

**LEGISLATIVE COUNCIL**

Thursday, June 12, 1975

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

**QUESTIONS****WORKMEN'S COMPENSATION**

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

Leave granted.

The Hon. R. C. DeGARIS: Before I make my explanation of the question, I seek your indulgence, Sir, and that of the Council to convey my congratulations to the Hon. Mr. Banfield on his election as Chief Secretary and Leader of the Government in this Chamber, and also to add my congratulations to the Hon. Mr. Chatterton on his election as Minister of Agriculture. We look forward to working with the changed front bench in the future. My explanation, first, is that from reports and surveys being undertaken it appears that since the passage of the Workmen's Compensation Bill about two years ago there has been an increase in South Australia of about 33 per cent in injury claims, a 60 per cent rise in days lost, and a 150 per cent rise in workmen's compensation payments, while actual workmen's compensation insurance premiums in 1974-75, as a direct result of the increase in benefits in workmen's compensation plus inflation, are three or four times higher than the 1972-73 figure. Has the Government undertaken any studies on the effect on South Australian industry of the new Workmen's Compensation Act; if so, has the Government made any decision to amend the existing provisions?

The Hon. D. H. L. BANFIELD: I thank the Leader for his words of congratulation to the Hon. Mr. Chatterton and me, and I am pleased that he is looking forward to working in harmony with us on the front bench. I shall refer the Leader's question to my colleague and bring down a reply.

**HILLS FACE ZONE**

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Minister of Lands, representing the Minister for the Environment.

Leave granted.

The Hon. C. M. HILL: On March 25 and March 26 the Planning and Development Act Amendment Bill passed through its Committee stage in this Chamber. At that time some discussions were held with the Minister of Environment and Conservation concerning the question of the accumulation of funds for the purpose of the acquisition of land by the Government in the hills face zone as a means by which the whole problem of that zone might be solved in the long term. The Minister gave an undertaking to me, and that undertaking was confirmed by the present Minister of Lands, that application would be made to the Commonwealth Government for funds for the purpose of purchasing land in the hills face zone. Can the Minister say whether such an application to the Commonwealth authorities has been made and whether a reply has been received; if it has, what was the Commonwealth Government's attitude to this question?

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

**METROPOLITAN TRANSPORT**

The Hon. C. M. HILL: Will the Minister of Lands ascertain from the Minister of Transport what is the total expenditure by the Highways Department since May, 1970, on the acquisition of properties along the freeway and expressway routes, as defined in the Metropolitan Adelaide Transportation Study?

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

**CIGARETTES (LABELLING) ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from June 11. Page 3286.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which could really be described as a Bill to make regulations. It is designed to ensure that on any advertisements for cigarettes the prescribed warning is shown in the prescribed form. The Bill provides for this extension of the warning to these advertisements and it also provides for an offence if the regulations are not complied with. So, it is a simple Bill from that viewpoint. I unhesitatingly support this extension of the warning to all forms of advertising but, in saying that, I want to emphasise that the Government has really tackled a difficult problem here, because we all know that cigarette advertising is one of those all-pervasive things that have occurred and are occurring in many ways. We seem to think of an advertisement as something that we see in a newspaper or a magazine; that is the obvious thing that springs to mind, but we all know that there are such things as hoardings, neon signs, give-away ash trays, and cards.

The Hon. D. H. L. Banfield: T-shirts?

The Hon. F. J. POTTER: Yes. We realise that it is a difficult problem for the Government to tackle other than by means of regulation. Of course, regulations in connection with this matter will ultimately be promulgated. I emphasise that, because there is such a large diversity of forms of cigarette advertising, it seems to me that a reasonable period of time should be allowed by the Government before regulations are actually brought into effect. I do not think the Minister said anything about this yesterday, although I have seen a document, apparently issued not only by this State's Minister but also by Ministers of Health throughout Australia. That document, dated May 7, sets out in broad detail the kind of thing that can be expected when the regulations are actually drawn and promulgated. I have heard it suggested that this measure will come into operation by September of this year. If, in fact, that is contemplated, I think it is altogether too short a period of time to enable the trade to deal with the various forms of advertising. I see that the Minister shakes his head, so perhaps I have no need to be concerned about that matter.

New section 4a provides that the regulations relating to advertisements for cigarettes is to be brought in on and after a day to be fixed by proclamation. I should be pleased if, in reply to this debate, the Minister would say when it is expected that the regulations will be promulgated or the Act proclaimed. I have no doubt that many people in the State are concerned about some of the regulations that the Minister has foreshadowed and that they have grounds for feeling some concern. However, like all other people who may be affected, I think they should

take their complaints and suggestions, if they have any, to the Joint Committee on Subordinate Legislation when it has an opportunity of examining the regulations.

