## LEGISLATIVE COUNCIL

Wednesday 18 February 1981

**The PRESIDENT (Hon. A. M. Whyte)** took the Chair at 2.15 p.m. and read prayers.

## QUESTIONS

### AIR FARES

**The Hon. J. C. BURDETT:** A question asked on 20 November 1980 by the Hon. Dr. Cornwall about Apex and Super Apex air fares has been replied to, and I seek leave to have the reply inserted in *Hansard* without my reading it.

Leave granted.

#### Reply to Question

Both Ansett Airlines of Australia and Trans-Australia Airlines have advised that it is not commercially feasible to disclose such confidential information as the percentage of seats allocated to Apex and Super Apex travel on flights ex-Adelaide. They stated that the percentage of seats covering travel within Australia is reached after discussions with the Commonwealth Department of Transport. I understand that the airlines have agreed to allocate, per annum, 7·5 per cent to 8 per cent of seat miles for Super Apex and Apex travel on an Australia-wide basis. This means that some flights will, of necessity for commercial reasons, have no allocation of seats whilst others will have more than 8 per cent of seats for Super Apex or Apex travel.

However, both airlines advised that they had services between Adelaide and Darwin to which Super Apex seats have been allocated, and further mentioned that, on 15 days during May 1981, they had available Super Apex seats Adelaide to Darwin. On 16 days during that month they had Super Apex seats available on Darwin to Adelaide flights.

Most States have school holidays during May (South Australia, 16-31 May). Some flights around this time have not been given a seat allocation, that is to say, the ratio of first-class seats to economy class seats, and are therefore not yet open for the sale of Super Apex seats. Seat allocations will be made nearer to the date of travel and intending passengers could find that flights not previously available for Super Apex air travel will become available.

If Super Apex air fares on domestic flights were merely an advertising gimmick, I am certain that this would be reflected in the complaints received by the Consumer Services Branch of the Department of Public and Consumer Affairs. I am informed that the Branch in fact receives very few complaints about these fares.

### Mr. L. M. DALMIA

**The Hon. B. A. CHATTERTON:** I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question about Mr. L. M. Dalmia.

Leave granted.

**The Hon. B. A. CHATTERTON:** It has been reported to me that the Minister of Agriculture has made a number of statements to the media that Mr. L. M. Dalmia has no money and started his career "selling beads in a bazaar". Yesterday in the House of Assembly the Deputy Premier repeated those malicious remarks. To my knowledge (and I am sure to the Minister of Agriculture's knowledge) Mr. Dalmia is a wealthy man born to a wealthy family. I personally have seen two large houses in South India and have met directors of Punalur who include the present Governor of Uttar Pradesh and the Governing Director of the Travancore Bank. Mr. Dalmia also had large houses in Madras, Delhi and Benares. He has factories which I have seen in Cochin and Punalur and other interests in cement and industrial goods in Calcutta and Indonesia. I have personal knowledge of these through such people as George Fernandes (presently a member of the Lokh Sabha and formerly Minister of Trade and Industry in the Indian Government).

Mr. Dalmia's steel plant in Surabaya was described by *Time* magazine a year or so ago as one of the most progressive in its methods in the world. Will the Minister explain why he is spreading malicious statements about Mr. Dalmia, and will he make a public apology for his attack on Mr. Dalmia's integrity?

**The Hon. J. C. BURDETT:** On yet another occasion I will refer the honourable member's question to my colleague and bring back a reply.

### DRAUGHT BEER SALES

**The Hon. J. R. CORNWALL:** I seek leave to make a brief explanation prior to asking the Minister of Consumer Affairs a question about beer sales.

Leave granted.

**The Hon. J. R. CORNWALL:** It has recently come to my attention that draught Carlton beer is on tap at some hotels and many licensed clubs in South Australia. My personal research has shown that it is being sold in one city hotel at 40c per butcher and 57c per schooner, saloon bar prices. My information is that there are several distributors for C.U.B., including Tolleys, in South Australia. I commend the enterprise of those responsible for its sale: it extends freedom of choice and could introduce a spirit of healthy competition.

However, I am very concerned for the future of the South Australian Brewing Company and more particularly its 600 direct employees. Carlton and United is the largest and strongest brewery organisation in Australia. Furthermore, it has shown over many years, during a succession of quite ruthless take-overs, that it prefers to operate in a monopoly situation.

**The Hon. L. H. Davis:** Which ones?

**The Hon. J. R. CORNWALL:** I could speak at great length on the various take-overs by Carlton and United. That is very interesting history, and I should have thought that the Hon. Mr. Davis, as a man concerned with the commercial affairs of the nation, would know about it. The fact that the company can put Victorian draught into Adelaide hotels at a low 8 per cent above current prices for local beer is perhaps a sign of things to come. It is a relatively short step from there to a price war. Members will also recall that there was considerable activity in South Australian Brewing Company shares about 12 months ago. I am sure that the Hon. Mr. Davis would recall that. The identity of the people operating in the market was difficult to establish. However, it is clear that our local brewery is increasingly vulnerable. If it is taken over by C.U.B., it is likely that rationalisation would result in all beer being brewed in Melbourne. My questions are:

1. Is the Minister, the department or the Licensing Court monitoring the sales of interstate packaged and draught beer in South Australian hotels and clubs?

2. Through how many outlets is Carlton draught beer currently on tap in South Australia?

3. Will the Minister initiate talks with the management of the South Australian Brewing Company? Will he ascertain whether any form of protection is desirable or necessary to prevent a possible take-over and rationalisation of this local company, which is a very significant South Australian employer?

**The Hon. J. C. BURDETT:** We are not monitoring the outlets. We are aware that Carlton beer, both draught and and in bottles, is being sold in South Australia. I do not know how many outlets there are, and I will endeavour to find out. I am not sure that the information would be readily available, because it is not necessary to provide this information to my department through the Superintendent of Licensed Premises.

Regarding the question of take-over, that is not within my portfolio but is more in the area of my colleague the Minister of Corporate Affairs. There is no way that the Government would endeavour to prevent, through any legislation in my area, Victorian beer from being sold in South Australia, so the take-over question is much more a matter for the Minister of Corporate Affairs.

**The Hon. J. R. CORNWALL:** I seek further leave of the Council to make an explanation prior to directing a question to the Attorney-General concerning draught beer sales and possible take-overs.

Leave granted.

**The Hon. J. R. CORNWALL:** In view of the explanation that I have just given at considerable length, I do not want to take up any more time of the Council, but I certainly regard this as a very serious matter and, therefore, I would like some information from the Attorney-General as to how he views the current position. I ask him whether he will initiate talks with the South Australian Brewing Company, in view of the scenario I have just outlined, to ascertain whether any form of protection is desirable or necessary to prevent a possible take-over and rationalisation of this local company, which is a very significant South Australian employer.

**The Hon. K. T. GRIFFIN:** I recollect that in the second half of 1980 we introduced special legislation to deal with company take-overs in South Australia, namely, the Company Take-overs Act, 1980, which reflects decisions taken at the Ministerial Council on Companies and Securities to implement nationally a company take-over code which would provide better advanced warnings of prospective take-over offers. It would also provide better information not only to shareholders but also to the public and directors. The Company Take-overs Act, 1980, was enacted in South Australia because of the expected delay in implementing this legislation on a national basis. Already it has proved to be a valuable piece of legislation in dealing with take-overs.

That Act was never intended to prevent take-overs, but was designed to ensure that full disclosure was made of all information that may affect a particular company. In relation to the South Australian Brewing Company, I would be most surprised if the Government decided to take any legislative action to restrict the take-over of that company. It is a company with a well qualified board of directors and, if they were aware of possible take-over moves and believed that it was in the interests of the company and the shareholders that a take-over should be resisted, there are many ways in which those directors can fight off a take-over bid successfully.

## YORKE PENINSULA HOSPITAL

**The Hon. N. K. FOSTER:** I seek leave to make a short statement before asking the Minister of Local Government a question about possible land transactions by the Kadina council.

Leave granted.

**The Hon. N. K. FOSTER:** No doubt the Minister is aware of public meetings that have been called in both Wallaroo and Kadina in relation to a Health Commission report. Although that matter does not come within the Minister of Local Government's portfolio, the latter part of my question does. That report refers to the demolition of the Wallaroo Hospital and its resiting in Kadina.

I am sure that most members of the Council are aware of the rivalry between the three northern Yorke Peninsula towns of Moonta, Wallaroo and Kadina. Wallaroo is a town that has been left by the wayside over many years. The Wallaroo Hospital has had building additions that were opened after this Government came to office over 12 months ago. The wrath of the people of Wallaroo was recently expressed at a meeting of about 700 people on a very hot evening. The local member, Mr. Olsen, was in attendance, as were myself and others. The meeting was initiated by the local council and supported by the Moonta area generally, including hospital and local government officials.

Subsequent to that, a meeting was called in Kadina in relation to the Health Commission proposals, and another meeting will take place in Wallaroo this Friday night when I understand that two officers from the Health Commission may be in attendance. At the meeting in Kadina, an offer was made by the Wallaroo council to make further land available to the Health Commission for hospital purposes, and that offer has been countered by a move by the Kadina council. That indicates the competition in this area over this matter. At the meeting in Kadina, a promise was made by the local government authority in that area that four different sites in the town could be made available to replace the Wallaroo Hospital. I am led to believe that some of the areas offered are parklands and all comprise Crown land.

First, is the Minister aware of the possibility of any land transfers being made or attempted to be made by the local government authority at Kadina for the purpose of a hospital in the Northern Yorke Peninsula area? Secondly, is it legal for a council to lease or sell Crown land without first offering that Crown land to the general public?

**The Hon. C. M. HILL:** In answer to the first part of the explanation and question, I do know, of course, that there have been some negotiations in that region of the State concerning the establishment of a new hospital in the Wallaroo-Kadina area. I do not think that I should get involved in the general discussion which is going on at a local level and amongst local people about their wishes concerning the suitability of sites, whether or not the old hospital should be remodelled or a new hospital should be built in Wallaroo, or whether or not a new hospital should be built at Kadina. That is in the area of the Minister of Health, and I have no doubt that the process of consultation and public discussion and the encouragement of public debate on the matter is in train, and that that will ultimately lead to a decision. I do not think that there is any point in pursuing that issue further.

In regard to the other point raised by the honourable member about the alienation of Crown land, the authority of the local government body in this area, and whether or not parklands are involved, I can only tell the honourable member that a council is not able to alienate land which is deemed to be parklands. It can negotiate for the transfer of land which is reserve land, but it can only do that, as I understand it, with my consent. I do not know that I can help the honourable member any further, but I can assure

him that, if the question of the transfer of land over which the council at Kadina has management and control comes through my office, I will give the whole issue full consideration and keep in mind all the relevant aspects that one should bear in mind on a question of this kind.

## ASSOCIATION GRANTS

**The Hon. ANNE LEVY:** I seek leave to make a brief statement before asking the Minister of Community Welfare, representing the Minister of Health, a question about grants to associations.

Leave granted.

