If it does not, what

compensation will be paid to the owners resulting from the deteriorated income caused by the long-term delay and apparent breakdown in departmental negotiations? The property described is currently owned by Trevor Charles Maul, of Tapanappa, via Yankalilla. I am told that this man and his family have been financially embarrassed by a long drawn-out delay, following the Government's stated intention of acquisition. My constituent claims that he has been grossly misled by senior Government officers, both verbally and in correspondence. Although the correspondence regarding the negotiations between my constituent and the department is extensive, I am willing to provide the details of it to the Minister if it will hasten his inquiries and reply to my question.

The Hon. D. W. SIMMONS: I believe that the Government has been negotiating for the purchase of this property for the purposes of my department, and that funds are available. However, the Government can proceed only on the basis of the Land Board's valuation and, if negotiations break down, the matter will presumably have to be determined by the court, which will, no doubt, award proper compensation. I am surprised to hear the honourable member allege that senior Government officers have misled his constituent. If the honourable member will give me details of this alleged occurrence, I will investigate the matter.

MILLICENT SCHOOL CROSSING

Mr. VANDEPEER: Will the Minister of Transport take action to have a school pedestrian crossing installed in Williams Road, near North Terrace, Millicent, as the question of the safety of children crossing the road at this point is causing considerable anxiety? The Williams Road crossing has caused considerable anxiety for some time, and much effort by parents to have a crossing installed has been of no avail. I now have 70 papers that have been signed by parents of children who cross this road. These parents have been agitating for the crossing and, to explain their agitation, I should like to read what is contained in the papers to which I have referred. One of the papers is as follows:

I wish to protest at the delay in providing crossing lights for the children at Millicent North Primary School. I feel that lights on Williams Road are most necessary as my child/children must cross this road which has become a by-pass road for all heavy vehicles passing through Millicent. These lights were requested many years ago and it seems that an accident must occur before authorities will move to install them. I urge you to use your influence to have this installation proceeded with as early as possible; 170 primary school children need this protection now.

The letter is signed by the parents. I also have information that the Australian Government has made money available for these lights. Because I know that there is anxiety among the parents and that money is apparently available, I ask the Minister whether he will take any action.

The Hon. G. T. VIRGO: I hope I am not speaking about the wrong crossing, but from memory I think this is the crossing about which the Deputy Premier spoke to me some time ago. I believe I have already told the council concerned about the programming in relation to these lights. As that is my understanding of the situation, what the honourable member has raised is a little old hat.

Mr. Vandepeer: You must have supplied information fairly recently.

The Hon. G. T. VIRGO: I am giving out information all the time. I do not carry such exact information around in my head, but I know some recent information was given as the result of a request from Millicent council.

Mr. Gunn: You wouldn't—

The SPEAKER: Order!

The Hon. G. T. VIRGO: This matter has nothing to do with the member for Eyre, so perhaps he would help the House by shutting up for a while. I am sorry that the member for Millicent cannot hear my reply over the din his colleague is making. I will check what I have just said and, if what I have said from memory is incorrect, I will let the honourable member know.

SCHOOL BUILDING PROGRAMME

Mr. COUMBE: Does the Minister of Education recall that, shortly after the recent Commonwealth Budget was introduced, as it contained a severe cut-back in funds available for school building capital programmes the Minister announced that he would undertake a complete revision of the forward school building programme. In view of his statement, and a statement made by the Minister of Works last week, on this subject, I ask the Minister whether he can say what decisions have been made by him, his department and the Minister of Works about this matter, and whether he can reply to specific requests that have been made by me and my colleagues about specific school building problems. If he cannot, when will he be able to do so? I can assure the Minister that not only members but also school councils and other interested parties are interested in this matter.

The Hon. D. J. HOPGOOD: The replies are *(a)* "No", and *(b)* within about two weeks.

PATIENT REHABILITATION

Mr. RODDA: Will the Minister of Community Welfare, representing the Minister of Health, ascertain why rehabilitation beds at the Royal Adelaide Hospital and its annexes are classified as nursing home beds and not hospital beds and are therefore not covered by Medibank when rehabilitation beds at the Queen Elizabeth Hospital and the Daw Park Repatriation Hospital are so classified? Patients at the R.A.H. who have had the misfortune to have suffered an illness requiring weeks and sometimes months of nursing and rehabilitation to enable them to re-enter society are faced with heavy expenses over and above the benefits provided by private hospital benefit funds. This is an anomalous situation when compared to the position of a person who may have been involved in an accident when using a stolen car. I understand that a person involved in that type of accident would receive Medibank benefits. A young man from the South-East suffered an aneurysm and is classified as being in a nursing bed. He, like many other people, is greatly disadvantaged by this situation, and I consider that the matter should be investigated and rectified.

The Hon. R. G. PAYNE: The matter raised by the honourable member reminds me of suggestions I have seen in the press that problems with beds might well be sheeted home to the honourable member's colleagues in Canberra, because they opposed Labor Party policy of paying for Medibank by imposing a percentage levy. The matter raised by the honourable member was rather detailed, so I will ask my colleague to examine it, and I will bring down a report.

MONARTO

Mr. WARDLE: Can the Minister for Planning say what is to be the subject matter of the next segment of film about Monarto? During the week before last the Minister visited Murray Bridge to attend the premiere screening at Murray Bridge of the first section of film dealing with Monarto. The audience, and rightly so, consisted mostly of people who had lived on the designated site of Monarto. It was a pity that the Minister

could not stay after the film, because some of the comments that followed its screening would be valuable for the future. Many of the remarks expressed keen disappointment about the nature of the film; many people believing that, although it depicted the early life of the community, it did not depict any of the current community life except a self-propelled header and tractor and baler. Many people who saw the film believed that South Australians would think that the area was a hick area and that it was time it was used for something else rather than being left lying idle, as appeared from the film. I will quote briefly from a letter which was written by a 14-year-old girl and which appeared this week in the local newspaper, as follows:

As a fourth generation ex-Monarto resident, I'm writing to comment on the film produced by the Monarto Development Commission. Through the eyes of this 14-year-old, it seems a pity they did not continue the theme from the way my grandfather knew Monarto, to the way I knew it at the time of leaving. It seems to me, that the commission does not want people to know that Monarto was a thriving community just last year, but that they have discovered a small historic town in the middle of nowhere. People who have shifted want to be able to remember their homes as they were, not as tumbled-down old buildings, as the film infers.

I therefore believe that it is terribly important that any future films relating to the designated site of Monarto should show modern houses and the way of life of the people of Monarto in the 1970's.

The Hon. HUGH HUDSON: I will certainly check the programme. I believe that the people who have expressed an opinion in the manner referred to are probably being unduly sensitive.

Mr. Wardle: You couldn't blame them.

The Hon. HUGH HUDSON: My own view was that the film was highly sensitive and sympathetic. True, the film contained more segments depicting old buildings than it did modern buildings that might exist on the site but, in any film of that kind, that is what will occur, because old buildings will ultimately be of historic interest, even though they may not be of the same interest to people who recently lived in the area. I do not believe that the impression given by the film was that the land was lying idle. It was clearly stated in the film that the area was mainly a grain-growing area and was suitable for that purpose. In some of the film that was shown, that was made quite explicit by the showing of machinery that was in use in the baling of hay. I suspect that some people's reactions may well have been caused because they are still sensitive about the departure from Monarto. I do not blame them for that for one moment. I will certainly ask the Commissioner what the next step is proposed to be and whether or not the kind of request that has been made can be acceded to.

SOLO PETROL

Mr. BECKER: Can the Premier say whether the Australian Council of Trade Unions has approached the Government to establish service stations to sell Solo petrol at discounted prices in South Australia? Bearing in mind the Government's policy of rationalisation of service stations in this State, I contacted a service station proprietor this morning to ascertain what was actually happening in the price discounting war, and he informed me that he believed that the current discount war by various companies was simply to boost sales. However, another service station proprietor suggested to me that the oil companies were embarking on a campaign of discounting, hoping the Government would act to prevent this practice and, in the long term, keep Solo out of South Australia. I therefore ask whether any discussions have been held with the A.C.T.U. on this matter and whether the oil companies have been concerned.

The Hon. D. A. DUNSTAN: There has been no approach to the Government by the A.C.T.U. on this matter. The situation is that the Minister of Labour and Industry has, pursuant to the provisions of the Motor Fuel Distribution Act, 1973-1974, requested the Motor Fuel Licensing Board to do the following:

1. Examine any arrangements which relate to the supply of motor fuel to premises which are the subject of a licence issued pursuant to the Act for the purpose of the sale by retail of such motor fuel from such premises, for the purpose of determining whether such arrangements:

(a) are or are not likely to be not in the economic interests of the sellers by retail from such premises;

(b) should be uniform as between any supplier of motor fuel and the sellers by retail from such premises supplied with motor fuel by that supplier;

(c) are or are likely to be not in the public interest;

(d) should, in the opinion of the board, be declared to be undesirable arrangements pursuant to section 50 of the said Act, and, if so, what regulations (if any) should be made with respect thereto; and

(e) whether any such arrangements or class of arrangements should be approved pursuant to section 52 of the said Act and, if so, whether and what conditions should be applied to such approval.

2. Report to him accordingly.

COUNCIL WORKS

Mr. LANGLEY: Can the Premier say when the $2 000 000, which it was recently announced will be made available, will be available for the benefit of about 1 600 persons over the Christmas and post-Christmas period? In the Unley District, it seems that soon non-permanent employees of the local council will have to be put off because money from the Australian Government will be drying up. Such help has been appreciated, and many improvements have been made in the district. I ask the question, as I feel that the Unley City Council will be interested in more help to finance further improvements in the district.

The Hon. D. A. DUNSTAN: I will get a report for the honourable member on the progress being made with the Government's proposals, but I emphasise to the honourable member that the Government's proposals cannot hope to replace the amounts which have previously been spent under the Regional Employment Development scheme. They go as far as we are able to go at the moment, but the Government scheme is necessarily very much more limited than the original RED scheme.

UNION MEMBERSHIP

Mr. DEAN BROWN: Is the Premier aware that the Minister of Works yesterday gave a grossly inaccurate account of events surrounding the sacking of Mr. Lachs? Will the Premier make the Minister aware of the true facts and ask him to apologise to the House? Further, when will the Government stop discriminating—

The SPEAKER: Order: I must remind the honourable member that one question is all that must be asked.

Mr. DEAN BROWN: I insert in the original sentence, "and, in addition, when will the Government stop discriminating against employees who are not members of a trade union?" A true and accurate account of what the Deputy Premier said appears in *Hansard,* and if one reads that one sees that the Deputy Premier tried to claim that Mr. Lachs had given a commitment to join a union once he was employed by the Government. Mr. Lachs was not asked for any such commitment, and he did not give any such commitment, because he was not asked.

The Hon. G. T. Virgo: Were you there?

The SPEAKER: Order! The honourable member for Davenport must be allowed to explain his question.

Mr. DEAN BROWN: Secondly, *Hansard* clearly indicates that the Deputy Premier quite clearly said that Mr. Lachs had not been to see an industrial registrar. In fact, Mr. Lachs had telephoned the Commonwealth Industrial Registrar as the person he was told by the union to contact, and the registrar pointed out that there was no possibility of his registering as a conscientious objector. Thirdly, it is implied that the union had had extensive negotiations with Mr. Lachs. The union official concerned spoke at some length to Mr. Lachs on one occasion and simply asked him to telephone the registrar on the second occasion, and that is quite different from the implication of the Deputy Premier's statement yesterday. I ask the question concerning the discrimination, because we all know, Mr. Speaker, that Labor members of Parliament rely on the trade unions for their election funds and for preselection at State elections.

The Hon. D. A. DUNSTAN: I will certainly not ask the Deputy Premier to apologise to the House. He has no reason whatever to do so.

Mr. Dean Brown: Yes, he has.

The SPEAKER: Order! The honourable member for Davenport has had the opportunity to ask his question, and he must allow the honourable Premier to reply.

The Hon. D. A. DUNSTAN: I do not know whether the member for Davenport has been talking to Mr. McPherson recently, but he seems to be adopting very much the same sort of tactic. The honourable member suggests that, because he has some instructions from one individual, that is enough to charge the Deputy-Premier with deliberately misleading this House. The Deputy Premier gave the information to the House on the report of the officers of his department. What the honourable member is saying is that he believes those public servants lied to the Deputy Premier.

Mr. Gunn: You can't get out of it by twisting the facts like that.

The Hon. D. A. DUNSTAN: Those are the facts. The Deputy Premier had a report from officers of his department to the effect that he gave to the House yesterday afternoon.

Mr. Venning: You had better check it out.

The Hon. D. A. DUNSTAN: I do not need to check anything out.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The honourable member comes in here and, on the basis of a statement made by one individual against the officers of the department, says that in these circumstances the Deputy Premier has misled the House. Now that is baseless, untrue, and improper.

Mr. Wells: Disgraceful.

The Hon. D. A. DUNSTAN: However, it is the way in which the honourable member normally carries on.

Dr. Tonkin: Can you prove that?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: What is the Leader talking about?

Dr. Tonkin: Can you prove that?

The Hon. D. A. DUNSTAN: I can prove that the Deputy Premier had information from the officers of his department to the effect that he gave to the House yesterday.

Mr. Goldsworthy: He said—

The Hon. D. A. DUNSTAN: I say that it is baseless that the honourable member should charge the Deputy Premier with misleading this House.

The Hon. J. D. Corcoran: That's exactly what he said before.

Mr. Venning: Do a double check.

The Hon. Hugh Hudson: You're incredible.

The Hon. D. A. DUNSTAN: Members opposite have got to the height of irresponsibility in the charges that they level. As far as the other statement of the honourable member is concerned, the Government's policy is quite clear and has been stated at elections and endorsed by the electors: that we will give preference to trade unionists in Government employ.

Mr. Goldsworthy: When was that endorsed by the people?

The Hon. D. A. DUNSTAN: We have put the question of preference to unionists at election after election in South Australia.

Members interjecting:

The SPEAKER: Order! This interjecting must cease, otherwise honourable members are only abusing Question Time to their own detriment. The honourable Premier must be allowed to make his answer: then we can carry on with the next question. If this continues, I shall be forced to take action against someone. The honourable Premier.

Dr. TONKIN: Mr. Speaker, would the Premier give way?

The Hon. D. A. DUNSTAN: You can get lost!

Members interjecting:

The SPEAKER: I must ask the honourable Premier to continue answering the question.

The Hon. D. A. DUNSTAN: The Government's policy is perfectly clear; we have reiterated it on numerous occasions, and we have not the slightest intention of altering it.

Dr. Tonkin: Was it in your policy speech last time?

The Hon. D. A. DUNSTAN: It was not in my policy speech last time, but it has been in previous policy speeches. It has been stated from election platforms on many occasions; it is in the Labor Party's published platform.

Mr. Goldsworthy: Make it the central theme next time.