The Hon. A. J. Shard: Shouldn't they go to the Minister before the regulations are framed?

The Hon. F. J. POTTER: I hope they do.

The Hon. A. J. Shard: Don't you think it's a bit late to go to the committee?

The Hon. F. J. POTTER: Certainly, they should go to the Minister and, if they realise it is the best course of action to take, people will do that. If they are not satisfied with the Minister's decision, those concerned can then take the matter to the Subordinate Legislation Committee.

The Hon. R. A. Geddes: How will a firm that advertises in an interstate publication get on in South Australia?

The Hon. F. J. POTTER: I understand that this will be Australia-wide. This is a matter for the respective States. It is not a Commonwealth legislation matter and the statement to which I have referred is signed by the respective State Ministers. Presumably, therefore, it is hoped that a uniform date will be fixed for the introduction of these new laws.

The Hon. A. M. Whyte: Have the other Parliaments passed similar legislation?

The Hon. F. J. POTTER: I did see a reference in a newspaper saying that Tasmania had either passed or, at least, had introduced a similar Bill. I hope the Minister will give us that information when he replies. The only matter in the Bill that concerns me is in relation to the date on which the Bill is to be proclaimed. I hope we can obtain a reasonably satisfactory reply from the Minister when we get to that stage. The Bill is commendable. True, there are many people in the community who believe that the form of warning we have seen on television and heard on radio is not effective. Originally, I thought that was the case, too, but now I am inclined to think that the situation is like the steady drip of water on a stone; given sufficient time and sufficient repetition, I believe this warning is effective.

Although I have no current statistics at hand, it is my impression that there are many more people today who have given up smoking and are non-smokers than in the past. This is noticeable, especially in public transport and at public gatherings and at theatres. It is noticeable that many more people are refraining from smoking. If this is really the position (and my observations lead me to believe that it is), I can say only that the warning must have had an effect. Consequently, its extension to all forms of advertising will be a good thing, because there will be no question about it: smoking is a health hazard. It has now conclusively been proved beyond any point of controversy that smoking is the cause of several nasty diseases, some of which culminate in death. I support the Bill, and I hope the Minister can satisfy me in respect of the one point that I have raised.

The Hon. V. G. SPRINGETT (Southern): Following the speech of the Hon. Mr. Potter, I agree wholeheartedly with him that the warnings we see on television create some doubts in the minds of many people regarding their effectiveness. On looking at the number of people smoking in theatres and other places of public entertainment and other gatherings it is clear that fewer people are smoking now than were smoking one or two years ago. The Cigarettes (Labelling) Act came into being in 1971. It was introduced as a result of the urgent need to warn people

of the risks they were running by smoking. Those of us concerned with the development of anti-cancer work in South Australia and elsewhere are conscious that many avenues must be explored to obtain the solution that we seek; that is, the eradication of diseases whose foundations lie with heavy cigarette smoking.

We have proven beyond doubt that there is a relationship between cigarette smoking and lung cancer. Statistics prove this. The intention of the original Act and this Bill is to make more definite the warning that is given to people. The advertisements we hear and see on television state:

Medical authorities warn that smoking is a health hazard! True, this warning is not as good as it could be. The voice used is dreary, monotonous and not filled with any life or verve. I should like to see this changed so that varieties of voices are used and a more dramatic warning is given. Some cynics may scoff about this, but certain facts cannot be brushed aside. The following figures show the increasing incidence of deaths resulting from lung cancer:

Year	No. of deaths
1955 .....	105
1960 .....	130
1965 .....	201
1970 .....	291
1972 .....	314

A steady upward progression has continued throughout this period. Later than that we have not got exact figures, but in 1971 there were 3 400 lung cancer deaths in Australia and in the same year 3 847 deaths occurred through road accidents. Putting one against the other, there is no comparison in the amount of effort put into trying to solve the problem of road accidents as compared with the effort made to deal with the 3 400 lung cancer cases. About one-third of all Australian adults smoke cigarettes, which means that all those Australians are running an unnecessary risk of death by lung cancer at an earlier age than should be occurring.