**The Hon. ANNE LEVY:** On 30 October last year in the Budget Estimates debate I asked what sums were being allocated from the Health Commission to 54 different community programmes, 15 domiciliary services and 18 deficit-funded health institutions in this State. Because of the way that the Health Commission's budget is presented to Parliament, such information is not now available as it used to be in the Budget papers. A similar question was asked not by me but by another member when the 1979. Budget was being debated, and an answer was received in early December of that year. However, 3½ months later, I still have no answer to the question that I asked in the Budget debate. Even worse, I discovered that the Family Planning Association, one of the organisations mentioned, has not yet received official notification of its grant for the 1980-81 financial year, yet the financial year is 7½ months gone.

The Family Planning Association has still not received official notification of its grant. A few weeks ago, in a telephone conversation, it received an indication of the sum that it was likely to receive. However, this can hardly be regarded as official notification and, until it receives notice in writing, the association cannot be sure of the sum that it has been allocated.

If the grant turns out to be as indicated in the telephone conversation, the association will be very grateful for the generous support that the Government is giving to it and would be proud of the Government's recognition of the valuable work that it is doing. However, it is impossible for any association to plan its annual programme and carry it out in any adequate manner when, well into the third quarter of the financial year, it still does not know what its grant is. Never before has there been such a long period before the Family Planning Association has been notified of its annual grant from the State Government under the Budget.

First, will the Minister see that the Family Planning Association is informed as soon as possible (if not sooner) what its grant is for this financial year, and will the Minister see that in future the association does not have to wait until the financial year is nearly two-thirds over before receiving official notification? Secondly, are there others of the 87 organisations previously mentioned which have also not yet received notification of their annual grants and which are, presumably, also experiencing the same impossible situation with regard to planning their year's activities, and, if there are any others, which organisations are they? Thirdly, when can I expect a reply to the question that I asked in the Budget Estimates debate 3½ months ago?

**The Hon. J. C. BURDETT:** I will refer the honourable member's question to my colleague in another place and see whether the association can be advised as soon as possible (if not sooner) of its allocation, and I will bring back a reply.

## LICENCE FEES

**The Hon. C. W. CREEDON:** I seek leave to make a brief explanation before asking the Attorney-General, representing the Treasurer, a question regarding licence fees.

Leave granted.

**The Hon. C. W. CREEDON:** Yesterday, the Leader of the Opposition in another place (Mr. Bannon) raised in the House of Assembly the matter of a leaked memo which referred to intended increases in all kinds of licence registration permit fees and the application of those increases as quickly as possible. I wonder whether the Government action is not ahead of its memo, at least in some cases. I believe that there are at least some people near Waikerie who have perpetual leases on Crown land, but that this does not cover the river frontage. This is subject to a special licence fee, which I believe is minimal.

In November, the holders of these licences were sent an account which showed that the fees had been increased by 1 000 per cent. No letter was sent warning of the intended huge increases; nor was there any public notice stating that this would happen. On inquiring, the people were told that the fees had increased from 1 May 1980.

First, will the Minister say why the Government did not inform licence holders of the increased fees? Secondly, has the increase in fees been applied to all these kinds of licence? Finally, has the increase been in the order of 1 000 per cent?

**The Hon. K. T. GRIFFIN:** I will refer the honourable member's question to the Premier and bring back a reply.

## OFF-ROAD VEHICLES

**The Hon. J. R. CORNWALL:** I seek leave to make a brief explanation prior to asking the Minister of Community Welfare, representing the Minister of Environment, a question about off-road vehicles.

Leave granted.

**The Hon. J. R. CORNWALL:** The previous Government was concerned about the great damage being done to many areas in South Australia by the irresponsible use of off-road vehicles. More than four years ago it began wide-ranging consultation with groups associated with their use. This matter has now been about for more than four years. It was extensively canvassed in the community. As long ago as Friday 15 August 1977 the *News*, in an editorial on the subject, stated:

> There can be no doubt of the need for such a measure in broad principle. Such vehicles can pose a very real threat to the environment, especially the vulnerable sandhills along our coast, and when private property is invaded. The State Government has given plenty of warning of its intention to legislate, has allowed time for public comment and, even now, given advance notice of the Bill to go before Parliament. Provided the harmless fun of enthusiasts and the legitimate interests of groups such as tour operators and their customers are met, the Bill seems assured of support.

As I say, this matter has been around for a very long time. Subsequent to those events in the latter part of 1977, the legislation was further deferred for even more consultation. I inherited the problem when I became Minister in May 1979. I moved quickly to resolve the outstanding issues of off-road recreational sites, concessional registration and special insurance rates. All of that material would have been available to the present Minister from September 1979, yet nothing has happened.

Does the Minister intend to introduce legislation for the responsible use of off-road recreational vehicles in South

Australia and, if so, when; if not, why not? Has the Minister considered the final recommendations of the working party on sites for off-road recreational vehicle use? When will those recommendations be made public? Has the Minister finalised details regarding special insurance and concessional registration for off-road vehicles, and when will he make those details available?

**The Hon. J. C. BURDETT:** I will refer the honourable member's question to my colleague in another place and bring back a reply.

## MURRAY RIVER WATER

**The Hon. N. K. FOSTER:** I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Water Resources, a question about Murray River water.

Leave granted.

**The Hon. N. K. FOSTER:** I have previously asked a number of questions about successive State Governments' policy on Murray River control. The most serious problem that faces this State, apart from immediate economic factors, is that involving the Murray River, perhaps not so much on the question of salinity as on the aspect of the quality and quantity of this water source. Although the upper-river dams in Victoria are now possibly flowing into the river, the Murray is indeed at one of its lowest rates of flow for many years. We know that the irrigation settlements in South Australia add appreciably to the salinity occurring downstream in that part of the Murray River flowing through our own State.

Whilst I may be harping on this question, the matter has received some publicity by way of letters to the Editor, and informed opinion has been expressed in respect of the diversion of the Clarence River in New South Wales, where the catchment area feeds that river, the McLeay River and others in the Northern New South Wales river system is far greater than the now completed Snowy Mountains hydro-electric scheme. The inflow rate to benefit South Australia would be much more considerable than the Snowy Mountains scheme gave us, bearing in mind that the Dartmouth Dam did not come into being immediately as the result of the negotiations that took place initially. One has to be cognisant of the fact that the inflow to the Darling River and the Murray system from the turning of the Clarence River and other lesser rivers in the northern region of New South Wales will flow into the Darling River and will not be subjected to great irrigation pressure with the increased inflow coming from the Murrumbidgee and other rivers in the Murray River system. Answers to questions recently were given on the basis that there was not a faculty within our local universities to study this project.

Will the Minister of Local Government once more prevail on the Minister of Water Resources to consider this matter? I make no criticism of the Minister or the answers I have received. Although some may think that this is a political stunt, I suggest that the matter has not received the attention that perhaps even Senator Jessop believes it should receive. Also, Mr. Jacobi, a member of the Federal House, has had a great interest in this area for a number of years. Will the Minister ask his colleague to have his department confer with more water resources faculties and bodies at all the universities in New South Wales and at the University of Queensland on the question of studies undertaken on the turning of Northern New South Wales rivers into the Darling River and the Murray River system, and will he bring down a report? Should the report be favourable, will the Minister set up an appropriate committee of the South Australian Parliament to investigate that report with the aim of having it implemented by the four Governments concerned?

**The Hon. C. M. HILL:** I assure the honourable member that the Minister of Water Resources in this State and, indeed, the Government are very concerned about and involved in the whole problem of the water situation in the Murray River. It was mentioned to the honourable member in the reply that he was given last week that the Minister of Water Resources in South Australia attended an important conference on the subject with his interstate and Federal Ministerial colleagues only last Thursday. The whole issue is under close scrutiny by the present Government. This State is active and is doing all it can to ensure that the water supply for South Australia can be protected in the near future and in the long term. This question involves the Darling system to which the honourable member has just referred. The Darling system, as we know it, is under the control of the New South Wales Government.

The use of that system by people in New South Wales is something that does concern us in South Australia a great deal. Regarding the point of the Minister from South Australia conferring directly with university authorities in other States on this question, I am quite sure that any papers or any other public information from such universities that relate to the question of the Darling system or any other system interstate are known to the department in South Australia and to the Minister, so I think that to suggest that some direct contact (I do not know that this was implied totally, but it appears that it was) with university authorities be made, over the head of the relevant Ministers in the other States, would not be quite the right thing to do.

Nevertheless, I think that, ideally, through the Ministers in the other States and by studying the public documents that have been prepared by university authorities interstate, this is the best course for the Minister here to take to further his general inquiries into this question. The explanation that the member has given certainly will be brought to the notice of Mr. Arnold and, if it is deemed that anything further can be done in regard to studying that information, I am sure Mr. Arnold will do it. If there are any points the Hon. Mr. Foster has made today which should be answered so that the member may be informed further regarding the present Government's negotiations with the other States and the Commonwealth, I shall bring that information down for him.

## CORPORAL PUNISHMENT

**The Hon. ANNE LEVY:** I seek leave to make a brief statement before directing a question to the Minister of Local Government, representing the Minister of Education, on the question of corporal punishment in schools.

Leave granted.

**The Hon. ANNE LEVY:** Last October, regulation 123 under the Euducation Act, which related to corporal punishment, was officially withdrawn by the Minister of Education. The withdrawal included that section of the regulation which related to no corporal punishment being administered to children whose parents had specifically requested that such corporal punishment not be administered.

Since October, no new regulations regarding corporal punishment have been promulgated, so currently we have

the situation where there are no regulations regarding corporal punishment in Government schools. The school year started last week, so I feel the situation is one of considerable urgency. Can the Minister tell us when new regulations are to be expected and, secondly, until new regulations are promulgated, will the Minister advise principals in Government schools that, if parents request that no corporal punishment be administered to their children, the school shall abide by those parents' request?

Thirdly, until the new regulations are promulgated, will the Minister confirm that there is at present a complete free for all in Government schools regarding corporal punishment, that there is no control as to who administers corporal punishment or as for what offences it may be administered, on what part of the anatomy it may be administered, or what weapon may be used?

**The Hon. N. K. Foster:** I beg your pardon?

**The Hon. ANNE LEVY:** I am quite serious. Equally, there are no safeguards at all currently existing regarding the recording of any such beatings and, likewise, there are no safeguards regarding notification of parents that corporal punishment has been administered to their child.

**The Hon. C. M. HILL:** I will refer those questions, including the one dealing with weaponry, to my colleague in another place and bring back a reply.

## MUNNO PARA PRIMARY SCHOOL

**The Hon. C. W. CREEDON:** My question is directed to the Minister of Local Government, representing the Minister of Education, on the subject of Munno Para Primary School, and I seek leave to make a brief explanation prior to asking the question.

Leave granted.