The Hon. D. A. DUNSTAN: We intend to proceed with preference to unionists. That is the specific policy of the Government, and we do not intend to depart from it. In consequence, when people are applying for Government employment, if people who are members of a trade union are available for that employment, they will be given preference over others.

SHACKS

Mr. ARNOLD: Can the Minister for the Environment state present Government policy and its implementation through the Environment and Conservation Department and the State Planning Authority as it will affect Murray River and coastal shacks and shack sites? This matter has been the subject of much debate in the community for a considerable time. There seems to be no clear-cut policy of the Government in relation to coastal and Murray River shacks and shack sites. Because the Murray River is about to flood, and because of the effect that flooding has had on shack sites and shacks in the past two or three years, I ask the Minister what is the present Government policy in relation to shacks.

The Hon. D. W. SIMMONS: I cannot give the honourable member full details of the policy at present. I intend to visit the Murray River area immediately Parliament rises, and one of the matters I intend to look at is this question of river shacks. I shall be pleased to do that in company with the honourable member. I will get a report for him and let him know what is the policy.

ABALONE LICENCES

Mr. MATHWIN: Can the Premier say whether the Government will reconsider its attitude to the holders of abalone fishermen's licences, which are not transferable with the craft if the owners wish to retire because of ill-health or for other reasons. If licence holders, who have to submit to rigid health examinations, are unable to pass these examinations, they are then in the possession of a craft of considerable value, and they cannot sell the licence with the craft if they wish to dispose of it. This means that the number of people willing to buy such craft is very restricted. Would the Government reconsider the situation in relation to such licences?

The Hon. HUGH HUDSON: I will refer the matter to the Minister of Fisheries, but I think it is highly unlikely that any change will take place in policy.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (CITY PLAN)

Returned from the Legislative Council with the following amendments:

Page 1—After clause I insert new clauses as follows:

1a. Section 2 of the principal Act is amended—

(a) by striking out from Part V the passage "ss. 40-42j" and inserting in lieu thereof the passage "ss. 40-42k";
and

(b) by striking out from Part IX the passage "ss. 75-81" and inserting in lieu thereof the passage "ss. 75-82".

1b. Section 42h of the principal Act is amended by striking out subsection (12) and inserting in lieu thereof the following subsections:

(12) A person who carries out building work that has not been approved as required by this section shall be guilty of an offence and, subject to subsection (12a) of this section, liable to a penalty not exceeding two thousand dollars.

(12a) Where a court, before which a person has been convicted of an offence that is a contravention of subsection (12) of this section, is satisfied that the cost of the building work in relation to which the person was so convicted exceeded two thousand dollars that subsection shall apply and have effect to and in relation to that person as if in that subsection there were substituted for a penalty not exceeding two thousand dollars a penalty not exceeding a sum determined by the court as being the cost of that building work.

(12b) For the purposes of subsection (12a) of this section a certificate under the hand of the Chairman of the Committee specifying a sum as representing the cost of the building work referred to in that subsection shall be *prima facie* evidence that the sum so specified was the cost of that building work.

(12c) For the purposes of this section, building work approved under this section that is carried out in breach or contravention of any modification or condition imposed under this section shall be deemed—

(a) to be building work that has not been approved as required by this section;
and

(b) to have been carried out at the time at which that breach or contravention occurred.

JOINT HOUSE COMMITTEE

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

That, pursuant to the Joint House Committee Act, 1941, the Hon. G. R. Broomhill be appointed a representative of the House of Assembly on the Joint House Committee in place of the Hon. Peter Duncan.

Motion carried.

FLINDERS UNIVERSITY COUNCIL

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

That one member of the House of Assembly be appointed by ballot to the Council of the Flinders University of South Australia, as provided by the Flinders University of South Australia Act, 1966-1973, vice Hon. Peter Duncan, resigned.

Motion carried.

A ballot having been held, Mr. Olson was declared elected.

PARLIAMENTARY BUSINESS

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

That, for the remainder of the session, Government business take precedence of all other business except questions.

Dr. TONKIN (Leader of the Opposition): I must most strongly oppose this motion. I cannot understand what the members on the front bench opposite find to laugh at. Their majority is but one, and I do not think that it is necessarily a foregone conclusion that this motion will pass. Let me recall to honourable members the statement that was made by the Premier on Wednesday, August 20, which was the first day on which private members' business was available to members in this House this session. He said:

As this is the first day for this session on which private members' business is to be considered, I am taking this opportunity to state the Government's attitude to private members' business for the session. Last session far more private members' business was put on the Notice Paper than could possibly be dealt with during normal private members' time in the session, and already during this session notice has been given of more private members' business than one could expect could be dealt with during the time that conceivably could be allotted during the session. I point out to honourable members that this House will be given a fortnight's notice of the Government's intention to terminate private members' business.

I interpose there to say that that has been the usual practice, and I must say that the Premier has followed that part of it. However, the next part of his statement cut across established precedent in this House, when he said:

On the Wednesday prior to such motion for precedence of Government business being moved, private members' Orders of the Day should be at such a stage that they are capable of being voted on on that day; that is, motions should at least have been moved and replied to, and Bills should have reached the third reading stage. If private members' business has not reached that stage, no other time will be made available, in Government time, once Government business is given precedence.

Mr. Mathwin: Another thump at the Opposition.

Dr. TONKIN: Yes. Il is a break with precedent, and I sincerely trust (and I would welcome a reassurance from the Premier if and when he speaks to this motion) that this will not be the state of affairs from now on as long as he and his Government occupy the front benches. We have seen several factors occur during this session of Parliament, and, in fact, since the Labor Party has been in office. We have seen a restriction in the total sitting time of this session. Indeed, the Premier made something of a splash in the media when he said that he did not expect that the House would be coming back for the autumn session. Certainly, he has corrected that impression now: he has referred only recently to what will be the autumn sittings of the House, but it was only after there had been a public outcry that he made that statement.

Not only has he made clear that the House is not to go on sitting any longer than he could possibly avoid, but he has also indulged in a programme of pushing business through the House by sitting later than 10 p.m. on more occasions than not by denying the grievance debate on many occasions when, indeed, it was one of the conditions of having a grievance debate on the adjournment that we gave up part of our grievance debate when going into Supply. The paradox of reduced sittings in time but extended sittings in hours a day has been remarkable. Then there was the occasion on which the guillotine was applied, and that, I remind the House, was an absolutely appalling and disgraceful exhibition, particularly when it was applied to the detailed examination of the Budget, which provides the only opportunity for the Opposition to settle down and examine in detail the Government's administration.

That guillotine was applied when the debate on the Budget was not even half way through. It. is of little use the Premier's saying that the Opposition was being obstructive and unnecessarily time consuming. It is no use his saying any of those things, because the fact remains that the Premier did not want Government's affairs to be examined in any detail, and he was becoming more and more arrogant and unable to accept that he is in Government and is at present responsible to the people. Because he is responsible to the people, he is responsible to this Parliament, and the way that he shows his responsibility to Parliament is by being available for questioning by the Opposition and by every private member. I repeat that it was an appalling, disgusting and disgraceful decision to use the guillotine, thus stifling debate on the Budget. Private members, as I pointed out to you, Mr. Speaker, when you first took your high office, have every right and privilege in the House to freedom of speech, provided that they obey Standing Orders, and it does little credit to the Government that private members are stifled and gagged. The Premier has made great play in the past on making statements such as, "The Opposition has been given more facilities than it has ever had before," more facilities than when he was in Opposition, and he has gone on and on grinding out the same old story.

Mr. Mathwin: Like a broken gramophone record.

Dr. TONKIN: Not a broken gramophone record, unfortunately, but one of these days I have hopes. The facilities are things for which, I am sure, every honourable member is grateful, but I point out to the Premier that private members have been given those facilities, whereas the Opposition as such has been given very little more. The facilities that have been made available have benefited every member, but it is only right that he should remember that private members have a fundamental and basic right, that is, the right to freedom of speech and to promote private members' business in the House.

Mr. Mathwin: That's more than the member for Spence thinks.

The SPEAKER: Order!

Dr. TONKIN: I point out that, during this session thus far, we have had eight days of private members' business, whereas during the last session we had 10 days. During the session before that we had 11 days; in 1972, 10 days; in 1971-72, 13 days; in 1970-71, 11 days; and in 1969, 13 days. This session we have had only eight days. I intend to oppose the motion. I think that once again it is a denial to cut off at this stage all private members' rights. As an Opposition, we co-operated to the best of our ability yesterday. Much could and should have been said on many of the matters that were before the House but, because the Premier made the statement he made, we, as an Opposition, did the best we could to deal with business as expeditiously as possible.

It was important to many members to get votes on the matters they had brought up. I think that the member for Mitcham still had a number of notices of motion on the Notice Paper that were not touched, as did other members. I do not know whether eight days of private members' business is an all-time low record for an average sitting, but it is certainly out of the ordinary to say the least. It is a disgrace, and I wholeheartedly oppose the motion.

Mr. MILLHOUSE (Mitcham): It has become something of a ritual to oppose this motion: I cannot recall when an Opposition did not oppose its being moved. I know that, during the past few years, it has been opposed on every occasion. I cannot recall whether the Labor Party opposed it in 1968 and 1969, but it has become a ritual. I oppose it again this year only because I think that there are some special circumstances which justify a complaint from this side of the House. I do not make it personally, because I have done reasonably well out of private members' time. I have had a volume of business on the Notice Paper, as has the member for Goyder. I think that we have got through two Acts (one to amend the Constitution and the other to tidy up the situation of naked bathing), and I also got through a. resolution but that was, I think, my good fortune, as the Minister of Labour and Industry would agree, rather than anything else. We have not done too badly, as a Party, out of private members' business, and I do not think that it is justifiable for the Leader to complain about the number of private members' days if the session is to be a shorter session than in previous years.

Dr. Tonkin: I'm complaining about that, too.

Mr. MILLHOUSE: For reasons that are entirely understandable, the Government does not want to sit any more than it need, because it gets a bumpy road from time to time and one never knows what accidents will occur, and I appreciate that. I do not blame the Government from a purely Party-political point of view for wanting to bring the session to an end, but there are two points I put in opposing the motion, the first being the rather specious reason the Government has given for not wanting the Parliament to sit, namely, that the Draftsman cannot keep up with the work. Anyway, now that the Premier has got through most of his major legislation, he says he intends to concentrate on administration. Of course, that is all meaningless to anyone who knows the procedures of Government or even of this place, but those are the public reasons he gave for not wanting Parliament to sit. If we accept them, there is no reason why the Opposition Parties, which have had many matters to bring up, should

not be given the opportunity to have them debated. There is no pressure of work on Parliamentary time, in other words, and that is, I think, of itself a justification for allowing a little more time for private members' business, or certainly for protesting about its coming to an end. If the Government has not got the legislation, it is obvious from the Notice Paper that the Opposition Parties have either Bills or motions that could be debated, and there is plenty of time to debate them, on the Government's own admission.

The second point is perhaps only an extension of the first point, but today we had laid on the table of the House the report of the Ombudsman. Although I have not had a chance to look right through it, it reminds me of what is really a fiasco as regards the Ombudsman legislation. The whole idea of the sanction which the Ombudsman has is that he reports to Parliament, and Parliament can then debate any matters in the report that it deems necessary to debate. The report was laid on the table only today and, having had a quick look at it, I do not think there are any special cases to which he has referred which should be debated. However, if there were, we would have no opportunity to debate them in this session of Parliament. That is a travesty of the principle behind the work of the Ombudsman. Of course, that is what happened last time, as the Ombudsman says in his report. He refers to a motion that I moved, and at page 6 of his general report he refers to a special report he made arising out of something done in the Engineering and Water Supply Department. He refers to what happened in the Legislative Council, and goes on to say that the initiative was taken by me in the House of Assembly on September 18, 1974, in relation to both reports. He continues (and this is the point I am making, so I hope you, Sir, will let me complete this sentence) by saying—

The SPEAKER: Order! I point out to the honourable member for Mitcham that he is getting away from the subject matter of the debate.

Mr. MILLHOUSE: With very great respect, Sir, I am not, if I may just quote—

The Hon. J. D. Wright: But you—

Mr. MILLHOUSE: I am sorry. I said, "With very great respect". I think you, Sir, are perhaps in error. Let me quote this sentence, which is the point I am making. The Ombudsman continued as follows:

> The motion was further debated on September 11, 1974, and October 9, 1974, but languished amongst the mass of private members' business until superseded by the dissolution of Parliament.

So, you can see, Sir, having allowed me to finish, the point that I am making. Here was a special report last time made by the Ombudsman to this Parliament in which he said he believed that a complaint about a Government department was justified. Yet, because private members' business was cut off, that matter did not even come to a vote in this House.

The Hon. Hugh Hudson: The mass of business occurred because you were competing with the Liberal Party.

Mr. MILLHOUSE: The Minister of Mines and Energy is fairly quick. He can give that reply if he likes. There is a trifle of substance in it. I hope I am always fair about these things. The fact is that, because the Government cut off private members' business, something of very great importance in principle was denied: that is, a vote on a report by the Ombudsman to this House. The same thing could easily have happened this session. That is why it is not desirable or advisable to cut off private members' business unless it is absolutely essential to do so, and, on the Government's own admission, it is not absolutely essential in this case. The Government will get the House up quickly because it has not enough business to do.

I hope it is not thought, now that I have finished with that aspect, that I have trespassed on the good sense of the House or your patience, Sir, in quoting it. It brings home the importance of allowing time for private members' business. The Government will never raise something that is critical of it and allow it to be debated. It is only from this side of the House that a special report of the Ombudsman will ever come before us for debate and, of course, the Government clamps down on it and does not allow it to be debated. That is exactly what happened in the past session, and it could easily have happened again, for all we know. There could have been many matters in this report today that would have been gagged because of the notice of motion that had been given before we saw it. There are special circumstances this time to justify what, as I have said, is a rather ritualistic motion. I therefore oppose it.

The Hon. D. A. DUNSTAN (Premier and Treasurer): As the member for Mitcham has said, it is something of a ritual that has occurred recently to oppose this motion. It was opposed occasionally, but not regularly, by the Labor Party in the past 20 years. The position this session is that the Government has a heavy legislative programme.

Mr. Millhouse: What, you've suddenly produced a bit more, have you?

The Hon. D. A. DUNSTAN: If the honourable member looks at the Notice Paper—

Mr. Millhouse: I've seen it.

The Hon. D. A. DUNSTAN: —he will realise that there is business to be conducted.

Mr. Millhouse: You said a few weeks ago that you couldn't get the Parliamentary Counsel—

The Hon. D. A. DUNSTAN: That did not mean that we would not have work to do. Indeed, we have work to do. The Government believes that the proper sitting times are those that have already been notified to the House. I point out to members opposite that we are now sitting much longer than was the case during the term of office of Sir Thomas Playford, and for very much longer than Sir Thomas Playford had the House sit in circumstances such as those that exist in the House today and when the member for Mitcham was sitting behind Sir Thomas on this side. At that time, the member for Mitcham was not noted for his protests about the length of sittings.