The Bill aims at any form of advertising of cigarettes. Is the warning to be given the present one or is it to be a more inspiring one? It has been estimated recently that one-third of 15-year-old boys smoke and one-sixth of 15-year-old girls smoke, and these figures are rising all the time. The World Health Authority has put out some statistics for 1974 which show that 21 per cent of cancers in males are lung cancers while 5 per cent of cancers in females are lung cancers. This is one form of cancer that is growing steadily all the time. In the male it is increasing steadily and in the female it is galloping to catch up with the male.

Lung cancer among women was fairly rare until a few years ago, but as a result of women starting to smoke cigarettes the figures for females are now catching up with those for males. The risk to both sexes of this form of illness needs to be made clear. The World Health Organisation points out that cigarette smokers, taken as a whole, have approximately 38 per cent greater mortality than non-smokers. It has been estimated that the mortality of cigarette smokers from diseases other than lung cancer is greater than that of non smokers. The figures refer to cancer of the larynx, the mouth, the gullet, and the bladder. In each case the figures are lighter than for lung cancer, because they are rarer.

The same report reminds us that in relation to bronchitis, emphysema and asthma, ischaemic heart diseases and other diseases of the vascular system, all are more frequent amongst those who smoke heavily. In all countries in which

reliable statistics can be obtained there has been an increase in lung cancer mortality in the last two or three decades. It is greater in men than in women, but in all countries that follow the figures for increased cigarette smoking by men and later by women lung cancer is higher in smokers than in non smokers.

One must accept that adults have the right to choose for themselves whether or not to smoke, but the risks should be made very clear. When a person knows that a risk exists he must take the consequences if he runs that risk. In some parts of the world it has been fully recognised that, whatever is done in the way of advertising campaigns to reduce the number of cigarette smokers, there will always be some who continue to smoke. We should therefore recommend that people reduce the number of cigarettes they smoke and reduce the depth and frequency of inhalation. Also, we should recommend that people discard a larger butt at the end, because it is in the last few centimetres of a cigarette that the greatest amount of harmful nicotine and tars is present.

The Hon. M. B. CAMERON: It is better to stop smoking altogether.

The Hon. V. G. SPRINGETT: Yes; that is much better, but some people cannot stop altogether. I am glad to see provision in the Bill for the prescribed health warning in any advertising for cigarettes; the word "any" needs underlining. While this Bill is not the final answer to the whole question, it is a step in the right direction, and I hope it will be passed without any difficulty so that we can help to save more lives.

The Hon. A. M. WHYTE secured the adjournment of the debate.

#### **LOCAL GOVERNMENT ACT AMENDMENT BILL (ADMINISTRATION)**

Second reading.

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

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

It 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. The bulk of the amendments proposed by the Bill arise from representations of individual councils, regional local government associations, the Local Government Association and the Local Government Women's Association. Clauses 1 and 2 are formal. Clause 3 alters the section dealing with the arrangement of the Act in view of later amendments.

Clause 4 extends the exemptions from the definition of ratable property to include centres for the rehabilitation of persons addicted to drugs and/or alcohol. In addition to this, the definition of "urban farm land" is amended by deleting the qualification relating to the minimum area of the land. Some plant nurseries operate on areas of less than 0.8 hectares.

Clauses 5, 12, 20, 25, 49, 61 and 62 amend the provisions relating to the voting rights of ratepayers at council elections. In general, the provisions enable the occupiers and the spouse of occupiers to be included in the assessment book and be enrolled for voting at council elections and polls. Section 115 removes multiple voting rights. These amendments have been requested by a number of councils and by the Local Government Women's Association. In addition, it has been necessary for amendments to be made in view of the fact that groups of

homes (for example, homes for the elderly) are commonly included in one assessment. Hence there has been some disenfranchisement of persons who should have a right to vote. The amendments will rectify this anomaly.

Clause 6 amends section 133 to provide that a "how to vote" card can be defined in regulations. Regulations will be prepared to provide that a "how to vote" card shall accord, in general, with the provisions in the Electoral Act. Clause 7 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 8 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.

Clause 9 enables a council, by resolution, to fix one day each year as a holiday for its employees. Clause 10 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.

Clauses 13, 14 and 31 amend sections 178b, 180 and 257 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. Clause 15 amends section 214 to provide that a council is able to expend revenue raised from the differential rates throughout the council area. Some doubt has previously existed in this respect.

Clauses 16 and 17 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. Clauses 18 and 63 make metric conversions.