**The Hon. C. W. CREEDON:** My explanation will be read from evidence received by the Public Works Standing Committee on the occasion of its visit to the Munno Para Primary School to take evidence in relation to a new building on the school site. I will quote directly from part of the evidence but I will not quote all the pages. The evidence states:

> I refer to children who are two or more years below average in the following subjects: 32 in written language; 73 in reading; 49 in maths; 62 in spelling; four known dyslexic; and 36 with severe emotional and social problems . . . In the preparation of these figures we have used school records, other schools' records, parental help, general teacher observations, and help from the Education Department Guidance Section. There are also 53 children attending this school with excessive and/or constant behaviour problems.
>
> The following children have been referred to the School Guidance Section via P.B. 1 forms, which is a referral form: 13 on behaviour; nine on general slowness; nine on speech. In comparison there are 29 children who are above average to exceptional in their ability to do school work. The following children have known medical problems: 13 with vision problems; 35 with hearing problems; 18 with medical problems; eight with surgical problems; nine with speech problems; five with suspected neglect; and 14 suffering from stress related conditions. Slightly in excess of 25 per cent of the school's enrolment suffer from known medical problems.

The evidence also shows that the school has one special teacher working six-tenths time. I will refer again to the evidence.

**The PRESIDENT:** Only to that part that is useful for information.

**The Hon. C. W. CREEDON:** Yes. It is quite brief. The questions asked of the teacher and the answers given are as follows:

> Can you handle all the children with special problems by yourself? . . . No, I certainly can not. I can only handle a proportion; those most severely under-privileged.
>
> Does that mean that a proportion of the children with special problems receive no attention at all? . . . I cannot give them special attention, but they do receive certain attention from their own class teachers.

This was a Public Works Standing Committee inquiry made on behalf of the Education Department and I presume the Minister is aware of the problem at the school. It is very solid evidence that in this school children are not receiving equal opportunity. Now that the Minister has become aware of the problem, does he intend to make more special teacher time available at that school?

**The Hon. C. M. HILL:** I will refer the honourable member's question to the Minister of Education and bring down a reply.

## FOREIGN OWNERSHIP OF LAND

**The Hon. J. R. CORNWALL:** I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Lands, a question about the foreign ownership of broadacre land in South Australia.

Leave granted.

**The Hon. J. R. CORNWALL:** At the moment there is a good deal of concern in the community at large that the broadacres of South Australia are particularly vulnerable to takeover by foreign interests. As I have said, this concern is held in the community at large, and more particularly, from some of the statements that I have heard, by the United Farmers and Stockowners Association. I would have thought that this concern would be shared by people such as the Hon. Mr. Dawkins, the Hon. Mr. Cameron and the Hon. Mr. DeGaris.

Broadacre land in South Australia is still available at bargain basement prices when compared to world prices. One of the attractive things about this land is that there is continual capital appreciation and it still represents a very good investment. For that reason, as I said before, it is entirely vulnerable to takeover. The other thing that concerns me is that there have certainly been very active submissions to the committee reviewing land tenure systems in the pastoral zone, suggesting that pastoral leases should be converted to perpetual leases as a first step towards freehold.

That has many terrible consequences and not the least would be that land held under that sort of tenure would be far more readily sold to foreign interests than if it were to remain with some residual interest in the Crown. How many agricultural or grazing properties in South Australia have gone to majority foreign ownership since September 1979? Were any of these properties pastoral leases? Is the Government concerned about foreign ownership and amalgamation of properties in South Australia and, if so, what action does it propose to limit foreign ownership and by what means?

**The Hon. C. M. HILL:** I will refer that question to my colleague and bring down a reply.

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## TOW TRUCK REGULATIONS

Order of the Day, Private Business, No. 1: the Hon. J. A. Carnie to move:

> That the Regulations made on 23 October 1980 under the Road Traffic Act, 1961-1980, in respect of tow trucks, and laid on the Table of this Council on 28 October, be disallowed.

**The Hon. J. A. CARNIE:** I move:

That this Order of the Day be discharged.

Order of the Day discharged.

## LEAD-FREE PETROL

Adjourned debate on motion of the Hon. J. R. Cornwall:

That in the opinion of this Council the Government should immediately begin to plan for the introduction of lead-free petrol, particularly in view of the fact that technology is now available to do this without fuel penalties. The Council urges the Government to support the stand taken by the New South Wales Government at future meetings of the Australian Transport Advisory Council and the Australian Environment Council.

(Continued from 11 February. Page 2708.)

**The Hon. R. J. RITSON:** Before I sought leave to conclude my remarks last Wednesday, I referred to the general lead burden which the bio-system carries in Western society, and I posed certain questions, such as just how big is lead burden, how close is it to the toxic level, and what should be done about it. I begin my remarks today by looking at the ambient blood lead levels in the very few surveys that have been done in Western cities. I preface that by referring to some recommendations made by the National Health and Medical Research Council.

The National Health and Medical Research Council has recommended that we should be concerned for the health of anyone with a blood level of 30 micrograms per 100 millilitres or more. The council has looked at the standard deviations that are likely and formed the opinion that, if the mean blood level of the community is no more than a level of 15 micrograms per 100 millilitres, then it is unlikely that any significant number of the population will exceed the level of concern of 30 micrograms. The first thing one should worry about is what sort of ambient blood level exists in the Australian community. I suppose the most controversial study that has been carried out was the Garnys study in Sydney. That study produced two conclusions which, if they are true, are quite alarming.

The first conclusion was that about a quarter of the Sydney schoolchildren surveyed had blood lead levels in excess of 24 microgams, and many were well above the level of concern. Secondly, chronic exposure to lead levels of this order caused subtle but measurable neurological changes and defects in behaviour and psychological performance. This survey has been criticised on two principal grounds. The first ground—

**The Hon. J. E. Dunford:** Where did you get your tie?

**The Hon. R. J. RITSON:** The Hon. Mr. Dunford is attempting to distract me; I shall ignore him. The first ground of criticism of the Garnys Report is that the system of sampling was by finger-tip puncture. Since children are likely to have contaminated hands, the consequence of a small amount of contaminant being dissolved in one drop of blood has a greater distorting effect on the results than the consequence of the same amount of contaminant being dissolved in five or 10 millilitres of blood that would be taken by venepuncture.

The second criticism of the Garnys Report was that, in assessing the psychological and behavioural performances of the children, an inadequate assessment was made of their psycho-social and general medical backgrounds. These criticisms mean that the Garnys Report might be wrong, but it might also be right. I will now describe the survey conducted in the United States of America which had a much greater degree of scientific control. This survey was conducted by Rummo *et al.*, and it is a most interesting experiment because, first of all, he tested a control group of apparently healthy children with no history of lead exposure. Those children were taken from the inner urban areas of American cities and, unlike the Garnys Report, he vetted them most carefully to remove any extraneous distorting factors such as intercurrent illness. He went to the extent of taking not only the paediatric histories of the children, but also the obstetric histories of mothers so that any possibility of birth injury to the brain could be taken account of. He then compared the apparently healthy control group with children who had had some known exposure to lead but had no symptoms or signs of lead intoxication.

A third group not only had known exposure to lead but also frank brain damage from proven lead poisoning. The interesting thing is this (it is both interesting and alarming as we attempt to understand how much safety margin we have left): the mean bloods of the control group were—

**The Hon. J. E. Dunford:** Who has given you this information? You are not talking as a doctor now.

**The PRESIDENT:** Order! The Hon. Mr. Dunford should listen to the speaker and will have an opportunity to speak when he has the call.

**The Hon. R. J. RITSON:** The survey that I am describing backs up exactly most of what the Hon. Dr. Cornwall has said, and he knows that, but the poor fool behind him does not know that I am arguing—

**The Hon. J. R. CORNWALL:** On a point of order, that is quite unparliamentary and I ask for a withdrawal.

**The Hon. J. E. Dunford:** He has no right to call me a fool.

**The PRESIDENT:** Order! That matter is being dealt with. Will the honourable member retain his seat.

**The Hon. J. E. Dunford:** He's a real mug and is lucky to be here. The Liberals didn't want him, and he admitted that himself.

**The PRESIDENT:** Order! If the Hon. Mr. Dunford does not restrain himself he will have to leave the Chamber.

**The Hon. R. J. RITSON:** Mr. President, I will apologise.

**The Hon. J. E. Dunford:** He called me a fool.

**The PRESIDENT:** Order! The Hon. Dr. Ritson has apologised. Either you accept the apology or leave the Chamber.

**The Hon. R. J. RITSON:** I do apologise for calling the honourable member a fool. Unfortunately, I was so upset. In arguing the case for stricter lead control, and hearing the argument in favour of the Labor Party's position being destroyed by the ignorance of the honourable member, the words just escaped from my lips. It is unworthy of Parliamentary practice and I offer sincere apologies. I will not even ask the Hon. Mr. Dunford to apologise for calling me a mug. If the honourable member will allow, I will continue the anti-lead case.

This study in the United States showed that the apparently healthy children had a mean blood lead above what is regarded as the maximum desirable mean by the N.H.M.R.C. The group that had known lead exposure but no symptoms had a mean blood lead of 55 micrograms, which is less than twice the level of concern expressed by the N.H.M.R.C. The group with proven brain damage had a mean blood lead of 64 micrograms, just twice the level of concern. From that study we can see that we do not have a tenfold margin of error in this matter, or a fivefold margin of error but that the levels set, as levels of concern by our own advisory body, are about half that, and only half that required to produce brain damage.

That is the first point to establish, that this is a very serious matter, and that we cannot allow people to achieve

ambient blood levels of 50 or 60 micrograms. What blood levels are occurring in Australia? This is where we get into a little scientific vacuum, because there are very few surveys of ambient blood lead levels in Australia.

The Garnys Report has been attacked. That report produced results very equivalent to the American study to which I have referred. Then some Melbourne workers surveyed some hundreds of children in Melbourne and produced a different result. They produced a much lower ambient lead in Melbourne children, of the order of 12 micrograms with a negiligible number exceeding the level of concern.

It may be that the Sydney results are wrong and that the Melbourne results are right, but it may also be that the Sydney results reflect the difference between Melbourne and Sydney, and the similarities between Sydney and the American cities. We do not know, but we must be anxious about that. What I have said gives some indication that in our big cities we may be running close to the safety margin. It does not tell us what is happening in Adelaide, because no ambient blood levels have been taken in Adelaide, and it does not tell us where this lead is coming from.

The question of atmospheric lead is dealt with by the N.H.M.R.C. in an indirect way. One cannot actually measure how much lead in anyone's blood came from the atmosphere, but one can make certain deductions. The council has made certain wise deductions and has concluded that, given that the organic compounds of lead that are shot out of the back of motor cars are very absorbable, it is advised that the lead level in the air of more than 1·5 micrograms per cubic metre averaged over three months is likely to have a "topping-up" effect on the ambient lead burden, so that the level of concern will be exceeded in many cases.

That is a bit of advice and an opinion, and it is difficult to prove or disprove. Many people have tried to prove that the bulk of the lead burden does not come from atmospheric lead. The West German paper, which is referred to in some of the material circulated by the fuel companies, was interesting in that it took fluctuations in blood lead-levels of the population and compared them with fluctuations of atmospheric lead from motor cars, and it did not get a good correlation. In some cases, when the atmospheric lead rose, blood leads went down. In other cases, the leads would go up, and they found wider variations between ages and sexes than they found with variations in the atmospheric lead.