Mr. Millhouse: I didn't have much say in those days.

The SPEAKER: Order!

Mr. Millhouse: I have a good deal more now.

The Hon. D. A. DUNSTAN: I do not know that the the honourable member has more say now, but he has more to say now. Given the length of the session, the time that has been given for private members' business is a fair and proper time. Indeed, it is much more generous than is provided in other Parliaments in this country. I point out that it is not merely the case that facilities are given to members opposite. In fact, they have more opportunities of raising measures in this House than is the case with Opposition members in any other Parliament in this country.

Mr. Evans: So what?

The Hon. D. A. DUNSTAN: The honourable member says, "So what?"

Mr. Evans: It's less than we had. That's the point.

The Hon. D. A. DUNSTAN: In many ways, it is more than the Opposition has had in the past.

Mr. Evans: It's less.

The Hon. D. A. DUNSTAN: I do not think the honourable member has lost on the swings more than he has gained on the roundabout. In these circumstances, I acknowledge the ritual of the Leader's performance this afternoon, but I do not think it has more substance than that of ritual.

The House divided on the motion:

Ayes (22)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (22)—Messrs. Allen, Allison, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Goldsworthy, Gunn, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin (teller), Vandepeer, Venning, Wardle, and Wotton.

Pair—Aye—Mr. Corcoran. No—Mr. Evans.

The SPEAKER: There are 22 Ayes and 22 Noes. There being an equality of votes, I give my casting vote in favour of the Ayes.

Motion thus carried.

PAY-ROLL TAX ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Pay-roll Tax Act, 1971-1974. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

Some weeks ago I indicated to this House that, following a meeting of State Premiers in May, 1975, a report by Treasury officials on certain matters relating to the Pay-roll Tax Act, 1971-1974, had been completed and that a Bill to amend that Act would be introduced during the current Parliamentary session. The purpose of this Bill is twofold: first, it seeks to overcome problems relating to the general exemption level and, secondly, it seeks to close a loophole in the Act, the use of which is becoming increasingly prevalent and is causing a significant revenue loss. In regard to the first matter, the Government, as well as members of the business community, has been concerned for some time at the effect inflation has had on the general exemption level and the burden that has been placed on small businesses in meeting their pay-roll tax commitments. Members will be aware that the present general exemption level of $20 800 has not been varied since 1957.

The report that has been submitted by State Treasury officials to their Premiers was unanimous in the view that: *(a)* whilst some increase in the general exemption level for small businesses was justified there appeared to be no real justification to continue the exemption provision for large organisations; and (*b)* it was desirable to maintain uniformity in the States' pay-roll tax legislation, particularly as many companies operated in more than one State.

As a result of that report all States have now agreed to raise the exemption from its present level of $20 800 to a new level of $41 600. That is to say, a business with a pay-roll of $41 600 or less will not be required to pay pay-roll tax. In respect to the recommendation concerning large businesses New South Wales, Western Australia and Tasmania have agreed to adopt the recommendation and those States propose to progressively reduce the exemption of $41 600 so that it is completely eliminated at a pay-roll level of $104 000. Victoria and Queensland propose to progressively reduce the exemption of $41 600 back to $20 800 at a pay-roll level of $72 800, at which stage a $20 800 exemption will be available on all pay-rolls in excess of $72 800. In the interests of maintaining substantial uniformity my Government proposes to follow New South Wales, Western Australia and Tasmania in this matter and increase the exemption level to $41 600, and then progressively reduce it so that it is completely eliminated at a pay-roll level of $104 000. That is to say a business with a pay-roll of $41 600 or less will pay no pay-roll tax; and a business with a pay-roll of $104 000 or more will not qualify for any exemption and as a result will pay $1 040 a year more in pay-roll tax. Between those two extremes businesses with a pay-roll of less than $72 800 will receive a benefit of up to $1 040 a year, whilst a business with a pay-roll in excess of $72 800 will incur additional pay-roll tax of up to $1 040 a year.

On the evidence available, whilst about 60 per cent of present registered employers will benefit from the provision of this Bill, the impact on State Revenue is not likely to be significant. In regard to the second matter (tax avoidance) the Pay-roll Tax Act has always recognised individuals, separate companies, and separate partnerships as separate employers for the purposes of the Pay-roll Tax Act. This situation existed when pay-roll tax was a Commonwealth tax and did not change when it became a State tax. The Act contains an exemption from tax for the first $20 800 of wages paid by an employer in a year, which this Bill is now seeking to increase to $41 600. At a taxable rate of 5 per cent this represents an annual pay-roll tax benefit of $2 080 at the proposed exemption level.

The exemption was designed for administrative reasons and to assist the small businessman. It is being exploited by larger organisations to reduce their pay-roll tax liability, and in some cases to avoid the tax altogether. Because every employer is entitled to claim the exemption an organisation which chooses to operate, for instance, through two subsidiary companies, can obtain twice the pay-roll tax exemption that can be obtained by an organisation operating through one company with two branch offices. Again a partnership of four individuals, which organises its operations so that each partner employs a section of the staff, can obtain four times the exemption under the Act. As the rate of pay-roll tax has risen some organisations have taken advantage of this aspect of the legislation to create additional employers either in the form of additional companies, partnerships or trusts. While there are obviously new companies formed on a *bona fide* basis as part of the normal development of an organisation, the Government has become aware of specific cases where action has been taken to presumably avoid payroll tax by the splitting of one organisation into a number of parts each claiming a general exemption. In one instance an organisation has split itself into 25 separate organisations—

Mr. Chapman: Can you blame them?

The Hon. D. A. DUNSTAN: They are out to find a loophole, so I suppose the honourable member will not blame me for closing it. In one instance an organisation has split itself into 25 separate organisations, presumably with the intention of taking advantage of the exemption provisions, and I understand that in one of the Eastern States an organisation split itself into 1 000 separate employing organisations in order to avoid its tax commitments. The situation is now one where the objective of

the exemption provisions is capable of being misused. This is a situation which a responsible Government cannot permit to continue both in the interests of protecting the State's Revenue and on grounds of equity between companies. All States have agreed that they must legislate to prevent this tax avoidance and, in fact, Victoria has already done so. Clauses which are designed to overcome tax avoidance in this Bill are substantially those which have been agreed by all other States who will be including similar provisions in their legislation. The opportunity provided by this Bill has been taken to make several miscellaneous amendments which will be explained in the explanation of the clauses of the Bill. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on January 1, 1976. Clause 3 is formal. Clause 4 provides for amendments to section 3 of the Act, which contains the definitions of terms used in the Act. Attention is drawn to the definition of "group", which relates to the provisions designed to eliminate avoidance of pay-roll tax. In effect, these provisions provide that, where persons who are single employers at law at present are in reality part of one organisation, those persons shall constitute a group, and that group will be entitled to a deduction, if at all, based upon the aggregate of the pay-rolls of the numbers of the group.

Clause 5 provides for amendments of section 11 of the Act, which fixes the existing deduction, or "general exemption", as it is referred to in the marginal note to the section. Paragraphs *(a)* and *(b)* of this clause are not connected with the main purposes of this Bill, but are intended to empower the Commissioner to make retrospective determinations relating to the provisional deductions that employers are entitled to make from their periodic payments of pay-roll tax. Paragraph (c) of this clause limits the operation of this section to the period ending on December 31, 1975. Clause 6 provides for the enactment of a new section 11a of the principal Act, which sets out the proposed deduction of $41 600, tapering to nil for a pay-roll of $104 000, to have effect for the period commencing on January 1, 1976. Clause 7 provides for amendment of section 13 of the principal Act, which relates to the annual adjustment of pay-roll tax paid during a financial year and varies the operation of this section so that it relates only to the period ending on December 31, 1975.

Clause 8 provides for the enactment of new sections 13a, 13b and 13c of the principal Act. These sections provide for annual and periodic adjustments of pay-roll tax paid during financial years after January 1, 1976, when the new deduction is to have effect. This system is substantially the same as the present system under which deductions may be made from the amounts of pay-roll tax that are periodically payable, with a final adjustment to the correct amount for a full financial year, where the employer paid wages for the full financial year, or for a part of a financial year, where the employer paid wages only during that part of the financial year. These provisions, however, do not apply to employers who, by virtue of the provisions of proposed new Part IVA, are members of a group. The deductions and annual or periodic adjustments for these employers are regulated separately by provisions of that new Part.

Clause 9 provides for the amendment of section 14 of the principal Act, which provides for the registration of employers who may be liable to pay-roll tax. The clause amends this section so that employers with a monthly pay-roll of $800 are required to register, and so that employers who are members of a group are required to register whatever may be their pay-rolls. Clause 10 provides for the amendment of section 16 of the principal Act, which relates to the exemption of employers from the duty to furnish a monthly pay-roll tax return. The amendment will enable the Commissioner to review and vary existing exemptions having regard to the new deduction amount. Clause 11 provides for the amendment of section 17 of the principal Act. This amendment is intended to correct an existing problem and empowers the Commissioner to require further returns, whether or not the periodic returns required under the principal Act have been furnished.

Clause 12 provides for the enactment of new Part IVA of the principal Act relating to the grouping of employers who are practising pay-roll tax avoidance. Proposed new section 18a sets out a definition of "business". Proposed new section 18b provides for the grouping of businesses carried on by corporations, which are related in terms of section 6 of the Companies Act, 1962, as amended. Proposed new section 18c provides for the grouping of businesses that use the same employees. Proposed new section 18d sets out the circumstances in which a person may be regarded as having a controlling interest in a business, and provides for the grouping of each business in which the same person has such a controlling interest. Proposed new section 18e provides that regulations may be made specifying the circumstances in which businesses are to constitute a group, or declaring that specific businesses are to constitute a group. The existence of this provision is intended to forestall any further attempts to avoid pay-roll tax by means of the splitting of businesses.

Proposed new section 18f is intended to ensure that, where employers are grouped under the provisions of Part IVA, there is only one group in respect of those employers. Proposed new section 18g provides that the grouping provisions of Part IVA are to operate independently of each other. Proposed new section 18h provides that beneficiaries under discretionary trusts are to be deemed to be beneficiaries to the majority of the value of the interests in the trust. Proposed new section 18i empowers the Commissioner to exclude employers from a group having regard to criteria set out in that provision. Proposed new section 18j provides that the members of a group may nominate one of their number to be the designated group employer for that group. The designated group employer for a group is to be the only employer of that group entitled to claim a deduction.

Proposed new section 18k sets out certain definitions of terms for the purposes of proposed new sections 18l and 18m, and fixes the prescribed amount, that is, the amount of the deduction, in relation to groups. Proposed new sections 18l and 18m correspond in relation to groups to proposed new sections 13b and 13c which provide for the annual or periodic adjustment of pay-roll tax paid by a single employer. Clause 13 provides for amendments of section 20 of the principal Act relating to assessments by the Commissioner. These amendments are consequential to amendments already dealt with. Clause 14 provides for the amendment of section 25 of the principal Act by increasing penal tax in view of the rates of interest currently available on money. Clauses 15 and 16 provide for amendments to sections 26 and 27 of the principal Act that are consequential on those provided by clause 14.

Clause 17 provides for amendment of section 28 of the principal Act. This amendment is consequential to those provisions of proposed new Part IVA, which provide for

the grouping of businesses which are carried on by trustees. Clause 18 provides for the amendment of section 36 of the principal Act to provide that appeals to the Supreme Court under the principal Act are to be instituted by notice of motion. Clause 19 provides for the amendment of section 39 of the principal Act, and is consequential to the enactment of new sections 11a and 18j. Clause 20 provides for the amendment of section 45 of the principal Act by requiring that the public officer of a company appointed in compliance with this section be a natural person resident in the State. Clause 21 provides for amendment of section 46 of the principal Act to make it clear that that section does not affect the operation of proposed new Part IVA in relation to trustees. Clause 22 provides for the amendment of the regulation-making section, section 57, and empowers the making of regulations empowering the Commissioner to require evidence about whether or not a person is a member of a group.

Dr. TONKIN secured the adjournment of the debate.

SOUTH AUSTRALIAN FILM CORPORATION ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the South Australian Film Corporation Act, 1972. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

It makes a number of disparate amendments to the principal Act, the South Australian Film Corporation Act, 1972. The need for these amendments arises from a continuing review of the operations of the corporation under the Act. These amendments can perhaps best be explained by an examination of the clauses. 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 amends section 4 of the principal Act by inserting a definition of "film" that is technically more accurate than the existing definition. A consequential amendment is also made by this clause. Clause 4 amends section 5 of the principal Act and reconstitutes the composition of the corporation by increasing the number of members from three to six. At the same time the requirement that the Chief Executive Officer of the corporation (the Director) also be Chairman has been omitted. With the growth of the activities of the corporation, this form of organisation does not now appear suitable. If the amendments to this section are agreed to, it will be possible for the Director to be a member of the corporation, but he will not necessarily have to be such a member.

Clause 5 makes certain consequential and formal amendments to section 6 of the principal Act. Clause 6 amends section 10 of the principal Act with a view to clarifying the powers of the corporation. Clause 7 amends section 11 of the principal Act by vesting, by Statute, all rights in the corporation in films produced for the Government. A further clarifying amendment is also made by this clause. Clause 8 amends section 18 of the principal Act by reconstituting the South Australian Film Advisory Board in the manner set out in the clause, and clause 9 is consequential on that reconstitution.

Mr. EVANS secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to amend the Local Government Act, 1934-1975, and to repeal the Garden Suburb Act, 1919-1973. Read a first time.

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

That this Bill he 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

This Bill makes a considerable number of important amendments to the Local Government Act. The amendments are designed to improve local government administration and conduce to efficiency in the employment of local government resources. I will explain the need for the more important amendments as I deal with the clauses of the Bill in detail. Clause 1 is a formal provision. Clause 2 enables the commencement of the amendments to be varied to meet the needs of local government administration. Clause 3 alters the section dealing with the arrangement of the Act in view of later amendments.

Clause 4 provides a definition of "the Local Government Advisory Commission" which is established under Part II of the Act. Centres for the rehabilitation of persons addicted to drugs or alcohol are exempted from the definition of "ratable property". The definition of "urban farm land" is amended by deleting the qualification relating to the minimum area of the land, and is widened to apply to farmland in townships within a district council. It is no longer necessary for the occupier to derive a substantial portion of his income from the land. The new definition will enable more people to claim the rate concessions in respect of urban farm land; the present definition leads to inequalities that had no logical basis. Finally, "refuse" and "rubbish" are given concurrent meanings. This will resolve problems in interpretation of sections 534 and 542 of the Act.