Clauses 19, 21, 22, 23, 24, 26, 27, 29 and 30 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. The sections repeal the maximum rates prescribed by the Act. 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. Clause 28 repeals the existing section 244a of the Act with regard to rating of urban farm land. The amendments provide for a compulsory remission of rates in respect of urban farm land. The amount of the remission can, however, be recovered if the land ceases to be urban farm land. The provisions in this respect are analogous to the existing provisions of the Land Tax Act.

Clause 32 amends section 259 by removing the fine of 5 per cent and providing that the fine may be fixed by the Minister by notice published in the *Government Gazette*. Such a fine would generally be published annually prior to July 1. The fine will consist of an interest rate 1 per cent

above the current bank overdraft rates. Besides being published in the *Government Gazette*, each council will be notified by the Minister of the interest rate which will be applicable during the ensuing 12 months. In addition a new subsection (1a) is included in section 259. This provides that a council should add interest on the amount outstanding for each month. The interest would be added on the first day of each month. The first interest would be added on December 1 or March 1, as the case may require. Subsequent additions of interest would be added to the total outstanding on the first day of each subsequent month.

Clause 33 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 34 repeals section 267b and inserts a new section. In effect, the new section provides for a council to remit the rates in respect of organisations providing homes for persons in necessitous circumstances, or for the aged. The other provisions of the existing section will be carried forward in the new section. Clauses 35, 36 and 37 relate to the provisions which empower a council to sell land for 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 included providing for the disbursement of the money received from the sale of land. An additional subsection is added to provide that the liability in respect of Crown rates or taxes shall be diminished only 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 38 amends section 286 in two ways. First, the amount that a council is able to spend 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. A consequential amendment is made to subsection (6). Clause 39 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 supply 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 40 inserts a new section 287c in the Act. This section will enable councils to expend revenue for the provisions 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 councils to participate in the scheme. Clause 41 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 42 amends section 319, in respect of the amount for each 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 43 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 42 and 43 are in relation to land which was subdivided prior to the implementation of the Planning and Development Act, 1966-1967. Clause 44 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 45 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 46 repeals subsection (1) of section 365b and inserts a new subsection. The effect of the new subsection is to enable a council to authorise a person to erect a letter box upon any public street or road in the area. Consequential amendments are made to other subsections. Clause 47 amends section 383. The effect of the amendment is to enable councils to borrow for the preparation of plans relating to the planning and development of the area. Clauses 48 and 50 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. The amendments facilitate this form of borrowing by a council.

Clause 51 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. There are instances where it is necessary for a council to assist an organisation providing community services, for example, organisations such as St. John's Ambulance, Civil Defence or Emergency Fire Services. 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 that the land on which a permanent work or undertaking is being constructed or carried out is not owned by the council. Clause 52

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 53 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 54 to 57 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. In addition, the definition of "private hospital" is varied to harmonise with the definition contained in the Health Act. The provisions result in the fact that, where planning and development regulations are in existence, these shall take precedence of the provisions contained in the Local Government Act.

Clauses 58, 59 and 60 amend the provisions of the Act relating to the disposal of abandoned vehicles and the existing litter provisions. Section 666 is repealed by clause 58, and section 783 is repealed by clause 60. A new Part is included in the Act by clause 59, which incorporates the substance of these provisions. In addition, the new provisions increase from \$200 to \$500 the maximum penalty for depositing litter. As certain councils have been enforcing litter provisions at a loss, a provision is included that the courts shall, on application by a council, order the convicted to pay the council the costs incurred in cleaning up litter. Definitions of "litter" and "public place" 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 relates to the disposal of abandoned vehicles. The procedures that a council is required to follow are varied so that simultaneous action can be taken regarding the issue of a notice to the owner and the publication of the notice in newspapers circulating generally in the State. The owner is able to claim the vehicle within 14 days of the date of this notice and is required to pay all expenses of the council in connection with the removal and custody of the vehicle. If the vehicle is not claimed, the council is then able to dispose of it. The existing provisions relating to the disbursement of any proceeds of the sale are included. A new provision is included which enables a council to sell or otherwise dispose of a vehicle without following any of the above provisions where the council is of the opinion that the vehicle is of little or no value and appears to have been abandoned. In some cases the value of a vehicle is so slight that it would not realise enough to cover the cost to the council of following the present procedures.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

#### **COAST PROTECTION ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from June 11. Page 3287.)

The Hon. C. R. STORY (Midland): I rise to support the principle of this Bill. Although most honourable members are keen to ensure that our coastline is properly protected, I have some other ideas in this respect: I should like to see it protected in another way more than it is being protected at present.

The Hon. R. C. DeGaris: Off-shore legislation?