Therefore, they concluded that the atmospheric lead was not a great contributor to the general lead burden. I suggest that they may have been wrong, because they were looking for a correlation between air samples and blood lead, but it is possible that the contribution to the lead burden from petrol is not really only due to inhalation—it may be ingested. In other words, by way of example, the British Department of Health and Social Services working party pointed out that 10 000 tonnes of lead per annum is deposited on Britain's roads. That is an awful lot of lead. Perhaps a kilogram or two would be inhaled by the entire population. The question is, what happens to the rest? How might it otherwise get into the biological system? Might this lead lie in the gutter and a child, by playing in the gutter, become contaminated, and then suck its thumb?

Might the lead indeed go down the gutter with the next rainstorm to Bolivar and out to the gulf? So, when the oil companies say that most of the lead is coming from the food chain, it might be that petrol is putting it into the food chain. We do not know. However, I think that it is fairly important to take the matter seriously.

*The Hon. J. E. Dunford interjecting:*

**The Hon. R. J. RITSON:** Would you keep him quiet, Mr. President? I am really on the honourable member's side in most of this debate, but he is too thick to know it. This German study, which stopped short when it found no correlation between fluctuations of air and blood and lead levels, was carried a step further by an American study. I have a copy of an interdepartmental memo from the United States Health Department.

**The Hon. J. R. Cornwall:** It wasn't leaked, was it?

**The Hon. R. J. RITSON:** No. I have had tremendous co-operation from the Minister, who is most concerned about this matter. Indeed, I have had a large amount of scientific material made available to me. Instead of correlating fluctuations in blood levels with air levels, the Americans matched it against fluctuations in the total volume of fuel sold, and quite suddenly a correlation was observed. When the total volume of fuel sold rose, ambient lead levels rose.

So, perhaps the air sampling method does not tell the full story. If there is a contribution from petrol to the biological environment, it may be that it falls on to the ground and gets washed into our cabbage patch.

About a year or two ago, many problems were experienced with the build-up of mercury in the larger fishes in South Australian waters. Of course, we cannot sell our shark meat interstate. Do we know that the 1 000 tonnes of lead deposited in our gutters each year will not build up over the next half century or so, and do we, as a Parliament, have a responsibility to cast our mind that widely, do our homework, and urge the Government to fill in some of these "I do not knows" with some scientific research?

I remind all honourable members that the difference between the sort of blood levels which are being discovered and the sort of blood levels which would cause harm is not great. What might be done about it? Let us assume that the Sydney study is correct and that there is a similarity between it and American studies, and that the Melbourne study is correct and reflects the very lead-clean air that Melbourne has. The Hon. Dr. Cornwall referred to the difference. If one looks at the VENSAC Report and sees the amount of lead going into the air, one realises that we should perhaps examine the blood levels of our schoolchildren and our traffic policemen to see whether the results match those of the Sydney survey. Let us suppose that they do match. What do we do about it? This is where I want to differ slightly in regard to one of the proposed solutions advanced in the Hon. Dr. Cornwall's motion.

**The Hon. J. E. Dunford:** We won't be bought off by the oil companies.

**The Hon. R. J. RITSON:** Neither will I.

**The PRESIDENT:** Order!

**The Hon. R. J. RITSON:** It is not difficult to put up with that sort of interjection during an Address in Reply debate. However, the Council is now debating a very serious matter, on which the two Parties could and should meet in a proper manner and show a proper scientific concern for the people of this State. That kind of soap-boxing should be held until election time. In the meantime, I should like to be able to proceed.

The Hon. Dr. Cornwall has proposed an immediate commitment to the abolition of lead from petrol. It is important, if we are to consider this matter, that we examine carefully the claim that it is not at any cost penalty. The arguments which were put forward in the VENSAC Report are essentially as follows: if we remove the lead from petrol, we get a reduction in engine performance, as low-compression engines must be used.

However, once we have removed the lead from petrol, we can use catalytic converters for emission control instead of the complicated and energy-expensive, performance-robbing emission control system that we have at present. So, the amortised cost of the change-over and the reduced performance is compensated for by the fuel saving when we remove the present inefficient form of emission control.

Therefore, there is no total net penalty to the community, although there may be an imbalance for refineries and the motor industry for a time. The difficulty with this is that the motor industry claims certain difficulties that were not described in either the VENSAC argument or the Hon. Dr. Cornwall's speech. These difficulties include the unreliability of catalytic converters in the present state of knowledge. They operate at high temperatures, and there are over 500 recorded cases of vehicles being burnt out in the United States because of malfunctions of these high-temperature devices.

It is unlikely that any farmer would want to use a vehicle with this device fitted thereto because the hazard of starting bushfires when driving through paddocks is much higher than it is with the ordinary hot muffler box. Furthermore, during the change-over period the mixture of the two types of vehicle creates problems, because some motorists, being human, insist on putting leaded petrol in vehicles not designed for it. This immediately damages the motor, poisons the catalyst, and creates the most polluting type of exhaust.

Those are some of the difficulties. If one imagines the State unilaterally introducing lead-free petrol, one gets another whole set of problems. There is the difficulty that, if one is living in South Australia and is half-way through the change-over, and one has a new car designed for lead-free petrol, one cannot use one's car in, say, Western Australia if one wants to go there and that State has not changed over, because one cannot get petrol there. Therefore, that is also a problem.

It is also a problem if manufacturers have to manufacture two different types of vehicle for different sets of State regulations. The cost penalty for the industry is therefore very great. However, if we look as though we are getting to the stage where we will brain damage people, and if there is no other way, I would not oppose the concept of going rapidly to lead-free petrol. However, I think that we should look at the question of lead reduction in petrol.

The fuel industry has set itself a voluntary restraint and has decided not to add more than 8·4 grammes of lead to each litre of petrol. Strangely enough, and coincidentally, that appears to be as much as they want to put in, anyway.

I made some telephone inquiries and discovered that in South Australia we often have eight grammes per litre although sometimes we have six and sometimes we have five. I asked whether this was by design to cope with seasonal fluctuations and whether in summer we need more anti-knock properties in petrol. I was not able to discover the answer. I was left with the impression that the variation was not deliberate. If it was below 8 grammes they were happy, but they made no deliberate attempt to keep it as low as possible. In Victoria by law it is limited to 4·5. That again may have something to do with the demonstrated relatively lead-free atmosphere in Victoria. What would be the cost penalty of an immediate lead reduction to the Victorian level?

From time to time refineries titrate their stock between one State and another to keep the balance of stock. When the refinery brings the low-lead Victorian petrol here, we do not notice the difference. There is a cost penalty linked to low-lead petrol. As the lead content is reduced we still need to keep the high octane rating for cars with high compression ratios. In order to do this with less lead, you disturb the balance of the various fractions in a given barrel of crude oil. This barrel has everything in it from tars and waxes to axle greases, phenols and creosols used for antiseptics, and there is a distinct market for each fraction. If one wants to provide the high-octane fuel with the lesser lead content one has to disturb the balance of the fractions of that barrel of crude oil. I presume the refinery can adjust the balance of its products in relation to its established markets (by chemical means) at the cost of additional energy input at the refinery. This has been costed, not this year but in fairly recent years. I refer to the proceedings of the conference on ambient lead and health, Evans Jones Hall, in 1974. A lot has happened to prices since 1974, but it was stated then that the cost to the refinery of going to low lead and using other methods of upgrading the octane level was approximately ½c per gallon. The speaker went on to estimate that the cost to each motorist over 10 years of motoring, working on 100 000 miles as the life of that motor car, would be $25 for every 100 000 miles if the fuel company then passed on its ½c per gallon.

I suppose that the cost now would be four times what it was then. It might be that a low-lead petrol might cost an additional $100 per 100 000 miles. That is a fairly small cost, considering that one catalytic converter would cost about $200 and would only last about 20 000 miles. This $1 000 per 100 000 miles compares quite badly with $100 for lead-reduced petrol. There is extra costing that we have not started to look at in regard to the cost of producing several different engines for one model if the States go it alone.

I take Dr. Cornwall's remarks very seriously. I agree with him on scientific grounds. Although there is no evidence at the moment that people are being seriously poisoned, safety margins are small, and this Parliament has the responsibility to express concern that the safety margin be no further eroded. I think that there are many unknowns. As we have not got ambient blood-lead levels for South Australia, and because we have no evidence as to where the lead from petrol that is not inhaled goes, I have placed on file an amendment which embodies the spirit of concern which Dr. Cornwall rightly expressed in this Council but which takes note of the option of following the Victorian lead and going to low-lead petrol. It takes note also of the fact that there is insufficient basic research in this State as yet to know exactly where we are going.

My amendment simply alludes to the other option as well, rather than demanding that this State immediately commit itself to lead-free petrol. The amendment incorporates, if one looks at the wording, the question of concern as to time scale. The amendment points out that Government policy should be formed at the earliest opportunity. I ask honourable members to consider this amendment very seriously.

The question of scientific investigation is an interesting one. One of the basic rules of any scientific approach is that, if one is going to construct an experiment or take action which seeks to create change, one needs a data base line. Control data is needed at the start so that one can measure the effects of the change. Therefore, we should construct a scientific basis for evaluation of current ambient blood levels in South Australia so that we can evaluate in years to come the effects of any change in petrol policy. If we were moving quickly and easily, as I believe we could, towards low-lead petrol, we could then after several years repeat the ambient blood level tests and measure the effect of the policy. That is why in my

amendment I allude also to the need for scientific evaluation of anything that is done, so that after a year or two we can have a good look at it and see whether the result is good enough or whether we need to go completely to lead-free petrol.

If, for example, the result of a survey of current blood leads in South Australia showed that three-quarters of those tested were above the level of concern, we might decide that the situation was so close to the wind that we could not afford an experiment and that we must go straight away to lead-free petrol. I support the spirit of Dr. Cornwall's resolution. I would like support for my amendment because I believe that it leaves it open for the Government to behave scientifically in this matter whilst nevertheless placing our expression of concern before the Government of the day. Therefore, I move:

Line 2—delete all words after "plan" and insert the words "further scientific evaluation of the options available for the early reduction of environmental lead hazards including the relative merits of a reduction in lead content of petrol compared with the relative merits of a policy of prohibition of leaded petrol. It is the opinion of this Council that Government policy in regards to leaded petrol should be scientifically based and nationally uniform and enunciated at the earliest practical opportunity".

**The Hon. M. B. CAMERON:** I move:

That the debate be now adjourned.

The Council divided on the motion:

Ayes (10)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson (teller).

Noes (9)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall (teller), C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and Barbara Wiese.

Pair—Aye—The Hon. K. T. Griffin. No—The Hon. C. J. Sumner.

Majority of 1 for the Ayes.

Motion thus carried.

## CAMPBELLTOWN TRAFFIC

**The Hon. J. A. CARNIE:** I move:

That the regulations made on 11 September 1980, under the Road Traffic Act, 1961-1980, in respect of traffic prohibition (Campbelltown), and laid on the table of this Council on 16 September 1980, be disallowed.

At the outset, without having a map, I find it very difficult to speak to this motion so that members will have a clear understanding of what it is all about. The matter involves a road closure and junctions of various streets with the Gorge Road deviation, and I will do my best without a map.