Clause 5 inserts a new division in Part II. This Division, VIIA, provides for the establishment of a Local Government Advisory Commission. This commission would comprise of three members—a chairman who shall be a judge, the Secretary for Local Government and a third suitable person. The commission is given the powers of a Royal Commission. This clause achieves two desirable objects. The first is that the existence of a permanent advisory body will be able to apply the knowledge and expertise it gains to the questions raised from time to time by petition, particularly as it is hoped that the members to be appointed will be the members of the recent Royal Commission into Local Government Areas. This will be a more effective system than referring such questions, as now applies, to a magistrate who may be available from time to time, particularly as the magistrate who has carried out inquiries in the past has now retired. The second object is that the Advisory Commission will investigate only those petitions which are lodged under the provisions of the Act. It is not empowered to investigate boundary matters on its own initiative.

Clause 6 repeals section 42 and inserts a new section to provide that the Minister may refer to the commission any matter connected with a petition or counter-petition under Part II. Clause 7 amends section 45a deleting therefrom the reference to the Royal Commission. Section 45a was inserted in the Act during the last session of Parliament and provides for simplified procedures to apply

where councils have agreed to pursue changes. The Royal Commission is to cease its activities, but it is desirable that the simplified procedures continue to be available to councils who are in agreement on changes. The Advisory Commission takes the place of the Royal Commission.

Clause 8 amends section 133 to provide that a how-to-vote card can be defined in regulation. Regulations will be prepared to provide that a how-to-vote card shall accord, in general, with the provisions in the Electoral Act. Clause 9 amends section 155 by making it possible for an inspection of the minutes of a council to be made without payment of a fee. In addition to this, a new subsection is included which will enable a council to place on public display a copy of minutes of the council. Clause 10 adds a further subsection to section 157 which provides that the town or district clerk is to be the chief executive officer of a council. This clarifies the provisions currently in the Act and is not intended to affect the status of the officer concerned.

Clause 11 enables a council, by resolution, to fix one day each year as a holiday for its employees. Clause 12 repeals part 9b of the Act relating to the Local Government Officers Classification Board. Local government salaries are now fixed by the Commonwealth Conciliation and Arbitration Commission, and the Classification Board has not operated for a number of years. Clause 13 inserts in section 163ja a definition of "officer" that was contained in the repealed part 9b. Clauses 14 and 15 amend sections 178b and 180 by empowering a council to carry out certain portions of an assessment where the Valuer-General certifies that he is not able to do so. In addition, the clauses provide that a council is not required to forward an assessment notice to an owner or occupier of ratable property where a Government assessment has been adopted. The Valuer-General is required to forward an assessment notice to owners and occupiers where he has made an assessment. This will not, however, exempt a council from the requirement to forward an assessment notice where it makes part of the assessment itself in accordance with the new provisions.

Clauses 16, 17 and 18 repeal certain provisions of the Act relating to urban farm land. A new urban farm provision is inserted at a later point. Clause 19 amends section 214 of the Act and clarifies the provisions relating to the ability of a council to declare differential general rates within portions of its area. In addition to this, a further power for declaration of rates is included. This power will enable a council to declare differential general rates in relation to the use to which the land is put. As the Act now stands, rates may vary only according to the situation of the ratable property. It may well be a more equitable system of rating to look at the actual use to which the property is put. A council that chooses to rate according to land use may also be able thereby to encourage development of a particular kind in a particular area. A council may strike one set of land use rates that will apply throughout the whole of its area, or different sets of land use rates that will differ from ward to ward.

Clause 20 inserts a new section 214b dealing with urban farm land and including the provisions repealed by clauses 16, 17 and 18. This provision is now applicable to both methods of assessment, that is, annual value or land value, as a council has for some time past been able to use both methods at the same time, according to wards. New subsection (6) provides that, where a council is rating according to land use, then the rate applicable to urban farm land is the average of all land use rates fixed by the council. The section also provides that, where land ceases to be urban farm land, the amount of rates remitted because of the concession for urban farm land has to be repaid to the council in respect of the five-year period immediately preceding the cessation.

Clauses 21 and 22 amend section 221 and repeal section 222. The amendments relate to the method of apportioning costs of works carried out by a memorial. The existing provisions are not always equitable and it is considered that the council should have the option of declaring a special rate, or requiring lump sum contributions from the ratepayers who derive benefit from the special works. Clause 23 makes a metric conversion.

Clauses 24, 25, 26, 27, 28, 29, 30, 32 and 33 amend the sections of the Act relating to the maximum amount in the dollar which a council may declare as the rate to be based on annual values or land values. All references to a maximum rate are deleted. A council will, in future, be able to declare a rate in the dollar without restriction. A number of councils currently have a rate that is on or near the maximum currently permitted by the Act, and, in these days of inflation, it is impracticable to set statutory monetary limits.

Clause 31 repeals the existing urban farm land provision that applies only to municipalities. Clauses 34 and 35 amend the provisions regarding payment of rates. The time period during which rates are due and payable but not recoverable is extended from 21 days to 60 days in relation to both methods of assessment. Rates are therefore now deemed to be in arrears if unpaid after 60 days. Clause 36 makes two amendments. The first of these is related to the amendment effected by clauses 14 and 15 and provides that the councils must include on the rate notice an indication of whether the Government assessment has been adopted or not. The second of the amendments requires the council to include on the rate notice a statement that the ratepayer may approach the council for payment of his rates by instalment.

Clause 37 relates to the time for payment of rates. Basically the council will require the rates to be paid within a period of 60 days. The ratepayer is given the opportunity of approaching the council, within 30 days of the receipt of the notice, with respect to paying his rates by instalments. The new section 257a provides that, where a ratepayer has approached the council to pay by instalments, the council shall allow him to pay by four equal, or approximately equal, instalments. The first instalment is to be paid upon the date when the original rate would have been paid and the further instalments to be paid at intervals of one calendar month. Notwithstanding the above, the council and any ratepayer can agree on any other terms for the payment of instalments. Finally, an instalment is considered to be in arrears if not paid on or before the day on which it is required to be paid.

Clause 38 repeals existing section 259 and inserts a new section which provides for a fine or 5 per cent of the amount in arrears to be added after 60 days or one calendar month, as the case requires, in respect of rates that become due and payable after July 1, 1976. In addition to this a further fine of 1 per cent on the total amount in arrears will be added for each calendar month that the amount remains in arrears. Where rates are already in arrears on July 1, 1976, a fine of 1 per cent is added on that day and after each further month. The council is given power to remit all or part of any fine where it considers the fine would inflict hardship.

Clause 39 amends section 267a by providing for a council to postpone the payment of any amount due to the council. At present the section relates only to rates. In addition to

this, the provisions are extended to enable the council to postpone the payment of amounts which have been outstanding since some date preceding the current financial year. Some confusion has arisen in this regard and a number of persons have been disenfranchised at local government elections because, after the amounts have been outstanding for one financial year, they are deemed to be in arrears. A further subsection is included in the section enabling a council to obtain evidence in respect of an application for postponement. The council can require an applicant to verify the matters on which his application is based upon oath or by statutory declaration. This provision has always existed in respect of the remission of rates by a council.

Clause 40 repeals section 267b and inserts a new section. In effect, the new section provides that a council may remit the rates in respect of organisations providing homes for persons in necessitous circumstances, or for the aged. In view of the vital service provided by these organisations, every possible financial encouragement ought to be offered. The other provisions of the existing section are included in the new section. Clauses 41, 42 and 43 relate to the provisions which empower a council to sell land upon the non-payment of rates. Section 272 is amended to provide that, when a council advertises its intention of selling a property for non-payment of rates, it shall also advertise the amount of Crown rates and taxes outstanding at the time of the sale. Section 277 is repealed. In section 279 new provisions are inserted providing for the disbursement of the money received from the sale of land. The liability in respect of Crown rates or taxes shall only be diminished to the extent permitted by the distribution of the purchase money as outlined. The new owner would thus be liable for any balance of Crown rates and taxes outstanding after the disbursement of the purchase money.

Clause 44 amends section 286 in two ways. First, the amount which a council is able to expend from petty cash is increased from $10 to $20. Consequential amendment is made to the provisions relating to the amount which a council is required to pay by cheque. The second amendment relates to the retention by the council of an advance account and, in fact, removes the requirement for such an account. New provisions are included to enable a council, by resolution, to authorise either generally or specifically, payments from any of its banking accounts. Where the council has authorised payments the clerk shall submit a schedule to each meeting providing details of all payments made between meetings.

Clause 45 inserts a new paragraph (f7) in section 287. The new provision enables a council to expend revenue by subscribing towards the cost of establishing or maintaining a library within the area of the council. This will enable councils to provide the funds for the maintenance of a community/school/library complex. Paragraph (j1) of section 287 is also amended. The amendment enables a council to provide trees to persons for planting within the area. The present provision enables a council to provide trees only for schools or places of public resort within the area. Clause 46 inserts a new section 287c in the Act. This section will enable councils to expend revenue for the provision of child care centres. The provision also empowers a council to establish, manage and operate such centres. This provision arises from the fact that the Australian Government's child care scheme enables local government bodies to participate in the scheme.

Clause 47 amends section 289 by providing an additional power to district councils. This power enables a district council to expend revenue in providing a salary or subsidy to assist a veterinary surgeon practising within the district. Clause 48 amends section 319, in respect of the amount a metre that a council is able to recover in respect of roadworks, kerbing and similar works. The amount is increased from $3.25 a metre to $5 a metre. Clause 49 amends section 328 in respect of footpath charges. The amount is increased from $1 a metre to $1.50 a metre. The amendments proposed by clauses 48 and 49 are in relation to land which was subdivided prior to the implementation of the Planning and Development Act, 1966-67.

Clause 50 repeals the existing section 364 of the Act and inserts a new section in its place. The effect of the new section is to update the phraseology of the existing section and in addition to provide that a council may construct, maintain, manage and operate, in addition to the other works and undertakings that have previously been permitted, buildings and structures upon, across, over or under any public street or road within the area. The new provisions will continue to be subject to Ministerial consent. Clause 51 makes similar changes to section 365 of the Act. The new provisions of section 365 will enable a council, acting with Ministerial approval, to grant a permit to any person to construct, maintain or operate, buildings or structures upon public roads. The new subsection 2a in the section enables a council to charge an annual fee in respect of any permit granted pursuant to this section.

Clause 52 amends section 365b and enables a council to authorise a person to erect a letterbox upon any public street or road in the area. Clause 53 amends section 383. The effect of the amendment is to enable councils to borrow for meeting the cost of the preparation of plans relating to the planning and development of the area. Clauses 54 and 55 amend sections 426 and 430 to provide that where a council is borrowing to repay a loan it is not necessary for a notice of intention to borrow to be advertised, nor for an order to be issued.

Clause 56 amends section 435 of the Act by providing that a scheme submitted to the Minister for his authorisation no longer needs to be reproductive or revenue earning, as long as it will substantially benefit the area. There are instances where it is necessary for a council to assist an organisation providing community services, for example, St. John Ambulance, Civil Defence or E.F.S. Brigades. Such a scheme would not necessarily be revenue earning or reproductive. The amendment also extends the provisions to enable a council to participate in schemes which are generally for the benefit of the area, notwithstanding the fact that the land on which a permanent work or undertaking is being constructed or carried out is not owned by the council.

Clause 57 amends section 449 of the Act to provide that a council is able to exceed the overdraft limit set by that section subject to Ministerial approval. Subsection (5), which is now redundant, is repealed. Clause 58 adds a new subsection to section 530c. This provides that borrowings under section 530c shall not be taken into account for the purpose of ascertaining whether the limits set by section 424 have been exceeded. It seems inappropriate for such borrowings to be taken into account because generally a common effluent drainage scheme is self-financing.

Clauses 59, 60, 61 and 62 amend various sections in relation to the establishment of hospitals. The effect of the amendments is to remove areas of conflict between the planning and development regulations and the existing provisions of the Act. The provisions of this Act are in addition to, and do not derogate from, the provisions of the Planning and Development Act. In addition to this

the definition of "private hospital" is varied to harmonise with the definition contained in the Health Act.

Clauses 63, 64 and 65 amend the provisions of the Act relating to the abandonment of vehicles and the problem of litter. Sections 666 and 783 are repealed. A new Part is inserted in the Act which incorporates the substance of these provisions. In addition to this, the new provisions increase the maximum penalty for depositing litter from $200 to $500. As a number of councils have been enforcing litter provisions at a loss, a provision is included that the courts shall, on application by the council, order the convicted person to pay the council the costs incurred in cleaning up litter. Definitions of "litter", "public place" and "waste matter" have been incorporated in the new provisions. An evidentiary provision is inserted to facilitate proof of the identity of a person who has unlawfully deposited litter. New section 748b creates the offence of abandoning a vehicle or farm implement in a public place.

A council may remove such a vehicle or implement and dispose of it if no claim is made within seven days. Proceeds of sale (if any) are to be paid into the general council funds. A person convicted of an offence under this section is liable to the council for the costs of removing or disposing of the vehicle or implement. New section 748c deals with the different problem of vehicles that may not necessarily have been abandoned but ought nevertheless be removed from the street or other public place. This provision is substantially the same as the existing section 666 of the Act. However, a council may now issue a notice to the owner at the same time as the publication of a notice in the newspaper. The owner is now given 14 days (instead of a month) in which to pay the costs of removal, etc. New section 748d provides for expiation fees for offences under this Part.

Clause 66 amends section 875 to provide that it is no longer necessary for a council to post a certificate of amounts outstanding by registered post. The cost of registered post is now prohibitive and this form of post does not always provide an effective method of service. Clause 67 makes a metric conversion. Clause 68 repeals the Garden Suburb Act, which is now redundant.

Mr. RUSSACK secured the adjournment of the debate.

FURTHER EDUCATION BILL

The Hon. D. J. HOPGOOD (Minister of Education) obtained leave and introduced a Bill for an Act to make provision for further education in this State; and for other purposes. Read a first time.

The Hon. D. J. HOPGOOD: 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 purpose of this Bill is to provide for the administration of further education in this State by an autonomous department, separate from the Education Department, but subject to my control as Minister. A separate Further Education Department has been operating at my direction and with the agreement of the Public Service Board since January, 1972. The Bill now before the House will finalise this existing arrangement and provide the foundation of what I believe will be a dynamic and innovative contribution by South Australia in a major field of educational activity, the true importance of which is only now becoming fully appreciated by educational authorities and the community at large.

Further education in South Australia had its origins in the attempts of private organisations in the nineteenth century to fill certain obvious deficiencies in the workforce of the time; for example, the Society of Arts, which, with the South Australian Institute, established a School of Design in 1860, and the Chamber of Manufactures which conducted classes in mechanical drawing from 1876. Government participation began with the establishment of a School of Mines in 1889, which was followed in quick succession by the creation of similar institutions in Moonta, Gawler, Kapunda, Mount Gambier and Port Pirie. Despite the vocational orientation of these schools, as early as 1916 a Governmental committee of inquiry was commenting on the extensive demand for "hobby" courses, thus establishing a unique feature of further education in South Australia, one that has been adopted only recently and to a limited extent in other States.