The Hon. C. R. STORY: That is so. This State, with its inland gulfs, which are terribly important to its ecology, has a long shoreline. It is therefore proper to have the Coast Protection Act on our Statute Book. However, we must not acquire simply for the purpose of ensuring that everyone's ideas are implemented. As with all forms of conservation and environmental matters, this must be done with sanity. There are at present amendments on the file which will improve the Act and which will certainly put local government in this State in its proper place. Of course, the proper role of local government is managing its own affairs. Local government is elected by the people; it is something that is close to the people, and it should always have priority, in my opinion, over any statutory authority that might be set up by Parliament. By that I do not mean that a statutory body should be denigrated in any way. However, I believe that local government must play its rightful part. If we pass this Bill as it is we will be largely usurping the function of local government and possibly placing a considerable impost on groups of people in seaside areas controlled by local government, even though these areas probably would not be used nearly as much by local people as they would be by people from elsewhere.

I believe that it is proper for local government to be requested to look after its own amenities and facilities but, where there are additional requirements for coast protection or the development of the foreshore for the common good of all the people of the State, everyone in the State should pay for it. That is precisely what happens now under the Coast Protection Act: moneys are funded from Parliament, and the Coast Protection Board has the power under the Act to undertake certain works on foreshore areas in South Australia. It also has the power of compulsory acquisition. It is intended, under the amendments that have been circulated, to tidy up this aspect, because it appears wrong that the board can acquire land (as it could if the legislation in its present form were passed) and demand of a local council half the cost of that land, without the board's first having consulted the council and obtained the council's agreement to acquiring the land in question. I support the arguments that have been advanced by earlier speakers in this debate.

Having studied the amendments, I will certainly support them, as they do not take anything away from the spirit of the Coast Protection Act, but they do put local government back in its proper perspective as regards protecting ratepayers generally and improving the amenity of any council area. I support the Bill with the object of getting it into Committee to support the amendments on file.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

#### **APPROPRIATION BILL (No. 1) (1975)**

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

The Hon. D. H. L. BANFIELD (Chief Secretary): I move:

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

I remind honourable members that the advance copy of the Appropriation Bill (No. 1) 1975, the Supplementary Estimates of Expenditure for the year ending June 30, 1975 (Parliamentary Paper No. 9A), and the Treasurer's second reading speech on the Bill were distributed to them on

Tuesday, June 10, 1975, to facilitate their consideration of the Bill in the Council. My own second reading speech has now been distributed to honourable members, and consequently I do not propose to read it to the Council. Accordingly, I ask leave of the Council to have my second reading speech incorporated in *Hansard* without reading it to the Council.

Leave granted.

#### EXPLANATION OF BILL

The Bill seeks appropriation of \$20 550 000. Before dealing with the details for which the appropriation is required I believe it would be useful if I were to give a few brief comments on the main movements in Revenue Account during the year and on present prospects and to remind honourable members of the appropriation procedures within which the Government is able to operate.

Trends in Revenue Account in 1974-75: The Revenue Budget presented by the Government on August 29 last forecast a deficit of about \$12 000 000 for the year 1974-75. It took into account a possible increase of 20 per cent in the level of average wages and it included the expected receipt of a special grant of \$6 000 000 towards South Australia's particular problems. Over the ensuing two or three months the prospect worsened as it became clear that increases in wage and salary rates would be much more costly than the Budget had forecast. Costs of supplies and services had also increased rapidly. Further, the State had not received the special grant of \$6 060 000 included in the Budget and some revenues, mainly stamp duties, showed a late down-turn. At one stage, it seemed that the deficit for the year could be as much as \$36 000 000, if no corrective action was taken. The subsequent introduction of franchise taxes was expected to give prospects of some \$9 000 000 in additional revenues and, just before the Premiers' Conference held on February 14 last, the best estimate of deficit was about \$27 000 000.

At the conference, the Australian Government agreed to make additional general purpose grants available to meet State budgetary problems, and South Australia's share was \$6 600 000. Accordingly, when the Treasurer reported to Parliament on February 18, it seemed that the estimated deficit could be reduced from \$27 000 000 to about \$20 400 000. He pointed out that, if recent indications of some up-turn in revenue should be strengthened by actual experience over the rest of the year, it was possible that the deficit could be held to less than \$20 400 000. The statement the Treasurer gave on February 18 was a fairly complete resume of financial prospects as they were seen then and, should honourable members wish to refer to it as background to consideration of this Bill, they will find it recorded in *Hansard* at page 2421.