The difficulty has come about because a short time ago a deviation was built on Gorge Road at Campbelltown. At that time, the Highways Department closed off three or four streets that abutted on to either Stradbroke Road or the old Gorge Road, and this led to one subdivision comprising 47 allotments, of which 42 have houses built on them, with only one access route to Gorge Road, namely, by a street named Berry Avenue. No other particular access is available or proposed.

The residents of this subdivision organised a petition, which I believe was signed by at least one resident of every house in the subdivision. This was presented to the Campbelltown council and, when the regulations were presented and came before the Subordinate Legislation Committee, a copy of that petition was forwarded to us, together with a request to appear before the committee and give evidence. A delegation of the residents, together with a solicitor, appeared before the committee and gave evidence.

As the result of that the committee felt, although it was more fortunate than members of this Council are at the moment in that it had maps when those witnesses came before it, that it was necessary to inspect the site. This was done and at the same time an opportunity was given to the Campbelltown council to give evidence to the committee. It appeared to me (and I am sure that other members of the committee will speak on this matter) that perhaps the Road Traffic Board had not gone into this matter in the most advisable way.

As I have said, there is now only one access from this small subdivision to Gorge Road, and that is by Berry Avenue. It is a narrow street and has one lane in each direction. There is no room for manoeuvre and certainly no room for a left turn and a right turn in traffic. On the right-hand side of Berry Avenue, a house is built very close to the intersection, and on the other side there is a market garden. It is a narrow road and there is no way, short of acquisition of a house and the land, to provide for vehicles to turn right or left.

In addition, Berry Road meets Gorge Road at an acute angle. Any traffic crossing Gorge Road has to turn at more than a right-angle. I am sure that members have noticed that the Highways Department and the Road Traffic Board do not like any turns that are more than a right angle, and usually, in such a case as this, there is a "No right turn" sign. Evidence was given to the committee that the residents would have no objection to such a "No right turn" situation applying at this intersection, provided there was another access given to Gorge Road, and I will come to that now.

Half a kilometre to the east of Berry Avenue it is possible to continue Farmer Road to make the formal intersection with Gorge Road. I omitted to mention one aspect regarding the Berry Avenue and Gorge Road intersection. That is that, about half a kilometre to the east, there is a slight rise in Gorge Road, and this obscures a driver's vision of the Stradbroke Road and Gorge Road intersection, which is about a kilometre to the right. Referring back to the Farmer Street intersection with Gorge Road, which is half a kilometre to the east of Berry Avenue, it is situated on the slight rise to which I have referred and, as a result, there is clear vision to and from the Stradbroke Road and Gorge Road intersection.

In addition, there is sufficient reserve to allow the intersection to be a wide approach from Farmer Street to Gorge Road. It would be wide enough to allow right-turning vehicles to stand without interfering with vehicles behind that are turning left. It would be simple to construct the intersection in such a way as to connect with Gorge Road at a right-angle, which, in my view is ideal and appears to be the attitude adopted by the Road Traffic Board.

Hamilton Terrace is on the opposite side of Gorge Road from the suggested Farmer Street intersection, so it would be quite possible to construct a full right hand intersection where at the moment a T-junction operates. The committee took evidence from the Campbelltown council, and I must say in fairness that the council does not agree with the disallowance of these regulations; it wants Berry Avenue to be the only access to Gorge Road. At the same time, I think I speak for the committee when I say again that it is the committee's view that it would be possible to continue Farmer Street to form a satisfactory intersection

with Gorge Road without restricting the residents of the area to the one and only access.

Many reasons were given by the residents for their stand when they appeared before the committee. To the east and to the right in Stradbroke Road there are churches, schools and a recreation centre and, according to the evidence given to the committee, residents tend to head east for their schooling, shopping and leisure activities. In other words, these facilities are to the right of where they live. As I have pointed out, to do this from Berry Avenue it is necessary to cross two lanes of traffic on Gorge Road. Gorge Road contains very heavy traffic, and because there is a quarry not far away long heavy-laden trucks also traverse that road.

The house that I mentioned near the intersection of Berry Avenue and Gorge Road is very close to the carriageway, making it necessary for a motorist to proceed a reasonable distance out into the road before obtaining clearance to the right. If these regulations are disallowed the Campbelltown council can simply regazette them as soon as possible and bring them back into law. The Campbelltown council is acting as agent for the Road Traffic Board in this matter, because these regulations were promulgated by the board and not by the Campbelltown council. However, the regulations are in the name of the council. I hope that the council will not regazette the regulations but that it will take the motion and the opinion of the Subordinate Legislation Committee seriously and re-examine this matter.

I am sure that if the council re-examines the matter it will see that the residents have a valid case. I am also sure that the council will be able to construct the intersection as requested by the residents to provide easier access to Gorge Road. Having inspected this site I believe that approach would provide safer access to Gorge Road. I hope that the council and the Road Traffic Board will look at the matter again and satisfy the residents who have petitioned the council and the Subordinate Legislation Committee. Much evidence has been tabled on this matter and is available for perusal by members. In summary, the reasons I have put forward for disallowance are good and valid.

**The Hon. N. K. FOSTER:** I second the motion and commend the Hon. Mr. Carnie for the very able way in which he has presented this matter to the Council. There is little left for me to say other than to add in support that the witnesses who appeared before the committee comprised two Campbelltown Councillors, one of whom was simply an observer. Since the inspection of the site referred to by the Hon. Mr. Carnie, I have been asked by many people who live in this area about the likely outcome of this matter, and that is understandable.

One of the unfortunate aspects of this particular by-law is that it was possibly made at a time when the changes that have been made in this area were not contemplated. The matter of the acquisition of land for the Gorge Road deviation has been with the Campbelltown council and the Highways Department for about 10 years. It has been held up for a considerable portion of that time because of court litigation in relation to the rights of a particular landholder.

The Gorge Road deviation has brought about an intersection with Stradbroke Road which previously did not exist. The old Gorge Road has since been renamed, and Stradbroke Road, which up until a few years ago was known as Bells Road, was a T-junction. That T-junction still exists carrying little or no traffic other than service vehicles. Gorge Road carries a great deal of very heavy traffic, including quarry trucks. When the decision was made for road closures in this area there were only six or seven houses in existence, along with a number of market gardens. However, there is now only one market garden, which used to border Farmer Street. The eastern end of Farmer Street has been completely swallowed up in the new deviation.

Before the deviation, Farmer Street was used by the residents to get on to Stradbroke Road and obtain access to the old Gorge Road. One could not design a better, more observable intersection than that which could be created if the barriers were taken down and a slight intersection was made to Farmer Street. It is possible to obtain a clear view for hundreds of yards along the road on the city side of the Gorge Road deviation. More importantly, it allows a good deal of space for drivers to stand their vehicles out of the traffic line and observe the road to the right and left. That is not the case with respect to Berry Avenue. Berry Avenue is narrow and not capable of allowing a driver to encroach a few feet out on to the road to observe whether any traffic is coming, particularly from the right. A driver must place part of his vehicle almost on to the carriageway before he can observe the road properly. This area is a fairly new development, and I do not know how many schoolchildren are driven to and from school by their parents because they are worried about them crossing Gorge Road. Many of the students attend Campbelltown Primary School, which is some way down the road, and picking them up and taking them to school has generated much traffic in this area.

The Campbelltown council would be well recommended to change its attitude, because of the changed circumstances since the council made its decision. The Highways Department has continued its opposition, at least as I last heard, on the basis that it does not want any more entrances than are necessary to Gorge Road or the Gorge Road deviation. It may result in the department's creating one more intersection at Farmer Street, but it will be a safer and far better intersection from the point of view of residents. Also, from inquiries I have made, I am concerned about the existing market garden to the east of Berry Road and to the east of the old Farmer Street intersection and the possible event of subdivision providing, I think, 12 or 15 new allotments which have already been subject to a permit to build. Those houses would naturally face the new deviation road, and access would be required from all those properties through their front gates. That may not be likely unless the existing market garden is sold, and I do not know what the owner will do about that. I commend the motion to the Council and hope that it is carried. I am sure that its carriage would be in accordance with the spirit of the inspection undertaken by the Subordinate Legislation Committee, the council and residents.

**The Hon. M. B. CAMERON** secured the adjournment of the debate.

## CHILDREN'S PROTECTION AND YOUNG OFFENDERS ACT: REGULATIONS

Order of the Day, Private Business, No. 5: the Hon. J. A. Carnie to move:

That the regulations made on 10 July 1980 under the Children's Protection and Young Offenders Act, 1979-1980, in respect of various amendments, and laid on the table of this Council on 31 July 1980, be disallowed.

**The Hon. J. A. CARNIE:** I move:

That this Order of the Day be discharged.

Order of the Day discharged.

## CONSTITUTIONAL MUSEUM ACT: REGULATIONS

Order of the Day, Private Business No. 6: the Hon. J. A. Carnie to move:

That the regulations made on 31 July 1980 under the Constitutional Museum Act, 1978, in respect of general regulations 1980, and laid on the table of this Council on 5 August 1980, be disallowed.

**The Hon. J. A. CARNIE:** I move:

That this Order of the Day be discharged.

Order of the Day discharged.

## INDUSTRIES DEVELOPMENT ACT: BREAD PRICING REGULATIONS

Order of the Day, Private Business No. 7: adjourned debate on motion of Hon. J. A. Carnie:

That the regulations made on 22 July 1980 under the Industries Development Act, 1941-1978, in respect of bread pricing 1980, and laid on the table of this Council on 31 July 1980, be disallowed.

(Continued from 3 December. Page 2482.)

**The Hon. J. A. CARNIE:** I move:

That this Order of the Day be discharged.

Order of the Day discharged.

## LOCAL GOVERNMENT ACT: PARKING REGULATIONS

Order of the Day, Private Business No. 10: the Hon. J. A. Carnie to move:

That the Control of Traffic—Parking Regulations made on 5 June 1980 under the Local Government Act, 1934-1979, and laid on the table of this Council on 10 June 1980, be disallowed.

**The Hon. J. A. CARNIE:** I move:

That this Order of the Day be discharged.

Order of the Day discharged.

## ROAD TRAFFIC ACT: PARKING OF VEHICLES

Order of the Day, Private Business No. 11: the Hon. J. A. Carnie to move:

That the regulations made on 5 June 1980 under the Road Traffic Act, 1961-1980, in respect of parking of vehicles, and laid on the table of this Council on 10 June 1980, be disallowed.

**The Hon. J. A. CARNIE:** I move:

That this Order of the Day be discharged.

Order of the Day discharged.

## STATUTES AMENDMENT (ADMINISTRATION OF COURTS AND TRIBUNALS) BILL

**The Hon. K. T. GRIFFIN (Attorney-General)** obtained leave and introduced a Bill for an Act to amend the Supreme Court Act, 1935-1980, the Judges' Pensions Act, 1971-1974, the Local and District Criminal Courts Act, 1926-1980, the Justices Act, 1921-1980, the Oaths Act, 1936-1969, the Planning and Development Act, 1966-1980, the City of Adelaide Development Control Act, 1976-1978, the Builders Licensing Act, 1967-1980, the Local Government Act, 1934-1980, the Water Resources Act, 1976-1979, the Motor Fuel Distribution Act, 1973-1979, the Superannuation Act, 1974-1980, and the Police Regulation Act, 1952-1975. Read a first time.