Technical and further education in South Australia was to be shaped for the next 50 years by the Education Act of 1915 and by the establishment the following year of a Technical Branch within the Education Department responsible for technical secondary education, apprentice training in trade schools and adult education. These last two activities, and courses related to them, have of course expanded tremendously since three specialised trade schools were established in 1923. About 90 000 students now receive instruction in 47 trade courses and over 700 post-trade, technician, paraprofessional, professional or personal enrichment courses in eight metropolitan and four country technical colleges, five city and 11 country Further Education Centres, the South Australian College of External Studies and the Migrant Education Centre.

New South Wales in 1949 became the first State to legislate for a separate Technical Education Department, stressing at that time the importance of technical education to the economy of the State and the nation, the disparity between the requirements of technical education and secondary schooling and the desirability of achieving the flexibility and responsiveness of a small specialised administration. Since then the greatly increased diversity of the courses demanded of technical colleges and the changing character of the student body have led the New South Wales Parliament, in 1974, to amend the Technical Education Act to change their department's title to the Technical and Further Education Department.

In South Australia our entire system of education was comprehensively examined in the *Report of the Committee of Inquiry into Education in South Australia,* 1969-70, known as the Karmel report. This report stressed the special nature of further education, and in paragraph 12.2 it points out:

> The interests of further education are both wide and complex. Its institutions have to cater for students of all ages except those under compulsion to attend school, for students whose intellectual levels vary widely, and for adults whose interests range from language and philosophy studies to art and craft activities. It has to be prepared to introduce new courses and to modify existing courses, and to adapt its techniques, its equipment and its outlook to the needs of a world of increasing change.

The Karmel report goes in to list developments it foresees in the field of further education: technological change, it believes, will increasingly require school leavers to gain additional qualifications both in specialised and general education in order to be satisfactory to potential employers; it will increasingly require adults to be retrained so as to keep abreast of their own occupation or be able to change to a new one; and it will increasingly produce new leisure time educational requirements. Tn addition, the increasing supply of graduate personnel in the economy will require a

proportionate increase in the supply of supportive staff at the technician level. The report therefore concludes (paragraph 12.48):

Further education has in the past constituted a kind of wasteland between the schools and tertiary education. Both its present importance and the likely magnitude of its expansion suggest the need for a department solely concerned with it . . . Both the voluntary basis of attendance and the age and economic independence of many students require different approaches to teaching and a different structure of authority from those regarded as appropriate for school-going pupils.

Since the publication of the Karmel report, we have seen the beginning of Australian Government participation in further education through the establishment of the Australian Committee on Technical and Further Education and, subsequently, the Commission on Technical and Further Education, with the intention of making further education an equal partner in the provision of post-secondary education.

Finally, we have received the *Report of the Committee of Inquiry into the Public Service of South Australia* which, in discussing the regrouping of departments, points out in paragraph 6.306 that the Further Education Department has "a role quite separate from that of the Education Department and the two departments have mutually exclusive "client" bases . . . Therefore, very little co-ordination is required (apart from that which occurs at Ministerial level) and few administrative savings could be expected to result from amalgamation."

The case for maintaining separate Departments of Education and of Further Education seems, therefore, to have been clearly established on both educational and administrative grounds. At this point I would like to pay tribute to the officers and teachers of the Further Education Department and its predecessor, the Division of Technical Education of the Education Department. It has been through their efforts that South Australia has achieved a leading place in the provision of further education in this country. I feel confident that the department established by this Bill will continue that tradition.

Clause 1 is formal. Clause 2 provides that the Act is to come into operation on a day to be proclaimed, and that certain provisions may be brought into operation on later dates, if necessary. Clause 3 sets out the arrangement of the Act. Clause 4 provides the necessary definitions. The definition of "further education" is purposely very wide and covers every educational field except those specifically excluded by virtue of the next clause.

Clause 5 excludes Government and private primary and secondary schools, universities and colleges of advanced education and instruction and training in pre-school education from the ambit of this Act. Part II establishes the Further Education Department and follows closely the comparable provisions of the Education Act. Clause 6 vests the administration of the Act and the teaching service in the Minister.

Clause 7 constitutes the Minister as a body corporate for the purposes of the Act. Clause 8 gives the Minister the power to delegate his powers under the Act, other than the power to dismiss a teacher. Clause 9 sets out the general powers of the Minister as to the establishment of colleges of further education, teacher training institutions, hostels, etc. Clause 10 empowers the Minister to set up such advisory committees as he thinks necessary. Clause 11 confirms the establishment of the department and the office of Director-General. Clause 12 sets out the basic duties of the Director-General. Clause 13 gives the Director-General a power of delegation. Clause 14 obliges the Director-General to make an annual report to the Minister.

Part III establishes the teaching service and again the provisions of this Part closely follow the provisions of the Education Act. Clause 15 provides for the appointment of teachers by the Minister. Salaries are to be determined by the Teachers Salaries Board established under the Education Act. (The Education Act will be amended to provide that the Teachers Salaries Board may make determinations that relate to further education teachers.)

Clause 16 sets out the circumstances under which the Minister may dismiss a teacher. A teacher may appeal against his retrenchment to the Teachers Appeal Board established under the Education Act. (The composition of this board will also be changed for the purpose of hearing appeals by further education teachers). Clause 17 provides for transfer or retirement on the grounds of incapacity or invalidity. Clauses 18 and 19 give further education teachers the same long service leave entitlement as teachers under the Education Act. Clause 20 entitles a teacher to pro rata long service leave in certain circumstances where his service has been for less than 10 years.

Clause 21 provides for the payment of a sum of money in lieu of pro rata leave on the death of a teacher. Clause 22 makes special provision for certain interruptions of service. Clauses 23 and 24 provide for portability of long service leave rights between the public service, the teaching service and certain other prescribed employers. Clause 25 provides that a teacher may retire at the end of any academic year after he turns 60, but must retire at the end of the year in which he reaches 65. Clause 26 provides for the discipline of teachers. A teacher has a right of appeal to the appeal board against any disciplinary action by the Minister.

Clause 27 gives the Director-General the right to suspend a teacher against whom allegations have been made. Part IV provides for the establishment of councils for colleges of further education in much the same manner as councils may be established by the Minister for Government schools under the Education Act. Clauses 28 and 29 provide for the establishment of councils as bodies corporate with the usual powers. Clause 30 gives a college council power to borrow with the approval of the Minister. A guarantee may be given by the Treasurer in certain specified circumstances.

Clause 31 provides that the Minister may make grants of money to college councils. Clause 32 obliges a college council to keep proper accounts. Clause 33 provides for the abolition of a council upon the closure of a college. Part V provides for the licensing of privately run schools of further education. Clause 34 provides that this Part will only apply to courses of instruction that are prescribed by regulation. The regulations may also exempt certain schools and exempt persons who provide the courses of instruction in the prescribed manner. It is intended that private technical schools presently licensed under the Education Act be licensed under this Act.

Clause 35 makes it an offence for a person to provide for fee or reward a prescribed course of instruction unless he holds a licence under this Act. It is also an offence to provide the course otherwise than as laid down in the licence. A moratorium is provided from the commencement of the Act until a day to be proclaimed so that all persons affected by this Part can apply for the necessary licence. Clause 36 provides for the granting of licences by the Minister, who must satisfy himself as to the adequacy of the premises, the competency of the instructors and the reasonableness of the fees.

Clause 37 provides that a licence remain in force for three years. The Minister may cancel, suspend or fail to

renew a licence where the holder has failed to comply with this Part or any regulation under this Part. Clause 38 gives the Minister the right to inspect licensed schools. Clause 39 provides that a licence is not transferable.

Part VI contains miscellaneous provisions. Clause 40 creates the offence of insulting a teacher who is acting in the course of his duties. Clause 41 provides that offences under this Act are to be dealt with summarily, etc. Clause 42 is the usual appropriation clause. Clause 43 provides the power to make regulations. It is not necessary to refer in detail to any of the matters that may be prescribed by regulation.

Mr. NANKIVELL secured the adjournment of the debate.

EDUCATION ACT AMENDMENT BILL

The Hon. D. J. HOPGOOD (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Education Act, 1972-1974. Read a first time.

The Hon. D. J. HOPGOOD: I move:

That this Bill he 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

This Bill is consequential upon the Further Education Bill, 1975. As I mentioned earlier when introducing the Further Education Bill, the Teachers Salaries Board and the Teachers Appeal Board established under the Education Act are to deal with the salaries and appeals of teachers under the Further Education Act. It would be a needless duplication of manpower if almost identical bodies were set up under both Acts. Of course, the composition of those boards will vary appropriately according to whether the matter in hand relates to a teacher under the Education Act or a teacher under the Further Education Act.

Clause 1 is formal. Clause 2 provides for this Act to come into operation on a day to be proclaimed. The operation of specified provisions may be suspended if necessary. Clause 3 is a consequential amendment to the arrangement of the Act. Clause 4 gives the Teachers Salaries Board jurisdiction to make awards, etc., with respect to further education teachers.

Clause 5 gives the Teachers Appeal Board jurisdiction to hear and determine appeals by further education teachers. The composition of the board will change when such an appeal is to be heard. Two extra panels will be appointed, one from the Further Education Department and one from the further education teaching service. When a further education teacher makes an appeal, the board will be constituted of the Chairman and two other members drawn from those panels. Clause 6 is a consequential amendment. Clause 7 repeals Part IX of the principal Act which deals with the licensing of private technical schools. These schools will come within the purview of the Further Education Act.

Mr. NANKIVELL secured the adjournment of the debate.

LONG SERVICE LEAVE (CASUAL EMPLOYMENT) BILL

The Hon. J. D. WRIGHT (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to provide for the granting of long service leave for certain casual workers; and for matters incidental thereto. Read a first time.

The Hon. J. D. WRIGHT: I move:

That this Bill he now read a second time.

In the 1973 policy speech, the Premier indicated that a scheme for long service leave benefits for casual and building workers based on the aggregation of their service in industry would be provided. In pursuing its policy of improving the conditions of employment of the workers of South Australia, the Labor Government believes it to be essential to provide long service leave for workers in industries where the nature of employment precludes the accrual of entitlements to long service leave or where such accrual is difficult for one reason or another.

The building and construction industry is an example of one such industry. A worker in that industry may have every intention of remaining with the one employer for the whole of his working life, or at least sufficiently long to accrue long service leave rights. Because of circumstances beyond his control, such as a down turn in the industry or the loss of a large contract by his employer, the worker finds his services terminated short of the qualifying period to accrue any long service leave. The Government intends that so long as a worker who finds himself in that position remains in the appropriate industry, albeit with another employer, that subject to certain conditions he will be able to count each period of service in the industry towards long service leave credits. The Bill, therefore, provides a form of portability of long service leave credits within an industry.

Cabinet approved the formation of a committee to undertake a detailed examination of the financial arrangements and administrative requirements necessary to implement such a scheme. The committee was tripartite in membership. The Chairman was Mr. M. C. Johnson (Assistant Secretary for Labour and Industry) and members were: Messrs. W. R. J. Eglington and F. V. Gosden representing the United Trades and Labor Council; Mr. J. H. Evins, representing the Master Builders' Association; Mr. C. W. Branson, representing the Chamber of Commerce and Industry; Mr. P. D. C. Stratford, the Public Actuary; and Mr. R. Ruse from the Premier's Department.

The task given by the Government to this committee proved to be extraordinarily complex, mainly because of the diversity, scope and size of the casual work force across all industries. Much time was spent therefore by the committee in discussion with leaders of appropriate sections of the trade union movement, as well as employer and Government organisations. As well, every opportunity was extended to all unions and employer organisations to put points of view to the committee. I pay tribute to the committee for the manner in which it was able to reach the point where it could recommend a course of action to the Government, bearing in mind the wide representation on the committee, the many different points of view put before it and the ramifications of the task it was set.

Some reliance was placed on proposals and schemes operating in other States. Tasmania has had a scheme covering building and construction workers in operation since 1971, whilst in New South Wales a similar scheme came into operation on February 1, 1975. Similarly the Victorian Parliament passed enabling legislation to introduce such a scheme earlier this year, but that Act has not yet been brought into operation. In order to give the committee access to all possible information on the operation of such schemes, the Public Actuary was sent interstate to examine at first hand the administrative systems implemented or under consideration in those States. His report proved very helpful to the committee and enabled pitfalls encountered in the other States to be avoided.

In the first instance the Government proposes that long service leave be provided for defined casual workers in the

building and construction industry. It has proved impractical to design one scheme to embrace all types of casual worker, but the committee will continue to meet to consider other casual type industries being defined in terms of the Act. In this way it is expected that eventually all workers not now enjoying a form of long service leave will have that right provided on the basis of service to a particular and specifically defined industry.

The Bill provides for a levy on employers (initially fixed at 2.5 per cent of the total of the wages paid to declared workers) in the particular defined industry to be paid into a fund which will be administered by a Long Service Leave (Casual Employment) Board. From this fund will be paid the long service leave entitlements as they become due. The Government agreed that despite the undoubted problems associated with the sheer diversity and size of the building and construction industry that it be the initial industry for which legislation would be provided because this industry is the one with the largest section of the work force not at present enjoying long service leave throughout the whole of that industry. It will also provide a realistic base from which other long service leave schemes can be considered for introduction into other casual industries. In so far as is practicable, this Bill provides entitlements similar to those of more permanent employees under the provisions of the South Australian Long Service Leave Act, 1967-1972.

As the remaining section of the second reading speech is an explanation of the clauses, I seek leave to have it inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

This Bill provides the legislative framework under which regulations may be made providing for long service leave for casual workers. The manner in which this measure will be applied will become apparent from an examination of its clauses. Clauses 1 to 3 are formal. Clause 4 sets out the definitions used in the measure and is generally quite self-explanatory. Clause 5 formally binds the Crown, and clause 6 provides for the exclusion of the Long Service Leave Act to service to which this measure will apply.

Clause 7 sets up a board by the name of the Long Service Leave (Casual Employment) Board and provides that the board will be constituted of three members, one who shall be Chairman nominated by the Minister; one representing the interests of employers and one representing the interests of employees. Subclause (6) of this clause provides for the appointment of "standing deputies" of members. Clause 8 is a provision in the usual form providing for the incorporation of the board. Clause 9 at subclause (1) provides for the removal from office of the members by the Governor and is in the usual form, and at subclause (2) permits the "nominating authority", as defined, to remove the member nominated by it.

Clause 10 provides for the occurrence of casual vacancies. Clause 11 provides for procedure at meetings of the board. Clause 12 provides for the payment of fees and allowances of members. Clause 13 is a provision in the usual form to ensure that acts of the board are not subsequently found to be invalid. Clause 14 provides that the board may make use of the services of officers who are employees of the departments of the Public Service, and is again in the usual form. Clause 15 permits the Governor by regulation to declare any activity in which persons are employed or engaged for reward to be a declared industry for the purposes of the measure.