In the event, there have been some improvements in revenues since February, mainly in the financial assistance grant for 1974-75. The latter has been increased by some \$7 000 000 as a result of two factors in the formula. The first is an increase in the average wages factor, and the second is a temporary increase in the population factor as a result of the abnormal movement of people from Darwin following the severe cyclone damage. In the absence of the special arrangements to transfer the non-metropolitan railways to the Australian Government, the 1974-75 revenue deficit would have been about \$14 000 000 to \$15 000 000. The railway arrangements have led to an increase of \$20 000 000 in grants this year, made up of a special additional grant of \$10 000 000 and a completion grant of \$10 000 000 brought forward in time and payable this year without further review by the Grants Commission.

As a result, it is estimated now that the 1974-75 revenue budget may record a small but useful surplus of about \$5 000 000.

Appropriation: Members will be aware that early in each financial year Parliament grants the Government of the day appropriation by means of the principal Appropriation Act. If these allocations should prove insufficient, there are three other sources of authority for supplementary expenditure, namely, a special section of the same Appropriation Act, the Governor's Appropriation Fund, and a supplementary Appropriation Bill.

Appropriation Act—Special section 3(2) and (3): The main Appropriation Act contains a section which gives additional authority to meet increased costs due to any award, order or determination of a wage-fixing body, and to meet any unforeseen upward movement in the costs of electricity for pumping water. This special authority is being called upon this year to cover part of the cost to the Revenue Budget of a number of salary and wage determinations with part being met from within the original appropriations. It is also being used to cover the additional costs of pumping through pipelines connected with the country water supply system. It is not available, however, to provide for the costs of leave loadings and other special decisions of that nature. If these can not be met from the Governor's Appropriation Fund then a supplementary Appropriation Bill must be presented.

Governor's Appropriation Fund: Another source of appropriation authority is the Governor's Appropriation Fund which, in terms of the Public Finance Act, may cover additional expenditure up to the equivalent of 1 per cent of the amount provided in the Appropriation Acts of a particular year. Of this amount one-third is available, if required, for purposes not previously authorised either by inclusion in the Budget or by other specific legislation. As the amount appropriated by the main Appropriation Act rises from year to year, so the extra authority provided by the Governor's Appropriation Fund rises, but, even after allowing for the automatic increase inherent in this provision, it is still to be expected that there will be the necessity for a supplementary Appropriation Bill from time to time to cover the larger departmental excesses.

Supplementary Bill: The main explanation for this recurring requirement lies in the fact that, whilst additional expenditures may be financed out of additional revenues with no net adverse impact on the Budget, authority is required nonetheless to appropriate these revenues. Also, the appropriation procedures do not permit variations in payments above and below departmental estimates to be offset against one another. If one department appears likely to spend more than the amount provided at the beginning of the year the Government must rely on other sources of appropriation authority irrespective of the fact that another department may be under-spent by the same or a greater amount. The appropriation available in the Governor's Appropriation Fund is being used this year to cover a number of individual excesses above departmental allocations, and this is the reason why some of the smaller departments do not appear in the Bill now before honourable members even though their expenditure levels may be affected by the same factors as those departments which do appear. It is usually only the larger amounts of excess expenditure for which appropriation is sought by way of an Appropriation Bill, the remainder being met from the Governor's Appropriation Fund.

Details of appropriations: With these special authorities in mind then, the Government has decided to introduce an Appropriation Bill for \$20 550 000. The reasons for this

additional expenditure may be seen from the detailed explanations which follow.

**Police:** Salaries and wages payable in the Police Department are expected to exceed the estimate made in August last by more than \$3 500 000. The majority of this excess falls within the provisions of section 3 (2) of Appropriation Act (No. 2) 1974, which, as I explained earlier, gives appropriation authority for certain wage and salary increases. However, bonus payments to members of the Police Force for additional duty over the Christmas period, flow-on payments to Women Police auxiliaries and some other payments of a more minor nature are not covered by this section. The sum of \$450 000 has been provided in the Bill for these purposes. Price increases affecting many of the operational items of the department necessitate the provision of a further \$300 000 for administration expenses, and higher prices for new motor vehicles coupled with depressed prices for police vehicles on the used car market are expected to increase the net cost of vehicle replacement by about \$170 000. The total provision in the Bill for Police Department is therefore \$920 000.