**The Hon. K. T. GRIFFIN:** I move:

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

It amends several Acts with a view to bringing the administration of courts and tribunals under the umbrella of a Courts Department in lieu of the present scattered administration that exists for the Supreme Court, the Local and District Criminal Courts, the appeals tribunals and the magistracy.

It is the view of the judicial officers I have consulted that there must be an improvement in courts' administration, and that the most effective way of achieving this is to establish a Courts Department, the function of which will be to provide all necessary administrative services to the courts referred to in the Bill.

This approach has the advantage of broadening resources available to court administrators and providing a permanent head who will be responsible for co-ordinating and improving the quality of court administration to all jurisdictions. The permanent head will be responsible to the Minister for the Public Service staff and expenditure of the department, but will also be required to accept responsibility to appropriate senior judicial officers for actions affecting the business of their courts. Two positions of Registrar will be created, one for the Supreme Court and one for all other jurisdictions affected by this reorganisation. The Registrars will be responsible to the appropriate senior judicial officer for the administration of the non-judicial aspects of court business, but will also be responsible to the permanent head for any aspect of the management falling within the normal ambit of Public Service administration.

Most of the new arrangements can be dealt with administratively, but the principal amendments proposed for the Supreme Court Act and the Local and District Criminal Courts Act carry a statutory recognition of accountability in Registrars as senior public servants to the judiciary. These new administrative arrangements mean that the Master and Deputy Masters can be freed from their present administrative duties and can concentrate on their judicial functions. It is thus appropriate that these offficers should now be outside the Public Service, as they are in every other State in the Commonwealth.

The present arrangements whereby a particular judge or special magistrate is appointed to a board or tribunal creates administrative difficulties. Delays in hearings occur when the designated person is engaged in other duties. There are many administrative tribunals which would best be served by drawing from the full complement of the judges of the Local and District Criminal Courts and the magistrates. Accordingly, the amendments empower the Senior Judge of the Local and District Criminal Courts to call on any judge or special magistrate to serve on a board or tribunal as appropriate. Incidentally, the Local and District Criminal Courts will henceforth be called the District Court, as are courts of corresponding jurisdiction in other States. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

### Explanation of Clauses

Part I is formal. Part II amends the Supreme Court Act. Clause 6 makes various amendments of an interpretative nature. In particular, a new subsection (2) is inserted in section 5 providing that, subject to the Rules of Court, a reference in an Act or in any regulation, by-law or

instrument made under an Act to the Master or a Deputy Master of the court shall, where the reference occurs in connection with the performance of an act of a judicial nature, be construed as a reference to a Master and where the reference occurs in connection with the performance of an act of an administrative nature be construed as a reference to the Registrar.

Clause 7 repeals and re-enacts section 7 of the principal Act. The purpose of the amendment is to make clear that the Masters form part of the court. Clause 8 amends section 8 of the Supreme Court Act. The amendment provides that no person shall be qualified for appointment as a Master unless he is a practitioner of the court of not less than seven years standing.

Clause 9 repeals and re-enacts section 9 of the Supreme Court Act. The purpose of the amendment is to deal with the tenure of office of a Master. This is to correspond with the tenure of a judge, that is to say, the Master will hold office until 70 years of age, but may be removed on an address by both Houses of Parliament.

Clause 10 repeals and re-enacts section 11 of the Supreme Court Act. The amendment adapts the existing provisions relating to acting appointments of judges to cover the acting appointment of Masters. Clause 11 repeals and re-enacts section 12 of the principal Act. This section deals at present with the salary of judges. The new section relates also to the salary of Masters.

Clause 12 repeals and re-enacts section 13a of the Supreme Court Act. This section at present deals with retirement of judges. The re-enacted provision deals also with retirement of Masters. A new section 13b is enacted dealing with rights to leave and superannuation of the existing Masters of the court who will be the first Masters appointed under the new amendments.

Clauses 13 and 14 make consequential amendments. Clause 15 provides that the Full Court of the Supreme Court may sit in more than one division. This is to deal with the possibility that three or more divisions of the Full Court may, on occasion, be required to sit contemporaneously. Clause 16 amends section 48 of the principal Act dealing with the jurisdiction of Masters. Clause 17 deals with an appeal from a judgment, order, direction or decision of a Master and provides that such an appeal shall lie to a judge of the court.

Clause 18 amends section 62h of the principal Act. This section relates to the Land and Valuation Court. The new section provides for a Master to exercise jurisdiction conferred by the rules and provides that the Registrar shall have certain administrative powers, authorities, functions and duties. Clause 19 makes a consequential amendment. Clause 20 amends a heading in the Supreme Court Act.

Clause 21 inserts a new section 82 dealing with the office of a Registrar. The Registrar is to be appointed and to hold office subject to the Public Service Act. He is to be the principal administrative officer of the court and is to have such functions and duties as are assigned to him by Statute, by Rules of Court, or by the Chief Justice. The Registrar is to be subject to the control and direction of the Chief Justice in carrying out functions and duties so far as they relate to the business of the court.

Clause 22 amends section 84 of the Supreme Court Act. The amendment makes clear that the Sheriff is always to be a Public Service officer. Clause 23 amends section 106 of the Supreme Court Act. The amendment provides that appointments of tipstaves are to be made on the recommendation of the Chief Justice.

Clause 24 amends section 109 of the Supreme Court Act which relates to the appointment of other officers of the court. A provision is inserted making it clear that appointments are to be made on the recommendation of the Chief Justice. Clause 25 makes various consequential amendments to the Supreme Court Act.

Part III of the Bill amends the Judges Pensions Act. The purpose of the amendment is to provide that a Master of the Supreme Court will be entitled to a pension under that Act. However, this entitlement will not apply to a person who presently holds the office of Master or Deputy Master.

Part IV amends the Local and District Criminal Courts Act. Clause 28 is formal. Clause 29 inserts certain definitions that are required for the purposes of the amendments. Clause 30 is formal. Clause 31 removes certain obsolete transitional provisions.

Clause 32 deals with nomenclature. It provides that after the commencement of the amending Act each local court to which full jurisdiction has been assigned shall, in so far as it is a local court of full jurisdiction, be known as a District Court and each District Criminal Court shall be known as a District Court.

Clause 33 amends section 5b of the principal Act. This section deals amongst other things with the administrative responsibilities of the senior judge. The amendment makes it clear that the senior judge has power to deal with administrative arrangements for the hearing and determination of proceedings not only in local courts and district criminal courts but also before courts, boards or tribunals that are to be constituted either of a judge or a special magistrate or of which the presiding officer is to be a judge or a special magistrate.

Clause 34 amends section 5c of the principal Act. The amendment is consequential. Clause 35 deals with the office of Registrar of courts of subordinate jurisdiction. The Registrar is to be appointed and to hold office under the Public Service Act. He is to be the principal administrative officer of district courts and of local courts, and, in relation to the performance of his functions so far as they relate to courts, boards or tribunals over which the senior judge may exercise supervision, he is subject to the control and direction of the senior judge.

Clause 36 makes various consequential amendments to the principal Act. In particular, it should be noted that those officers who are presently referred to as Registrars of district criminal courts will in future be known as clerks of arraigns.

Part V amends the Justices Act. The purpose of the amendment is to provide that the Registrar of courts of subordinate jurisdiction will have in relation to courts of summary jurisdiction powers and functions assigned to him by the Justices Act or any other Act, or by Rules of Court under the Justices Act or any other Act or by the senior magistrate. In relation to his performance of those functions or duties, the Registrar will be under the control and direction of the senior magistrate.

Part VI makes consequential amendments to the Oaths Act. These amendments relate principally to the oath that is to be taken by a Master of the Supreme Court on assuming his office as such.

Part VII amends the Planning and Development Act. The purpose of the amendment is to abolish the system under which a Chairman and Associate Chairman of the Planning Appeal Board are appointed by the Governor and to provide instead that the Chairman of the Planning Appeal Board is to be a judge nominated by the senior judge and that all other judges of the district court will be competent to act as Associate Chairmen of the board.

Part VIII amends the City of Adelaide Development Control Act. The amendment makes it clear that the appellate tribunal constituted under that Act may be constituted of any judge of the district court.

Part IX amends the Builders Licensing Act. Under the

amendment any judge of the District Court is competent to act as the Chairman of the Builders Appellate and Disciplinary Tribunal. The amendments also make it possible for the tribunal to sit in more than one division. This should greatly expedite the business of the tribunal.

Part X amends the Local Government Act. The Court of Disputed Returns established under that Act may by virtue of the amendments be constituted of any judge of the District Court. The power to make Rules of Court is to be vested in future in the senior judge.

Part XI amends the Water Resources Act. The amendment provides that any judge of the District Court or any special magistrate authorised in writing by the Attorney-General may act as Chairman of the Appellate tribunal constituted under that Act.

Part XII makes corresponding amendments to the Motor Fuel Distribution Act.

Part XIII makes corresponding amendments to the Superannuation Act.

Part XIV makes corresponding amendments to the Police Regulation Act in relation to the constitution of the Police Appeal Board.

**The Hon. FRANK BLEVINS** secured the adjournment of the debate.

## PUBLIC FINANCE ACT AMENDMENT BILL

Read a third time and passed.

## STATUTES AMENDMENT (WATER AND SEWERAGE RATING) BILL

Read a third time and passed.

## COMMUNITY WELFARE ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 17 February. Page 2858.)

**The Hon. ANNE LEVY:** I support the second reading of this Bill, and open my brief remarks by pointing out that in one respect the whole topic of welfare is one of band-aids that are being applied to aid individuals in society and that such band-aids may be necessary but regrettable, in the sense that it is a pity that they are necessary.

Certainly, we should aim for a society where all individuals have independence, self-esteem and the ability to look after themselves. Certainly, also, prevention is better than cure, and the change in emphasis in the Bill to provide support before difficulties occur and tragedies result is a welcome one.

We should aim to prevent break-downs or break-ups rather than pick up the pieces after they have occurred. Indeed, we should go even further back and see that we organise our society so that break-ups will never occur. This is, of course, beyond the scope of the Department for Community Welfare, but it should be our aim as legislators and as concerned citizens. I predict that it will never be achieved in a capitalist, competitive and materialistic society, for in such a society there will always be some casualties of the system. However, it is only humane to help them.

Let us not forget that it would be better to reorganise our society so that casualties are not automatically produced by our system. Although this is not in the scope of the Bill, it is something that we should keep in mind.

It is certainly appropriate that I should support the second reading of this Bill today, as this morning the Women and Welfare Conference was opened in Adelaide. Attended by people from all over Australia, the conference promises to be extremely exciting.

From the short extracts that I heard this morning, I am sure that all those present will find this a very worthwhile conference indeed. I mention this matter, as women are far greater recipients of welfare than are men. This was acknowledged by the Minister in his remarks when opening the conference this morning.