Clause 16 provides that the Governor may by regulation declare a person to be a declared worker in relation to the declared industry. Clause 17 by a similar procedure permits persons to be declared employers in relation to such declared workers. I would draw members attention to the fact that a person may be declared to be a declared employer in relation to a declared worker notwithstanding the fact that the relationship of "master and servant" does not exist between those persons. Clause 18 establishes a Long Service Leave (Casual Employment) Fund and provides that contributions will be paid into the fund and benefits will be paid out of the fund.

Clause 19 provides a general power of investment of moneys standing to the credit of the fund. Clause 20 provides that the board, which will have the administration of the fund, may borrow money for the purposes of the fund, secured by guarantee from the Treasurer. Clause 21 provides for an appropriate actuarial investigation into the state and sufficiency of the fund and is in the usual form. Clause 22 enjoins the board to keep separate accounts within the fund relating to each declared industry.

Clause 23 is an audit provision in the usual form. Clause 24 provides for the making of annual reports on the administration of the measure by the board. Clause 25 provides that each declared employer will inform the board when a person *(a)* becomes a declared worker; or *(b)* ceases to be a declared worker.

Clause 26 provides that each declared employer will pay monthly into the fund to the Commissioner of Taxes the prescribed percentage of the wages paid to his declared workers. Clause 27 will enable arrangements to be entered into by declared employers who have only a small pay roll to make these returns and contributions at intervals greater than one month. Clause 28 enables the Commissioner to make repayment of any overpayment. Clause 29 enables declared employers to use any trust funds that may be under their control for the purposes of providing long service leave benefits to their employees, to make contributions to the fund.

Clause 30 deals with the situation of a declared worker who prior to becoming a declared worker had an actual entitlement to long service leave under the Long Service Leave Act. The effect of this clause is to preserve that worker's entitlement. Clause 31 deals with the situation where a declared worker on becoming a declared worker was not entitled to leave under the Long Service Leave Act but had service with his employer sufficient, had he continued, to entitle him to long service leave under that Act. In that case that declared worker will receive a credit in the fund for that service.

Clause 32 imposes on a declared employer an obligation to make a payment to the board in respect of the service credited pursuant to clause 31 of this Act. Provision is made in this clause for that obligation of the declared employer to be discharged in monthly instalments. Clause 33 provides that each declared employer shall annually forward to the board a return setting out the service of each declared worker during that financial year. Clause 34 provides for the issue by the board of Certificates of Effective Service for the purposes of this Act, the certificates, of course, being based on the returns received from the declared employers.

Clause 35 provides for the payment of 13 weeks ordinary pay as defined so soon as the declared worker achieves 120 months effective service. Clause 36 provides that at a time mutually agreed upon a worker who has received a payment referred to in relation to clause 35 shall be entitled to be absent from his employment for 13 weeks. Subclauses (2) and (3) place restrictions on the worker engaging in employment during the period he is entitled

to be absent and are analogous to the restrictions contained in the Long Service Leave Act.

Clause 37 authorises certain pro rata payments and again is analogous to the provisions contained in the Long Service Leave Act. Clause 38 deals with the situation where by reason of his promotion a former declared worker becomes subject to the Long Service Leave Act and requires the board to make a contribution to his employer should that employer later become obliged to grant long service leave in respect of service performed while his employee was a declared worker.

Clause 39 sets out the powers of inspectors and is in the usual form. Clause 40 provides for the keeping of records. Clause 41 provides for the declaration of "ordinary pay" for a worker and it is on the amount from time to time declared that payments will be made from the fund. Clause 42 is intended to guard against the possibility that an employer may discharge an employee in anticipation of that employer incurring a liability under the Long Service Leave Act. Clause 43 provides for the reasonable costs of the administration of this Act to be paid out of the fund. Clause 44 is a provision in the usual form relating to summary proceedings. Clause 45 is a regulation-making power.

Mr. DEAN BROWN secured the adjournment of the debate.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (MORATORIUM)

Adjourned debate on second reading.

(Continued from October 29. Page 1526).

Mr. DEAN BROWN (Davenport): This Bill, which is brief, deals with the demarcation difficulties between Commonwealth and State conciliation and arbitration powers. It relates to the *Moore v. Doyle* case. In effect, the Bill gives a moratorium to allow a new Bill to be introduced, and I understand the Minister has given an undertaking it will be introduced some time next year; perhaps the Minister can give such an assurance to the House. Such a Bill to define the different powers between the Commonwealth and States will require, first, the agreement between the bodies and, secondly, a Bill to be drafted. I understand this matter has come before the Commonwealth Constitution Convention and some consideration is being given to it.

It has consistently been a major industrial problem. I can remember quite a few specific cases where, in fact, a trade union has been registered as a Federal trade union, but a branch of that trade union has been registered with the State court, so when a dispute arises it is difficult to know whether a Commonwealth or State commissioner, or judge, should handle the dispute. This Bill simply gives a further three years during which agreement can be reached between the Commonwealth and the States. I believe it should be supported. The Liberal Party certainly supports it, as I believe it is in the long-term interests of industrial peace and the rationalisation of the industrial code within Australia.

Mr. COUMBE (Torrens): I support the Bill. It is short but necessary. The word "moratorium" has been used; it is a holding Bill to cover the situation until a certain decision can be finally made. This legislation was supported last year. In 1974, when section 133 (2) was amended, the Opposition supported that amendment. We now support this Bill. Since 1974 some progress has been made on this matter. It is a case that has attracted a certain amount of notoriety because of its importance, and the rather tragic happenings that occurred during the actual dispute that arose out of the *Moore v. Doyle* case.

It is a question of resolution, eventually, between the two jurisdictions, and that is what is really happening. I was a party to some discussion with the Minister's predecessor on this matter. I understand the question has had some consideration on a constitutional basis. Last year, in the amendment that was considered to make an extension of one year, the actual parent Act provided, "This shall not come into operation or will not affect any decision made prior to the last day of the second year that occurs other than at the commencement of this particular Act." That was the Act of 1972. It was then amended by one year to read, "the third year". Now we are going to the sixth year, and that brings us up to 1979. In his second reading explanation, the Minister gives credit to Mr. Justice Sweeney for the work he has done. I believe he has done a remarkable job. He would have to be a bit of a Solomon to get over this problem; it is not easy. Why the Minister is now extending it for three years I do not quite follow, unless he is playing safe.

In his second reading explanation, given only yesterday, he indicates that he thought that he would have an amending Bill ready next year. As we are giving an extension to 1979, I think we are entitled to some explanation of that matter. I should imagine that, when the matter does come before the House, it will be fairly involved and, of course, it may require some complementary legislation relating to the Commonwealth jurisdiction. Clause 133 relates to registered associations, which represent both the employee and employer groups, and it refers to the Commonwealth Conciliation and Arbitration Act. Therefore, I support the Bill on this basis: that it has to be passed, and I can see the urgency of it. In fact, if it is not passed this year I am afraid, industrially, we could find ourselves in a bit of a mess, as the moratorium operating at present could lapse and we could have trouble. I support the Bill.

Dr. EAST1CK (Light): I support this Bill. The very simplicity of the measure which is currently before the House does not in any way belie the real problem that exists within the whole industrial sphere. This measure has been the responsibility of one of the subgroups of committee A of the Australian Constitution Convention since 1973. I have had the privilege and pleasure to be working on that subcommittee, along with a number of persons well known to the Minister. One of the people who dealt with this matter on a subcommittee basis before his elevation to the Commonwealth Ministry was Senator James McClelland. In his representations to the subcommittee he made a very pertinent point that, whilst many people believed that the resolution of the *Moore v. Doyle* situation would solve a lot of the industrial problems that existed between the individual States and the Commonwealth and the unions (which function under those two heads), that the *Moore v. Doyle* situation was only the very tip of a massive iceberg. Once that situation was resolved there were just as many problems of association between the various unions waiting underneath the tip to cause difficulties to the industrial well-being of Australia. I think that it is necessary to put this matter into context, having regard to the problem outlined in the Australian Constitution. It is relative to placitum 35 of clause 51 of the Commonwealth Constitution which, under the general heading of "Powers of the Parliament", states:

The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good Government of the Commonwealth with respect to

and there are a whole host of divisions. We come to No. 35, which states:

Conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State.

It is in that area that the decision handed down in *Moore v. Doyle* created problems. In the first session of the Australian Constitution Convention one of the people to talk about this matter (and it was originally introduced to the convention by Mr. Wilcox, the Attorney-General of Victoria) was the then Senator Murphy. Senator Murphy's contribution is pertinent to the present discussion, and I read from it at pages 165 and 166 of the Australian Constitution Convention, 1973, report, as follows:

The next is the industrial relations power. No power has been the subject of more constitutional litigation. The annotations in the Commonwealth Acts take up more than twelve pages of fine print. Vast sums of money have been expended by employers and employees alike in an endeavour to arrive at the true meaning of the words "Conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State." The Government believes that all the limitations should be removed and the national Parliament should have ample plenary power over the whole question of terms and conditions of work. All those limitations, on using conciliation and arbitration—the narrowness of the concept of an industry, the concept of a dispute or the extension beyond one State—should be swept away and the plenary power that is necessary in a single national economy should be vested in the national Parliament. This would be an advance for the public, and the business world. I suggest to the Convention that the arguments I have put forward are irresistible.

Six attempts have been made to alter the industrial power. All have failed. The Convention ought to see to it that a statutory solution be reached so as to get out of this Alice-in-Wonderland situation exposed in such cases as *Moore v. Doyle* and the dreadful catalogue of other industrial cases in the High Court. This is a sphere that touches human relationships. It is the part of our social system which troubles us perhaps more than any other. When industrial strife occurs it injures not only the economy but also the families of those concerned in the dispute.

The three Judges of the Industrial Court who decided that *Moore* v. *Doyle* case—Spicer, C. J., Smithers and Kerr J. referred to "the serious problem confronting many Federal organisations and trade unions because of the existence of the separate Commonwealth/State arbitration systems and the need of organisations and unions to be able to function in both systems".

The subject we are now discussing is one with which I have had a close association over the years. It is one in which human relationships—relationships between people—are deeply involved. If this part of our social system is in trouble the whole of that system can be affected. It is therefore a subject that deserves to be given the closest attention by the Convention and by the standing committee appointed to come up with proposals for reform.

I will not quote anything more from that report other than to say that not only did Senator Murphy identify himself as having been closely involved in the *Moore v. Doyle* case but a person closely involved with the case on the other side was Senator James McClelland before he became a Senator.

The Hon. J. D. Wright: Before he became a Minister.

Dr. EASTICK: No, before he became a Senator, and certainly before he became a Minister. Another person closely associated with the *Moore v. Doyle* case was Mr. Sweeney, before he became a justice. Between them, Senators Murphy and McClelland and Mr. Justice Sweeney had considerable knowledge of the matters reported on. The report of the Committee of Inquiry on Co-ordinated Industrial Organisations, otherwise known as the Sweeney report, is an extensive report that was handed down in Canberra in 1974. The summary of the report is long and I do not intend to pick out any aspects of it. In an attempt by the subcommittee to come to terms with this problem I was afforded the opportunity of discussions with the present Minister's predecessor and officers of his department and we determined the attitude which had been put forward by the South Australian Government, which was generally supported by the Commonwealth and which was considered by the other States.

Unfortunately, the South Australian solution is not satisfactory to the other States. It could well go back to the attitude outlined by Senator Murphy when he says all power should vest in the Commonwealth. Fears exist regarding the sort of powers vesting in Senator Murphy, now Justice Murphy, acting through the High Court. Basic philosophical differences have come into this matter. I have had discussions with many people involved in this area, and I firmly believe that these differences cause many problems to the industrial scene in Australia. Indeed, I go one step further and indicate, as I did at a seminar earlier this week, that whilst the *Moore v. Doyle* situation remains unsolved I believe the various facets of worker participation do not stand a chance of being generally accepted, and I believe it would be a tragedy if they were forced in in this State. They will not be introduced in other Slates until the trade union movement is able to show that a decision, having been taken, the trade union movement will guarantee to deliver the results.

The *Moore v. Doyle* situation does not allow that position to necessarily occur. A situation in the State field could be switched to the Commonwealth field, so arrangements and agreements determined in good faith could fly out the window. I would like to believe that the whole subject matter can be more rationally advanced between the various States than it has been before. I believe that the plan developed by the South Australian officers is a reasonable approach to the whole matter, and I think it can be a firm basis of an end result. In making that statement I would not want in any way to walk away from accepting that it is a complex total matter. The subject will be considered further by the subcommittee of the Commonwealth convention, which will reorganise the sittings of the committees at a meeting in Melbourne next Monday. I hope that, along with the type of information that the Minister said in his second reading explanation has been made available to this Government by virtue of Mr. Justice Sweeney coming forward for discussion, and the provisions that his suggestions will eventually bring down, that resolution will apply to the other States of the Commonwealth, as well as to the Commonwealth itself.

I accept personally the responsibility of being interested in seeing that a form of words can be recommended to the Commonwealth Constitution Convention when it meets in Hobart next October to go forward as a referendum item for an alteration to the necessary clause of the Commonwealth Constitution. Anything the Minister can do to offset the rather unfortunate overtones which have been placed on this matter by Senator Murphy in discussions that will take place with his State colleagues and certainly with Senator McClelland in his new position I believe will be advantageous to the Australian industrial scene. I therefore support the Bill.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I want to thank Opposition members for their support and their awareness of the serious problem with which we are faced. I appreciate the member for Light giving us the advantage of the experience he has gained in these matters as a result of his attendance at meetings associated with the Constitution Convention. I have been aware of the situation for a long time; it is nothing new

to me; I have lived with it and tried to understand it, but I still do not know the proper solutions. The honourable member used the phrase "the tip of the iceberg", and I would have to agree with that. I asked one of my lawyer friends, who is a prominent lawyer in Sydney, about our legislation, which was intended to be introduced this session. He examined it, as did other lawyers in this State, and he said, "I suggest that you extend your moratorium for 20 years and hope that you retire by that time." That is how difficult the legislative position is. The moratorium on this occasion has been extended for three years to overcome the problem.

Many people were consulted about the legislation we had prepared, such as lawyers, unions, employers, etc., to ascertain whether they considered that it was workable. Some wrote back and said, "We think you have the answer." By the time more people had examined it, we found that we had 14 or 15 objections to the legislation, so it was not possible to proceed with it at that stage. The member for Davenport asked whether I intended to introduce legislation, and I can say that I intended to do so next session. It is the Government's aim to try to solve this problem as quickly as possible, if it is able to do so, and that is indicated by the fact that we were going to introduce the legislation this session. The member for Torrens asked why the extension was from one year to three years. It was not realised on the last occasion that there would be work to be done after the legislation had been introduced. As a precautionary step if we could not satisfy ourselves that the legislation was workable, it was necessary to extend it for three years. Moreover, unions and other organisations will have to amend their own rules after the legislation becomes law.