**Treasurer Miscellaneous:** A figure of \$5 000 000 was included in the August, 1974, Budget for contributions towards Municipal Tramways Trust deficits. This figure was based upon salary and other price levels obtaining at the time. Subsequent events have shown that the estimate was somewhat optimistic even after allowing for price increases. The trust's deficit for 1974-75 is now expected to be about \$6 700 000, of which about \$700 000 is attributable to wage and salary increases covered by the other appropriation authorities already described and \$1 000 000 is provided in this Bill.

**Lands—Miscellaneous—Beef Industry Assistance Programme:** The Australian Government has agreed to assist the States to make concessional loans to beef producers. South Australia has asked for \$1 500 000 to support this programme and the provision of \$1 500 000 in this Bill represents the State's half-share of the moneys to be lent. The programme will be administered by the Minister of Lands and it is proposed that both the Australian and South Australian Governments' contributions will be paid into a trust fund from which they will be disbursed.

**Natural Disasters Relief:** Early indications were that the cost of flood protection measures in 1974-75 might be relatively small but the Murray Valley floods were more widespread and more serious than was expected. Moneys have been allocated for surveys, emergency work on embankments to protect pumping plant and other public assets and for other flood relief work. An additional \$425 000 is included in the Bill to cover these expenditures.

**Engineering and Water Supply:** The effects of pay-roll tax on Engineering and Water Supply Department salaries were under-estimated when the August Budget figures were compiled and the total provision for salaries and wages and related payments was \$250 000 short of requirements for this reason. An additional \$170 000 is required to cover the cost to the Revenue Account of payments made to employees who could not be gainfully employed during the transport workers' strike early in the financial year. Higher costs of goods and services generally have caused a shortfall in allocations on a number of items other than salaries and wages. In addition, the costs of treating water supplies have been higher due to the very hot weather experienced between January and March this year. An abnormally high level of maintenance on tanks and pumping stations in the

metropolitan area has also contributed to increased expenditure by the department. The items included in the Bill in addition to the \$420 000 for salaries and wages are:

General administration expenses.....	\$ 150 000
River Murray Locks.....	200 000
Metropolitan Waterworks.....	350 000
Metropolitan Sewerage.....	200 000
Country Waterworks.....	130 000
	<hr/> \$1 030 000

**Public Buildings:** In presenting his supplementary financial statement in February last, the Treasurer reported that the Government's intention in using the additional funds then available would be to produce the greatest practicable effect on employment in the short term. In the case of Public Buildings Department, he pointed out that to apply funds in part to maintenance and repair jobs would be both quick acting in terms of employment and effective in preserving Government assets. The provisions made in this Bill reflect the impact of this decision on the Revenue Account as well as the effects of rising price levels which have affected the expenditures of all departments. The purposes for which appropriation is sought are:

Salaries and wages.....	\$ 550 000
General Administration expenses ....	100 000
Maintenance expenditures.....	1 000 000
	<hr/> \$1 650 000

**Education:** The original Budget figure for Education Department is likely to be exceeded by nearly \$24 000 000. About \$14 000 000 of this is covered by the salary and wage rate provisions of the main Appropriation Act and a further \$7 000 000 is attributable to other payments in the nature of salaries and wages for which provision is made in the Bill now before honourable members. Of these, the extension of leave loading to teachers is expected to cost about \$1 400 000 in 1974-75, new contract cleaner rates will absorb nearly \$1 000 000, higher allowances to student teachers will cost more than \$900 000, and the cost of increases granted to ancillary staff, laboratory assistants and other departmental employees is expected to be about \$1 600 000. Accrued leave payments on termination of employment will exceed the figure used in the August Budget by more than \$1 300 000. The remainder is explained by a number of factors including the earlier appointment of some staff than was planned, offset by some reductions in the anticipated expansion of the department.

As is the case with other departments, the main reason for higher levels of expenditure on contingency items within Education Department has been rising prices. A higher level of activity approved by the Australian Government in some areas has also resulted in a requirement for additional appropriation. Where additional expenditure is incurred for this reason, receipts from the Australian Government will be correspondingly increased. A total of \$2 900 000 is provided in the Bill as follows:

Pre-school education.....	\$ 100 000
Primary education.....	750 000
Secondary education.....	850 000
Education services and resources . . .	400 000
Administration.....	400 000
Buses—running expenses.....	400 000
	<hr/> \$2 900 000

The total amount provided in the Bill for Education Department is therefore \$9 900 000.