There are more than 300 000 sole parents in Australia today. Of these, 96 per cent are mothers and only 4 per cent fathers. Very large numbers of these families, consisting largely of a woman and her children, depend on welfare for their existence.

A survey by the Australian Bureau of Statistics published recently showed that 15 per cent of all families in Australia today have no income earner. These families would be receiving pensions of various sorts and superannuation, and would be unemployed, and so on. Again, the majority of these people are women. As I have indicated, the sole parents are mainly women. Old-age pensioners also have a majority of women among them, as women live longer than men, and wives, usually being younger than their husbands, tend to outlive them. As a result, widows outnumber widowers eight to one.

It may be of interest to honourable members to know that the same survey showed that 31 per cent of families in Australia today have one income earner; 42 per cent have two income earners; and 11 per cent of families have three or more income earners.

The reasons why women make up such a large proportion of those on welfare are to be found in the organisation and attitudes of our society towards women. They are so often socialised and expected to be dependent on others that they are unable to be independent if their circumstances change. The fact that women rather than men are expected to have the care and control of children exacerbates the situation. If the responsibility for children was equally shared, and women really had equal opportunities, equal encouragement and equal self-esteem, the imbalance of the sexes in those depending on welfare would be reduced.

The Bill is a complete rewrite of major sections of the Community Welfare Act, and I applaud most of the sentiments that lie behind it. I certainly do not wish to take up the Council's time by discussing all the details of the Bill. Certain points can be brought out in Committee, which is possibly the most appropriate way to proceed with this type of legislation.

However, I should like to make a few general comments on some of the clauses, with no pretence that other clauses that I do not mention are not important or significant, as indeed much of the Bill is. I comment briefly on new section 10 (1) *(b)*, which is inserted in the Act by clause 6 and in which the objectives and powers of the Minister and the department are set out. It provides that one of the objectives of the Minister and the department is to promote the welfare of the family as the basis of the welfare of the community.

I put it to honourable members that the welfare of the community surely depends on the welfare of families and the welfare of individuals in the community. Many people are not members of families. I refer, for example, to widows whose children have left home, single persons, young persons who have left home but have not yet formed stable relationships, and so on.

I believe that it is quite wrong to suggest that the welfare of the community as a whole does not depend on the

welfare of individuals along with those who live in families. If we postulated that all families in the community were well cared for but that these individuals not in families were not well cared for, we could not say that the welfare of the community was adequately catered for. I believe that it is wrong to imply that those outside the family situation are outside the main stream of our community and that their welfare as individuals is less important to the community as a whole than the welfare of families in the community. I hope that an amendment to this clause, which will be proposed by the Opposition, will be accepted by the Minister and so remove any implied slur to those who are not part of a family. I also refer to new section 10 (3), which provides:

> The Minister and the Department, in providing any service, shall not discriminate against or in favour of any person on the ground of his sex, marital status, mental or physical impairment, religion, race or nationality, except so far as it is necessary to do so for the purpose of assisting a person to overcome any social or other disadvantage arising out of his sex, marital status, mental or physical impairment, religion, race or nationality.

On reading this provision I was struck by its being a perfect description and justification of positive discrimination in certain circumstances. I commend the Minister for it and I hope that the principles of positive discrimination so enunciated here can be extended to many areas other than welfare matters in our community.

I would also comment on the amendment being made under new section 26, which refers to the Children's Interest Bureau. The recommendation for the Children's Interest Bureau arose in the reports received in recent times from the Mann Committee, which suggested the establishment of such bodies. I commend it as a superb idea for the protection of children's rights. I hope that this body, when established, can act as a children's advocate in the many non-legal situations that will arise. I hope that paragraphs *(c)* and *(d)* will be interpreted broadly enough to enable a role as a children's advocate in non-legal situations.

As a side point I was interested to read new section 39 and learn that all members of the Legislature may visit every children's home which is established. I hope that many members of Parliament will avail themselves of this opportunity. A further point of detail arises in connection with new section 57, which deals with licensed child care centres. I make a comparison between the time for which a licence can remain in operation and the provision that we passed recently for the registration of non-government schools. It is proposed under this Bill that the licence shall remain in operation for a period of 12 months. It can, of course, be renewed after 12 months, but 12-monthly renewals will enable the department to ensure that standards are being maintained and that children in child care centres are being adequately cared for. Should standards fall, the licence can be withdrawn or not renewed after the 12-month period.

In the legislation we had at the end of last year dealing with the registration on non-government schools, the board was empowered to register such schools for a period of five years before registration had to be renewed. I am sure we all would agree that in each case, as the care and education of children is involved, periodic reviews are desirable to ensure that standards are being maintained. It is probably fair enough that schools would only need to be registered at five-yearly intervals as they are dealing with older children than those being dealt with in child care centres. The necessity for registering every 12 months would not be as necessary for the schools as it is for child care centres. In both cases the principle that institutions caring for and educating children must be approved by the Government and checked periodically to ensure that standards are being maintained is being followed by this Government.

I refer also to new section 59. When we reach the Committee stage I will ask the Minister what sort of hours are going to be prescribed as the maximum time for which a child may be left in a child care centre. It is obviously desirable that there be such a prescribed number of consecutive hours but I would hope that the intention would be not to make this so restrictive as to prevent the usage of child care centres by parents whose need for them is very great. I give warning that I will ask that question in the Committee stage.

New section 83 of the Bill is the same as the section currently existing in the Act. This provision prohibits the selling, lending or giving of tobacco products to any person under the age of 16 years. I believe that this is somewhat of an anachronism. This provision is unenforceable, and the police have said on numerous occasions both publicly and in private correspondence that they do not put the enforcing of this law high on their list of priorities, and they have not sufficient manpower to undertake enforcement of this law.

We all know that it is not enforced. It seems absurd to retain a law which cannot be enforced and which no-one has any intention of trying to enforce. In any case, I feel that this is a health matter rather than a welfare matter and it should be considered under health legislation, along with the protection for minors from drugs, alcohol, and any other substances from which the community feels they should be protected. I do not feel that putting such a provision in a Community Welfare Act is appropriate.

**The Hon. J. C. Burdett:** It's already there.

**The Hon. ANNE LEVY:** It can be removed when we are rewriting something. It is an anachronism that it should remain in this Act. I also wish to comment on clause 12, which amends section 112 of the principal Act. This relates to carrying out blood tests in a paternity case, and the provision is being amended to ensure that the child must be at least six months old before a blood test is taken. I appreciate the necessity for this, as a newly born child has a poor immune system and blood testing can give wrong results. I have always understood that the immune system became developed at about three months, and at that stage the triple antigen injections are given as protection for a child. To put six months in the Bill is to make sure that any blood tests will give accurate results. However, on reading the provisions, I wondered whether consideration had been given to the provision which states:

> No direction shall be given unless the child, the mother and the defendant are all living, and the child is at least six months old.

If the child is deceased, it is useless to do any blood tests to determine the paternity of the child. Likewise, if the presumed father were deceased, no blood tests could be done on him to indicate whether he was the father, but if the mother of the child were deceased, a blood test done on the child and the presumed father could certainly yield information as to whether that man could be in fact the father of the child.

It would be less accurate or have less chance of exonerating a wrongly accused man than if a test were done on both presumed parents and the child, but a test on a presumed father and a child could be useful as a genetic test. It could give valuable information in determining or excluding paternity, and I wondered whether advice had been sought from geneticists in this regard or whether the Minister would consider an amendment to remove the necessity for the mother to be alive before a blood test is

ordered for a presumed father, as I can assure the Minister that any geneticist would indicate that valuable information could be obtained simply from the child and the presumed father in a blood test.

I wish to express approval of clause 20, which amends section 135 of the principal Act. This provision allows maintenance payments to continue for educational purposes after a child is 18 years of age and it removes discrimination against tertiary training, which has existed *de facto* for children who depend on maintenance from their parents. I am pleased about this provision, because such children will be able to continue with tertiary education if they wish.

I share the concern expressed by the Hon. Barbara Wiese about new sections 24 and 80. These provisions deal with the ability to make contracts and the responsibilities that may devolve on foster parents. These are very sensitive and delicate areas and potentially could cause a great deal of ill feeling and damage in certain cases. Because of these two provisions, if not because of any others, I feel that a Select Committee should be set up to look into these matters.

I, for one, would like confirmation that new section 80 is the best way to tackle the problem it is designed to solve. I appreciate that there is a problem regarding the powers and responsibilities of foster parents but I would wish to be reassured that there was general agreement that the amendment of section 80 will not cause more problems than it solves. I am very concerned about these two provisions and would want reassurance from a wide body of the public that this is the best way to proceed before we support these two important aspects of the Bill. However, I certainly support the second reading of this major piece of legislation very enthusiastically.

**The Hon. N. K. FOSTER:** I also support the Bill strongly. I commend the report of the advisory committee, which did not have an easy task. In many respects, it has been non-political in its approach. It has been the child of the two different political persuasions and that has not come across as such in the report. The report pays attention in the widest possible way to the matters dealt with and cannot be compared to many other reports that have been no more than a glossing over of the real problem. I would put this report into the category of some of the reports on poverty in Australia. In those cases, we received enlightening reports, whereas years ago reports covered matters up and put them further under the carpet.

The department has a very wide area of responsibility. The figures cited in relation to the community's awareness of the department are very good, but I am sure that the Minister will agree that in the future it will be necessary to improve on them. One of the difficulties in small communities is the reluctance of some people to approach the department for assistance. Only a few minutes ago I was trying to remember when community welfare and workers compensation came into existence. I believe it was about 100 years ago when the German Government introduced workers compensation as a welfare measure. The reaction to this in Great Britain was so violent that in the 1880's it almost caused Great Britain to lose its identity as a major manufacturing nation.

It could be said that most countries have emerged from denying people the right to welfare, and that has been the boast of many Governments and many Parties in this particular country over the years, from the late Jack Lang to the late Robert Menzies. Slowly but surely the long haul of the early part of this century is falling behind us and the prevailing attitude of the 1970's, and into the 1980's, is to improve the lot of the average citizen.

What disturbs me is that the economic situation in this country means that the department's burden will become heavier, not only as a result of the economic situation in relation to the jobless but because as social attitudes have changed so has the attitude of the department. I can recall William Wentworth almost exploding when someone suggested to him that an unmarried mother should be given some recognition and rights as a person and as a supporting mother. That suggestion was met with horror and alarm, and there was some concern about how the churches might react. However, even in those days the church was supporting the view that such people should be cared for.

One of the grey areas already referred to by the Minister, and an area where he has already taken some initiative, relates to the teenage homeless brought about by economic factors and changing social standards. The department will have to pay far more attention to this area in the future. I hope that the department's submission to the Minister on behalf of these people in the community will be accepted by him and Cabinet, because it will take massive doses of finance and resources to ensure that these young people are adequately housed, even though they may already receive Federal or State welfare benefits. I hope that the Minister will continue to press this matter at all Ministerial conferences he attends in future.