Mr. Coumbe: If your Bill comes in, it might overcome the three year problem.

The Hon. J. D. WRIGHT: If we get it in quickly enough. We do not intend to keep it for three years if it is possible to remove it beforehand. When the matter has resolved itself satisfactorily, we will remove the moratorium and the legislation immediately. I thank members for their support and their recognition of this problem.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Certain actions barred."

Dr. EASTICK: I believe the Minister said that, in the event that South Australia is able to proceed to legislation, albeit after the commencement of the new moratorium period, once the legislation has been proclaimed and is functioning, it is the Government's intention to repeal the moratorium period, because the new legislation could not be worked on until the moratorium had been repealed. I would not expect to commit the Minister to having a successful conclusion within the three-week period in February, because of the magnitude of the problem, and it certainly would not be my intention at any stage, with the background information I have been able to gain on this matter, to criticise him for not having the answer when we come back in February.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): When I said during next session, I meant in the 1976 session; I did not mean that we would be able to get the legislation prepared and past the House in February, 1976.

Mr. Coumbe: Do you mean in the second session of this Parliament?

The Hon. J. D. WRIGHT: Yes, in the session that will begin in 1976.

Clause passed.

Title passed.

Bill read a third time and passed.

COMMUNITY CENTRES

Adjourned debate on motion of Hon. D. J. Hopgood:

That this House resolve that the providing of community centres by the Government of this State shall be a public purpose within the meaning of the Lands for Public Purposes Acquisition Act, 1914-1972.

(Continued from September 16. Page 766.)

Mr. NANKIVELL (Mallee): The motion deals with a somewhat special set of circumstances, because it relates specifically to the acquisition of land for a community centre. As the Minister pointed out when moving his motion, community centres of the kind intended for Angle Park and Thebarton (the two sites with which he is concerned) are a combination of community centre, combining community welfare and health centre, together with the Education Department, which will be providing such components as combined school-community library, child care and pre-school centre, and additional further educational facilities, together with a co-educational secondary school. I understand that the Angle Park project (and I hope that the Minister will be able to confirm this or otherwise) has been approved by the Australian Government as a project it will plan and fund during this financial year and the next financial year. In other words, it has given funds for the commencement and continuing development of this project.

There is, however, some slight difficulty regarding the situation at Thebarton, and I believe that the problem with which the Minister finds himself confronted (hence the motion) is the result of the need to acquire land, in addition to land already held by the Government, for the development of the Thebarton community centre. This is being done in conjunction with the Thebarton council and incorporates an interesting parcel of land on Taylor Road. It involves the Torrens College of Advanced Education, known formerly as the Western Teachers College, the Thebarton Oval, the area occupied by the Thebarton Boys Technical High School, and ultimately, I presume, it will involve some of the land which is dedicated to the Thebarton council and which is being reclaimed from the old pughole associated with the Hallett brickworks.

If one looks at the plans that are set out in this instructive and interesting document, one sees that there are many houses in Ashley Street, East Terrace and Myer Street, Thebarton, that need to be acquired. Not all those houses can be justifiably acquired merely to extend the high school or the co-educational facilities associated with a community centre there. When I was called to speak in this debate, I was quickly researching to ascertain where the problem lay in relation to acquisition. Section 8 (7) of the Education Act provides that the Minister may, subject to and in accordance with the Land Acquisition Act, acquire land for the purpose of the Act. The purpose of the Act would be to provide land for primary and secondary education in this State. I tried to find in the Land Acquisition Act a reference to what were the Minister's powers.

Obviously, the Crown Law Department has decided that there is doubt whether the Minister has power to acquire land for a joint venture. He could obviously acquire the land if it was needed for educational purposes.

related to the Education Act, under his control. However, this project is a new concept, which is not vested in any one person, as far as I can understand. It is a joint venture. It is necessary in this case to give the Minister this additional power so that the projects that have been approved can be proceeded with. I understand from what the Minister has said that one is certainly proceeding; it is hoped that the other one will be proceeded with at the earliest opportunity.

I take this opportunity of pointing out that certain aspects of this land acquisition concern me, one of which is the matter of acquiring land that also involves the acquisition of houses. Many of these houses are occupied. One of them involves the home of people who have decided to live in retirement there. These people have done much work to improve and develop the site and the house itself in order to meet their retirement needs. They have found that they live in an area in which real property values are not necessarily high. If land is to be acquired and the acquisition involves a change in the pattern of the life of certain people (because they must think in terms of resettling .in another area), it is an unsettling situation, particularly when they realise that they may be unable to find and purchase another comparable house for a price similar to that which they have obtained from the acquisition of their own home. The price that they could receive for their property might be good value if they wished merely to sell it. If it was sold for the purposes of investment, the price offered might be fair. However, an overriding factor enters into this sort of situation.

I do not believe we can compensate such people by saying, "We will give you this price for your home, because it is a fair price from the point of view of real properly values. We are sorry if it is not sufficient for you to buy a comparable house elsewhere. We cannot do much about that, except to suggest that you go to the rehousing committee, which will examine your case. If it considers that there is some need for additional assistance to enable you to obtain a comparable house elsewhere, we will lend you the money, without interest, as a debt against the property." However, I suggest that that is not fair compensation to people in these circumstances.

There is an obligation on the State, when it interferes with the lives of people in this way, to rehouse them in suitable circumstances in another area so that they are not inconvenienced and so that these people are not asked to make significant sacrifices, financial or otherwise, to enable the community to enjoy a certain facility. I am sure the Minister for the Environment would know the case about which I am concerned. As he is the member for the district, I have discussed it with him. I think this is a case of hardship in relation to which special circumstances exist, and the rehousing of those concerned could be considered. This is only one example; there must be numerous other examples of people being affected in the same way.

As the Government (and that means the Parliament) has agreed, as a matter of policy, to the principle of community centres, as we are already proceeding with these projects, and as land will be required for the purpose of expanding the site at Thebarton to enable a community centre to be developed there, it is only proper that we agree to the Minister's having these additional powers. Once the project, which I understand is supported by the local community, has been approved by a Commonwealth Government that is willing to supply the necessary funds, it will be able to proceed without delay. With those remarks, I support the motion.

Dr. EASTICK (Light): J, too, support the motion. Referring to the contribution made by the member for Mallee, I point out that a serious lesson can be learnt from this sort of proposition, and particularly from the Thebarton Community Centre proposition. I should like briefly to refer members to the *Hansard* reports for the 1974-75 session, commencing on August 20, 1974 (page 525 of *Hansard*), and going through into 1975. I asked the then Minister of Education a series of questions about the whole Thebarton exercise, and more particularly about the problems that have been forced upon the Hately family. I am certain that they will not mind their name being used, because the stop-go situation that has developed has been a source of considerable embarrassment to them. I go a step further and say that it is a typical example of a case in which it is not possible in all justice to the people concerned that a course of action should be determined before financial commitment is forthcoming. Indeed, the Thebarton project was to be undertaken with a massive infusion of Commonwealth funds, but those funds were not forthcoming. On August 20, 1974, I asked the then Minister of Education what progress had been made in relation to the community centre project at Torrensville. In reply the Minister said (page 525 of *Hansard*):

After the provision of funds by the Australian Government in the 1973-74 financial year and a community survey conducted during November and December, 1973, by the Community Welfare Department, a brief for a community centre high school at Thebarton was prepared by a special project team. This brief and the associated sketch plans have been submitted to the Australian Department of Tourism and Recreation with a view to securing the necessary funds that will allow the project to go ahead.

My second question was:

What will be the exlent of the buildings?

The Minister's reply was:

Apart from the provision of the necessary school facilities which will be the responsibility of the Education Department, the provision of other buildings will depend on the availability of funds from other sources. The initial brief assumes the provision of additional sports and recreation facilities, performing arts facilities, a health centre, child-care facilities, and buildings concerned with the establishment of a social centre.

My third question was:

What number of properties are to be acquired for completion of the project?

The Minister's reply was:

The properties to be acquired fall into two categories: *(a)* properties to be acquired as soon as possible; and *(b)* properties to be acquired as they become available. There are eight properties in category *(a)* and a further 24 in category *(b)*.

My final question was:

How were persons advised of intention to acquire property in connection with this project, and what reaction has there been from property holders?

The Minister's reply was:

Before any final decisions were made on property acquisition, a public meeting was held on Thursday, February 28, 1974. As a consequence of that meeting, the architects for the project reconsidered the distribution of buildings so that the least possible disturbance to residents might occur. Five properties have already been acquired by the Education Department, including three with a priority *(a)* rating. Negotiations are proceeding in relation to the other acquisitions, and where necessary appropriate arrangements will be made through the re-housing committee.

Other replies by the Minister to Questions on Notice appear at pages 1202, 1875, 2523 and 3401 of *Hansard.* Having regard to the time, I will refer only to a question and a reply that appear on page 3401 of *Hansard.* At that time I asked:

In view of the fact that the necessary Australian Government funds have not been provided, when is it expected that redesigning of the proposed Thebarton Community Centre will now be completed?

The Minister replied:

The programme for redesigning the Thebarton Community Centre provides for the completion of the review of the brief with community groups, Public Buildings Department, Education Department and other client groups by November 30, 1975; preliminary documentation by November, 1975, to January, 1976, and final documentation by April, 1976. At present, this programme is being maintained.

There is a distinct implication in the sentence, "At present, this programme is being maintained," because, having regard to other State projects that have required a large infusion of Commonwealth funds, it may well be that the programme is not currently being maintained. I do not know whether the Minister's nodding his head is an acknowledgment of that or whether he is referring to another matter. The real problem that has arisen through this exercise is that people have been informed that their property is to be acquired by a certain date, then that it is not, and finally that it is to be acquired. This causes considerable disturbance to people's way of life, and causes them much concern about whether the valuation of their property will be maintained.

Invariably, when there is an acquisition order on a property, the value of adjacent properties depreciates. Moreover, the price the Government agrees to pay in many instances is not a real indication of the true value of the property. This sort of problem occurred on the border between the Districts of Light and Kavel when the township of Chain of Ponds was acquired by the Minister of Works. The department discounted the value of a property because it claimed that the property was over-capitalised.

I suggest that over-capitalisation is not a just reason for refusing to pay the true value of a property that is to be acquired. The person who over-capitalised his property (if it could be justly claimed that it was over-capitalised) did so because he believed what he had spent would be of benefit to him and his family. He built a swimming pool and a house of some substance for his family, believing that they would be able to live there for ever and a day and with no expectation of compulsory acquisition. The department said it would acquire the property at their claim of true value, which was less its over-capitalised factor. Some Government departments have much to answer for in paying a just price for compulsorily acquired land.

The Hately family upgraded their house for real and genuine purposes—because their daughter was to be married. Although they believed (for just and human purposes) they had improved the quality of the house in which they were living, the value was depreciated by the department. I suggest that all these matters should be researched thoroughly by the present Minister, if he has not already gone back through the records dealing with problems associated with this acquisition. I should like to believe that the Government of which he is a Minister will introduce amendments to the relevant Act that will guarantee that a person who is placed in the unfortunate position of having his property compulsorily acquired will receive the true value of the property and not a value that is suitable to the Government to enable it to obtain the property at a discounted price.

Mr. GOLDSWORTHY (Kavel): I want to take up this matter where the member for Light finished.

The Hon. D. J. Hopgood: Near that sensitive boundary?

Mr. GOLDSWORTHY: I want to deal with the matter of acquisition, because I had some experience with Government acquisition in the Chain of Ponds area. I want to make three points, the first being that this project is, or initially, like the Angle Park project, was supposed to be, a joint effort with the Commonwealth Government. It was one of the dreams of the Commonwealth Government that it would improve the lot of some of our urban dwellers. Indeed, this was going to be the grand venture between State and Commonwealth Governments. Of course, more pressing problems have been homing in on the Commonwealth Government in the past year or two, and funds are not available for this sort of project. We are getting back to the sort of basic decisions about employment, development, and so on, which I think are likely to delay the plans outlined in this rather glossy publication in connection with the Thebarton project.

Be that as it may, this motion is necessary so the State Government can press on with its acquisition programme. There are competing claims for this sort of project. I should like the Minister to know that, in Birdwood, plans have been drawn up for a community-type project that would require an infusion of Commonwealth funds. The high school at Birdwood is badly in need of a gymnasium and music room. I inspected that school last week. Birdwood High School is a major educational centre for a fairly large surrounding area. Although it is not a large school, it is large in comparison with the size of the town, and many students are brought by bus to the high school. They badly need a gymnasium, more adequate library facilities (although the school library is available to the public now), and a music room. There is, however, a plan for this community-style project, so do not let anyone get away with the idea that the only areas of need are in the metropolitan area, although they are the areas on which the Commonwealth Government has turned most of its attention in some of its more grandiose schemes. This scheme at Thebarton could well be a mini-Monarto, in that the funds just are not there from the Commonwealth, and the project, I suggest, will be delayed indefinitely.

I am aware of some of the human detail in connection with land acquisition for the project at Thebarton, and I am more acutely aware of the operations of the Government bureaucracy in the acquisition of land and property at Chain of Ponds some time ago. I know the sort of hardship that was caused to the majority of people in the Chain of Ponds area. A statement was made by the Government that it would give a resettlement value when it acquired land, but that did not come to much.

Let us not think this business at Thebarton is all beer and skittles. I understand the Government intends to press on with this acquisition for educational purposes. I should think the sort of business outlined in this typical publication regarding the community centre at Thebarton is perhaps in the same basket as Monarto—"indefinitely deferred".

The Hon. D. J. HOPGOOD (Minister of Education): I will refer only briefly to one aspect of this debate. I have listened with great interest to the criticism raised to a piece of legislation introduced into law by the Hall Government in 1969. I would have to agree with some of those criticisms. In relation to the specific projects arising out of which this motion has been introduced, I simply want to answer the question raised by the member for Mallee and say that it is expected that work on the Angle Park project will be commenced during this financial year. Secondly, I want to reassure the House that the

development of the Thebarton community project is not dependent on the advent of Commonwealth money. Certainly we would have been able to do the work far more quickly with the presence of Commonwealth money. In its absence, however, we will be staging the project, and I am not expecting that there will be any large deviation from the plans in the long run, although in the short run the provision of some of these facilities will certainly be delayed. I thank the House for what I anticipate will be its support for this motion.

Motion carried.

The Hon. D. J. HOPGOOD (Minister of Education) moved:

That a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

Motion carried.

ADJOURNMENT

The Hon. D. J. HOPGOOD (Minister of Education) moved:

That the House do now adjourn.