Education—Miscellaneous: Although the Australian Government has accepted responsibility for financing tertiary education, the State still contributes to the operations of the Institute of Technology in respect of sub-tertiary courses. The \$59 000 provided in Supplementary Estimates is for salary and price rises which have increased the State's commitment for the sub-tertiary component of the institute's activities. In January last, as part of a wider programme aimed at rationalising fare structures on urban public transport, the Government approved additional payments to the M.T.T. and the railways to enable the differences between the two authorities with regard to student concession fares to be minimised. The amount provided in the Bill for this purpose is \$58 000.

Procedures relating to the payment of per capita grants to independent schools were changed this year from three payments per year to two. This involved some transitional arrangements which resulted in some payments related to the 1973-74 financial year being paid in the current year. Also, requirements for 1974-75 were about \$52 000 higher than the original Budget estimate. The sum of \$108 000 is provided in the Bill to cover these payments.

In March last, the Government agreed to provide a grant of \$100 000 to the South Australian Institution for the Deaf and Blind to relieve its recurrent budget and provision is made in the Bill accordingly.

Since preparing the Budget last August the Australian Government has expanded the scope of the pre-school programme and the Interim Pre-School Committee has now been replaced by the Childhood Services Council. The \$900 000 provided in this Bill is for capital and recurrent expenditure associated with a wide variety of early childhood care services and also the provision of some additional pre-school facilities which were not included in the original budget. Provision for all these items gives a total for Minister of Education—Miscellaneous of \$1 225 000.

Railways: Price increases, particularly for steel, are the biggest single factor in the additional expenditure by Railways Department. However, some works have been undertaken, including the rewheeling of freight vehicles, which were not included in the August Budget, and advantage has been taken of a better supply situation than was forecast to increase purchases of rails. These additional expenditures have been partially offset by reductions in the quantity of other materials purchased. The provisions in the Bill are for:

	\$
Rolling stock Branch.....	420 000
Way and Works Branch.....	380 000
	<u>\$800 000</u>

Community Welfare: For some years it has been the policy of this Government to adjust financial assistance scales when adjustments are made to pensions and benefits paid by the Australian Government. Several such adjustments have been necessary during 1974-75 as follows:

	\$
July announcement of increased pensions	375 000
Consequential announcement of increases in child allowances.....	100 000
March announcement of increases in pension rates.....	75 000
Consequential announcement of increases in child allowances.....	50 000
	<u>\$600 000</u>

The financial assistance estimate in the August Budget included a figure of \$100 000 for the provision of special financial assistance to be disbursed in emergency situations and to avert family crises and breakdowns which might otherwise result in the State being forced to take responsibility for the children. The high rate of unemployment this year has placed great stress on these funds and it has become necessary to allocate additional sums to cover the situation. The sum of \$100 000 is included in the Bill for this purpose, making a total additional provision for financial assistance of \$700 000.

Community Welfare—Miscellaneous: The Government's programme of rates and taxes remissions for pensioners has been in operation since 1973. An increase in the number of eligible applicants and higher rates applicable to some services and taxes are the main reasons for additional expenditure on this programme in 1974-75. The provision in the Bill for these purposes is \$530 000.

Health—Miscellaneous: It has been necessary to allocate additional funds to a number of organisations delivering health services, mainly as a result of rising wages and prices. The majority of this additional allocation, amounting to some \$5 500 000, is covered by the salary and wage provisions of the main Appropriation Act, but some \$450 000 of special maintenance payments is included in this Bill for the following purposes:

	\$
Nursing homes—emergency assistance grants.....	150 000
Crippled Children's Association—to assist with the completion of the Regency Park centre.....	75 000
Transport of pensioner and indigent patients.....	165 000
Other emergency assistance grants . . .	60 000
	<u>\$450 000</u>

As to the clauses of the Bill, they give the same kinds of authority as in the past. Clause 2 authorises the issue of a further \$20 550 000 from the General Revenue. Clause 3 appropriates that sum for the purposes set out in the schedule. Clause 4 provides that the Treasurer shall have available to spend only such amounts as are authorised by a warrant from His Excellency the Governor, and that the receipts of the payees shall be accepted as evidence that the payments have been duly made. Clause 5 gives power to issue money out of Loan funds, other public funds or bank overdraft, if the moneys received from the Australian Government and the general revenue of the State are insufficient to meet the payments authorised by this Bill. Clause 6 gives authority to make payments in respect of a period prior to the first day of July, 1974. Clause 7 provides that amounts appropriated by this Bill are in addition to other amounts properly appropriated.

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

#### ADJOURNMENT

At 3.11 p.m. the Council adjourned until Tuesday, June 17, at 2.15 p.m.