Mr. ALLISON (Mount Gambier): It has been brought to my notice that during the month of September, while addressing the Travel League of South Australia, the Minister of Tourism, Recreation and Sport said that the Mount Gambier City Council was not supporting tourism. This seems to be so grossly untrue that it is almost laughable. I have been asked by a member of the Mount Gambier City Council to set the record straight. That person has since retired, but he is still a member of the tourist committee. The historic facts are as follows: in 1971 there was formed in the South-East the South-East Region of the Australian National Travel Association (Seranta). The foundation meeting took place in Naracoorte. It was very well represented by citizens of Mount Gambier, some 60 miles away, and the Mount Gambier City Council had a representative at that meeting. The Minister, when he was addressing the group, said that the tourist organisation in South Australia was largely fragmented and uncoordinated and that such an attitude was incomprehensible. When asked whether he could give any specific examples of councils refusing to support local tourist organisations, he said, "The council that comes readily to mind is the Mount Gambier Corporation, which was asked to support the association and which was reluctant to do so." He is on public record as having said that.

There was, in fact, at Naracoorte that year a funding scheme brought in by the then Minister of Tourism, who was then the Premier. A subsidy of up to $1 000 was offered, subject to this being met on a three-to-one basis by local councils and/or local businessmen. In fact, the local communities raised a sum of about $2 500, by far the lion's share of which (I am not sure whether it was on a per capita basis or on a pro rata basis in proportion to rates revenue) was contributed by the Mount Gambier City Council. Mount Gambier businessmen also subscribed in a manner not matched by businessmen elsewhere. Then followed the situation whereby, after frequent applications for assistance and refusals by the State Government, the South-East Regional Tourist Association began to wither on the vine and, in fact, over the past two years it has reached such a state of frustration that it has hardly met at all. Perhaps this is what the honourable Minister was referring to. It would seem that he is grossly misinformed, or uninformed, and I should like to attribute this, not in anger, to the fact that it is a relatively new portfolio he has assumed.

Mr. Gunn: And he's normally incompetent anyway.

Mr. ALLISON: I would not say that. There was a recent attempt to resuscitate this association, and Mr. Pollnitz and Mr. Mitchell were present at that meeting, but they were unable to offer any concrete advice about what support might be forthcoming from the State Government. Further information is that after the Australian National Travel Association closed its South Australian office the former A.N.T.A. manager, Mr. Don Maxwell, was appointed by the South Australian Government to produce a report on the State's tourist promotion requirements. Mr. Maxwell attended a meeting in Mount Gambier, and he suggested that a levy of 1c a head of population be raised to provide funds for the region. The Mount Gambier City Council asked for details of the proposals, but these details did not materialise, nor did Mr. Maxwell's report which was commissioned by the Government. However, the Mount Gambier City Council did agree to meet the 1c a head levy. At the A.N.T.A. State convention the Mount Gambier City Council representative said that his council was prepared to support any Government proposals. No concrete proposition has yet come out of it. The convention took place in October, 1974, at Tanunda, and it was opened by the Hon. G. R. Broomhill.

In 1973-74 and 1974-75, the Mount Gambier City Council budgets provided $2 000 each year just in case possible South Australian Government tourist promotions materialised. The budget this year is restricted, unfortunately, because of the current economic situation, but for the past three budgets the Mount Gambier City Council has provided for a $2 000 subsidy to reform the local tourist organisation. Co-operation with the local chamber of commerce has just been achieved to do this, and the council will have representatives on this association as well as providing the subsidy. For several years Mount Gambier has, in addition to these activities, become a member of and supported the Western Wonderland Tourist organisation, which consists of an area including Mount Gambier, Warrnambool and Hamilton. The Premier recognised the importance of this region and the importance of interstate co-operation in an article that he delivered to the Melbourne *Herald* about 15 months ago when he referred to the green triangle, which would become the green square if Portland was included. Mount Gambier realises that cross-boundary tourism is of extreme importance because it brings new money to the State. For that reason it has joined in the Victorian State promotions, which are subsidised by the Victorian Government in order to get the benefit of interstate tourism. The sum of $17 500 was provided by the Mount Gambier City Council in last year's budget for tourism alone, and $7 500 was provided for a handsome coloured tourist brochure illustrating the city and its environs.

The Mount Gambier City Council seems to have been done an injustice, because $1 a head far exceeds 1c a head suggested by Mr. Maxwell in his proposition, which came from the State Government. Also, the Mount Gambier City Council believes that its tourist activities would be far greater than those of any other council in this State. The Mount Gambier City Council was so tourist-minded that it became frustrated by the lack of organised regional promotion by the South Australian Government, and it joined the Victorian tourist promotions, which should be of great benefit to the region and to South Australia because tourists are attracted from Melbourne through Mount Gambier and then on to Adelaide. We make the point that the South Australian Government and other regions in the South-East do not

contribute financially to that promotion scheme, whereas the Mount Gambier City Council does. The Mount Gambier City Council also spends considerable sums on parks, gardens, recreational reserves, reafforestation, watering of the lakes area, festivals, and conventions. I believe the nicest thing I can do is extend an invitation to the Minister of Tourism, Recreation and Sport to come to Mount Gambier to enjoy my personal hospitality and, I am sure, that of the people of the city.

Mr. KENEALLY (Stuart): I seem to have many supporters on the Opposition benches. I am sure they will listen intently to what I have to say in this adjournment debate. I must apologise to them for not taking this opportunity to tell the House about all the good things that the Labor Governments in South Australia and Canberra are doing and also to point out to them the complete irresponsibilities of their members both here and in another place. However, I have given an undertaking to the council at Port Augusta that I will raise a matter in the House on its behalf and read to the House the letter I have received from that council.

I have not had the opportunity for some weeks to speak in this debate, and I must thank the member for Gilles for "giving way" to me on this occasion so that I might raise this matter. The House will understand that I have been somewhat delayed in this opportunity when I say that what I intend to deal with is the abortive attempt by some people within my area to promote the secession of the Spencer Gulf area from South Australia. Although this is a dead issue here, there are still the odd (and I mean odd in every respect) people within the area, such as Mr. Birman, the Commonwealth Liberal Party candidate for Grey, who strive to make some political mileage out of this issue by saying it is a natural reaction of people who have been denied support from Governments, both State and Commonwealth. Some weeks ago I received a letter from Mr. Richards, the Town Clerk of the City of Port Augusta, which states:

I would be grateful if you would bring to the attention of the Government the fact that the Port Augusta City Council has repudiated any involvement by Port Augusta in any discussion on the question of seceding from the State. The decision was unanimous. Unfortunately, the report in last Monday's *Advertiser* following the meeting of the Spencer Gulf Cities Association gave the impression that the delegates of the four cities supported seceding. This was not true. The motion was one asking the standing committee for information and the Port Augusta delegates and no doubt many others voted on this basis. If it had been put as a firm proposal it would surely have been given the short shrift that it deserved.

To put the matter in perspective, this question occupied probably no more than 5 minutes of a total conference time of 2½ hours but the interpretation placed on it by the media has overshadowed other items of real value to the area. Last year the Australian Government, in recognition of the needs of the area, commenced an area improvement programme for the region embracing the three northern cities. It is generally recognised here that this was only made possible by the investigation and representations of the State Government working in conjunction with the local councils involved. You may rest assured that there is no support for Aid. Thomas's theory in Port Augusta.

I hope that will be the last comment I will make on the subject. Whilst I am on my feet I should like to comment briefly on another local issue in Port Augusta relating to the petition which I presented to the House on Tuesday of this week and which was signed by 480 petitioners asking the Marine and Harbors Department to remove from the Port Augusta West jetty a sign prohibiting swimmers from using that jetty. I am raising this matter in the vain hope that someone in the Marine and Harbors Department will take the opportunity to read *Hansard* and perhaps then know the views of the people on behalf of whom I am speaking. The Port Augusta West jetty is the only access to deep water for people on the west side of Port Augusta who wish to swim. The beach at Port Augusta West is rather muddy and an obstacle to those people who want to make the great trek across to the place where the water starts at times of low tide.

Of course, the jetty makes this trek much more comfortable and more rewarding. Unfortunately, it seems that some people, by some acts of vandalism, have been abusing the opportunity presented to them to use the jetty. As a result of this vandalism, a danger is presented to swimmers because the power lines going to the light standards have been damaged and the wires bared, so that someone may be injured. This is a real danger, particularly to children, and some action needs to be taken. It is my view and that of people in the area that the department could well make the light standards safer and the power input more appropriate, having regard to the purpose it serves. It would be unfortunate if what is a widely used recreational facility (the only swimming facility on the west side) should be denied to the people. Suggestions have also been made that the old Great Western bridge, which is due for demolition when the Highways Department has both the finance and time available to do so, could well be used as a swimming jetty.

Members interjecting:

The SPEAKER: Order! There are far too many interjections.

Mr. KENEALLY: I will not continue to be so provocative to Opposition members. If the saddle was taken out of the existing bridge and each side of the bridge was used as a jetty, this might overcome some of the problems I have mentioned. Port Augusta and the northern Spencer Gulf cities have been well served by Government departments in relation to expenditure, and we in Port Augusta appreciate that greatly. However, if the Government could see its way clear to spending a little more money, and if it is unable to make the Port Augusta West jetty available to swimmers, perhaps it could overcome the problem by converting the bridge across Spencer Gulf at Port Augusta into two swimming jetties. I promote this idea as a possible compromise, and I am sure that it would have the support of all the people in Port Augusta.

Mr. DEAN BROWN (Davenport): First, I will comment briefly on the unfortunate abuse of the change in Standing Orders that has been adopted by the Government. When the grievance debate was introduced, it was planned as a tactic whereby on a daily basis members could stand and air their grievances but, unfortunately, we have not had a grievance debate on more than half of the sitting days, because the Government has continued to debate beyond the maximum time limit of 10 p.m. on Tuesdays and Wednesdays and beyond 5 p.m. on Thursdays. It is most unfortunate to see that a Government that has changed Standing Orders in negotiation with the Opposition Parties has backed down on the agreement and the conditions of those changes in Standing Orders. Unfortunately, the Government has refused this privilege consistently.

The first subject I touch on is land tax in the metropolitan area. I raised this matter in the House about a year ago, because of the crippling effect it was having in my own area, particularly on aged people who did not have a fixed income and who were living in home units. I find in my own area that little, if any, real relief has been obtained for these people and others. The Government introduced a Bill to reduce the rate in the dollar

for land tax. I put this forward as a probability when the Bill was first debated in the Chamber that I suspected that land tax in the metropolitan area that had a very low land value would decrease, and that has occurred. In other words, most people in the Labor districts find that their land tax has dropped considerably.

However, in areas where land values are high (such as my own district), I find that, although in some cases land tax has decreased (and I am one whose tax has decreased, because I have only a small block), in other blocks in my area land tax has increased considerably. I will cite one such case where someone has found that, during the past three years, his land tax has increased from just over $1 000 to $3 400. That person, when the Bill was introduced last year, believed that he would get relief this year. Last year, his tax was just over $2 000 and, to his amazement, two weeks ago he found his bill was about $3 400. That shows the way in which the Labor Government has tried to hoodwink people throughout the metropolitan area. It has promised relief, but has delivered relief mainly in its own districts. I know that in my district and in the Fisher District there has been no relief whatever.

I put in the same category as the promises on land tax the promises on succession duties, because I believe that, when one analyses the figures (and I know that the member for Mallee has done this), one finds that relief has been granted to people in certain categories where the value of the matrimonial home is low. For the homes in my area, however, there has been little or no relief. Throughout the State, there is no rebate after $69 000 for the matrimonial home in category 1. That may sound a ridiculously high figure, but in the Davenport District many houses are selling at well above $69 000. Let us not forget that the rebate ends completely at $69 000 and diminishes up to that level. The sum of $69 000 is the aggregate for the entire estate, so the matrimonial home is likely to be valued at between $50 000 and $60 000, and they are not high values for houses.

The second area I touch on relates to water rates and concerns the method of charging for excess water. In an area such as Stonyfell, the water measurements are taken in January each year. Therefore, the period for which the water measurement is taken is from January, 1975, to January, 1976, say. The question is: how does that relate to the accounts people pay? We find that the department works out the actual amount by taking the year from July, 1975, to June, 1976, and charges for excess water according to the water charge for the latter part of the calendar year when the water measurement is taken. Therefore, although these people may use most of their water during the hot summer from January, 1975, to June, 1975, the period in which they should be paying for excess water, they will be paying not according to the rate for that period of 11c a kilolitre but for the rate of 14c a kilolitre, which now applies. I think that that is a masterpiece of deception by the Minister of Works, and I think that this matter should be carefully examined and corrected as quickly as possible.

Several weeks ago in the House I asked a series of questions concerning accidents at the intersection of Parade and Glynburn Road, which has become a dangerous intersection since the change in the "stop" sign rule whereby it is now necessary to stop and give way to all vehicles. This intersection is narrow and dangerous. It is narrow on the Glynburn Road side and dangerous on the Parade side because of the high speed of traffic travelling along that road. The Minister gave me some figures which indicated that there had not been a great number of accidents within the two-month period. However, I am now told, on a reliable basis (because we have had a meeting of all residents in the area), that there is an accident at this intersection almost daily.

Mr. Nankivell: But they don't report them, because they're minor.

Mr. DEAN BROWN: That is so. I understand that there was a serious accident there last Monday morning. It is perhaps fortunate in one way that doctors live on three of the four corners of the intersection and that two other doctors live nearby. At least people are available who can look at the injuries immediately. The situation is critical. The Minister has said, in reply to a question I asked, that traffic lights will not be installed until the 1976-77 financial year. That is at least a year away, and we can expect that it will be much more than that, judging on the performance of the Minister of Transport. What concerns me is that, because of the danger of this corner and the large number of accidents that occur there, we cannot wait another year and risk lives, on a continuing basis, almost daily.

It is time that the Minister realised the importance and danger of this corner. Action must be taken. The Minister has tried to sheet the blame back to the Burnside council, but that council has approved the installation of traffic lights. Indeed, it would like to see them installed immediately. It is up to the Minister to accept the challenge. I put on his shoulders any major human injury that occurs at this intersection in future. The Minister has rejected the request for the immediate installation of traffic lights, so future human injury and death at this intersection must lie on his shoulders.

There is one more matter to which I would like briefly to refer. I congratulate the *Advertiser* on its current series called *Brainstorm.* I particularly congratulate Mr. Stephen Roman, who thought up the idea and who has initiated so much public debate in this area. I am concerned at the high level of unemployment amongst people under 21 years of age, and particularly regarding the long-term effect that this will have on their outlook on our Western democracy. It is time we as a community realised the problems in this regard. Our whole style of taxation at present is an incentive against employing people instead of being an incentive to employ people. It is time we totally reassessed it.

The SPEAKER: Order! The honourable member's time has expired.

Motion carried.

At 5.23 p.m. the House adjourned until Tuesday, November 4, at 2 p.m.