I believe that we will see a wholesale move back to squatting very soon. Squatting still takes place today, but it has not reverted to the explosion of some years ago. In fact, it is only quite recently that a group of teenagers approached me about squatting in the Payneham school because they had nowhere else to live. That school is vacant at the moment, although the Payneham council has earmarked it for use again. The Payneham council expressed a great deal of concern about a group of 20 or so young people moving into that school. I believe that the department has a role to play in this particular area, and no doubt when it attempts to come to grips with this particular problem it will come in for some criticism, whatever it does.

I now refer to a matter that I have taken up with the Minister on previous occasions, that is, glue sniffing. I will continue to raise this matter with the Minister in the future. I would not suggest for a moment that, if the more toxic types of glue were not prepared or were sold in smaller containers, this problem would disappear. If this material were placed in large containers its cost would be prohibitive to even a fairly large group of children, but sooner or later they would get access to it. Many children obtain access to glues and solvents because they are contained in handyman packs, so they are obtained quite easily and can be disguised and taken into school playgrounds.

Obviously there is a necessity for these glues to be available to the average householder. I would appreciate it if the Minister could examine some of the alternative substances that I have already referred to him. If he wishes, I can give him the names of those glues again, particularly a slow-working but very efficient glue which is non-toxic and can be manufactured in small quantities in South Australia. I believe that this alternative substance could be sold mainly by small hardware stores, while the heavier toxic substance could be sold in greater quantities to service builders and handymen at builders hardware stores. In that way we may be able to reduce the availability of toxic glue to children. I am aware of the very great problems faced by the department when attempting to detect or stop this practice, even when a parent approaches the department for assistance.

I was quite alarmed when it was first mooted that the

State Community Welfare Department was going to change the six-month waiting time for supporting mothers. That seems to have been adopted smoothly. I have received little or no complaint about that matter, which obviously now rests on a much better basis than it did before. I do not know whether the Minister agrees, but I can recall my earlier fears and criticisms about this matter. I want to say nothing more about that.

Finally, there are areas in such a report, despite the fact that I have given it praise, that are indeed complex. True, the report is far-reaching and does encompass a much wider area than I thought would be covered when the report was initiated. The report has been added to during its progress from one Government to another, but there are still areas to which the Minister should pay close attention.

In regard to the motion seeking a Select Committee, I understand that the Minister will say that, having done all that work over several years, having called all sorts of evidence, and having heard so many reports, he sees nothing else that can be inquired into to improve the Act or the lot of the people in the community who have to approach the department.

Without being specific, as the Hon. Anne Levy was, there are some areas which we will examine in detail in Committee and about which we will find that there should be closer scrutiny. The criticism that has been made about Select Committees and the number that have been called, based on the number established by the previous Government when in Opposition (and that is not always a good yardstick, either), is weak in some respects. There is a natural fear amongst Governments of both political persuasions that, when a Select Committee is established, it can drag on. I am a member of one Select Committee that ought to conclude its hearings quickly, as I am sure the Hon. Mr. Milne would agree. The volume of evidence already obtained is so great that one must virtually stand on a chair to address the Chairman at a meeting in order to see over the evidence. When a Select Committee gets to that stage it ought to set about making its decision on the evidence.

I do not think that the Minister should be concerned that, if he sets up a Select Committee on this matter, it will go on and look at every chapter and verse of the report. Certainly, I would not support it if that was its intention. The purpose of a Select Committee is to deal with a few specific areas that we believe require further research, as will be outlined in Committee.

**The Hon. J. C. BURDETT (Minister of Community Welfare):** I thank honourable members for their contributions to the debate. I do not propose to address all of the matters that have been raised, because I understand that there are a number of amendments to be moved in Committee, at which time those matters raised can be further dealt with. All of the three Opposition speakers have referred to what they consider to be a need to establish a Select Committee.

In regard to what the Hon. Mr. Foster has just said, I point out that one cannot have, or one does not usually have anyway, a Select Committee on a specified area only of the Bill. A Bill is referred to a Select Committee and is wide open, just as wide open as the Select Committee to which the honourable member referred and on which I also have the dubious privilege of sitting.

Because all speakers from the Opposition referred to the Select Committee, I will just say briefly at this stage that I oppose a Select Committee on this Bill, because there has already been more consultation than one can poke a stick at. The Brown Committee was a comprehensive committee that made a full report to the previous Government. It advertised in the press for public comment and sought comment from various areas where it was appropriate. The Mann Committee did the same and conducted a consumer survey involving hundreds of recipients of welfare services and, when I speak against the motion, I will go into that matter in some more detail and give details and figures. At this stage I believe in public consultation; I believe in Select Committees where appropriate, but one can just go so far. I believe that we have gone as far as we can usefully go at this stage in regard to public consultation.

The Hon. Miss Wiese stated the stance of previous Labor Leaders, both State and Federal, as regards welfare, particularly when she was referring to proposed new section 24, which provides for contracting some services to private enterprise, and she wanted to know what was the philosophy or ideology of the Liberal Party on this matter. Therefore, in reply, it is appropriate to refer to the ideology of the Liberal Party on the matter of welfare, and I think I can do no better than to quote the Rt. Hon. Malcolm Fraser and his 18 September 1975 speech to the Victorian Council of Social Services, when he stated:

> Fundamental to dignity and self-respect is the ability to make decisions respecting one's fate free from excessive direction or control. An essential condition for this freedom is the possession of the material and social requisites for self-fulfilment. The notion that deprivation is a necessary spur to achievement and that initiative is dulled by the provision of welfare is not only wrong—it has no place in a philosophy that values the individual. On the contrary, the security of knowing that aid is available if needed can increase the incentives for, and reduce the costs of, achievement.
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> In welfare, the basic thrust of Liberal policy will be to put the disadvantaged and those in need into a position where they will be able to exercise real control over their own fates. This requires putting into their hands the resources required to make real and informed choices about their lives and take responsibility for their own actions free of a debilitating overdependence on others. It means an emphasis on institutions which permit the greatest degree of access and influence to the poor.
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> It is not the provision of a floor to guard against need and disaster, but the imposition of a ceiling that Liberals oppose. The views expressed in the Henderson Report on this matter are very similar to my own:
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> > An adequate income is fundamental to a person's security, well being and independence. It enables him to provide housing, education, food, transport and other essentials for himself and his family. An adequate income allows him freedom of choice and freedom to participate in activities of his choice. It contributes greatly to personal freedom and the extent of opportunities available.

The Hon. Miss Wiese, referring to the provisions of the Bill, stated:

> . . . that section of the Bill which allows the department to provide services in localities that will make them more accessible to those people who are most in need but least assisted is particularly commendable. I hope that the Minister will view this area as one of priority when departmental budgets are being reviewed.

I can certainly assure the honourable member of that by the fact that it has been put into the Bill. This indicates that I realise that money has to be spent on it and that it will be considered. Proposed new section 24 provides the power to contract out functions of the department and, as the Hon. Miss Wiese said, that has already been done.

There has been no specific provision in the Act before, but it has been done. As I see it, it could be done at the present time by the method of contracting out to private enterprise as well as to charitable and similar organisations. It is no doubt not absolutely necessary to state it in the Bill to enable this to occur. Quite a few things such as children's interest bureaux, which the department could set up without their being referred to in this Bill, have been spoken about. I do not have to include them in the Act.

However, it is my view, particularly when one is looking at a Community Welfare Act as opposed to, say, a Criminal Law Consolidation Act or a Companies Act, that one should not be looking only at the bare bones of the law. One should be prepared to state a manual code or philosophy so that the recipients of welfare services and others can read the Act and see what it is all about.

For this purpose, new section 24 has been included in the Bill. Contracting out has already been done. There could be a few circumstances in which it could be beneficial to contract out to private enterprise. There could be some areas where private enterprise could do something that charitable enterprises could not do. I do not envisage that that would happen very much, although it could happen at present.

The purpose of this was simply to spell out the various areas in which the department is acting and intends to act in future. It is perfectly obvious from the stance which the Government and I have taken and which is evident in this Bill that I do not intend to sell the department to private enterprise or to have private enterprise take over welfare matters. This is broadly the Government's responsibility, along with some voluntary organisations. Generally speaking, it is not best carried out by private enterprise.

The objectives of the legislation have already been set out therein, and I commend the former Government for having done so. South Australia is the envy of people in other States, who say that in this Act there is a list of objectives and information setting out what the department is all about. This Bill extends those objectives. I think I have shown from what I have spelt out what the objectives are. That is hardly consistent with any sort of desire to hand over to private enterprise the department's welfare operations.

The Hon. Miss Wiese, by way of example, referred to the horrors that can occur, and indeed have occurred in the past, in private nursing homes. Of course, only one institution of that kind, namely, Magill Home, is run by the department. I do not therefore think that the example really fits the Department for Community Welfare.

The honourable member said there ought to be guidelines, and that there are no guidelines at present. I understand that at present the South Australian Government is at liberty to contract out as much as it likes, and that it does so. My advisers and I simply thought that, because this was already being done to some degree, it should be mentioned for all to see in the Act.

The Hon. Miss Wiese in this connection referred to accountability. Certainly, it is a large part of the object of the Bill to ensure accountability. I see that the Hon. Mr. Foster has read the report of the Mann Committee. He will recall that a large part of the thrust of that report was to ensure public accountability.

Some reference was made, at least indirectly, by the Hon. Miss Wiese to the fact that the Bill does not cover all the Mann Committee's recommendations. This is because some of those recommendations still remain to be evaluated. They are being evaluated at present. It seemed to me to be wrong to wait until all those recommendations had been evaluated before introducing the Bill.

Members opposite have said that much of the Bill is good. It would therefore seem to me to be wrong to delay a Bill that has so much good in it until the whole of the Mann Committee's report could be evaluated.

The Hon. Miss Levy said that preventive work ought to be done in this area of community welfare and that we should take action to stop break-downs before they occur. Much community welfare work is devoted to this aspect. This philosophy and principle is recognised and is put into practice, as far as possible, by community welfare workers. The difficulty is that, until break-downs occur, it is very often difficult to see them coming. The question of prevention is certainly very much in the minds of community welfare workers.

The Hon. Miss Levy also referred to the capitalist system and said that many of the people who need welfare services do so because they are victims of the system. I do not want to dwell on this system, but I am not by any means convinced that there will not be victims in a socialist system also. I do not think one can blame any system entirely because some people need welfare services.

The honourable member also referred to proposed new section 10 (1) *(b)*, saying that the family unit is the basis of welfare. She said that some people are outside families. Of course, we have all been in a family at some time, and it is reasonable to say that the family unit is the basis (and that is all that we say) for welfare.

I have made clear when I have spoken on various occasions (and I intend to make clear when I speak tomorrow evening on the subject of family impact statements) that we do not consider that people who are outside a family unit should not have access to welfare. Of course, that is not the case. Persons who are outside an immediate sort of family do receive welfare benefits in the same way that anyone else does. To say that the family is not the basis for welfare seems to me to be improper.

The Hon. Miss Levy also questioned whether the children's interest bureaux would be wide enough to comprehend children's advocates. I understand that they certainly will be. It has been pointed out to me that we could have set up children's interest bureaux without any provision in the legislation at all. As I have said, it is my view that this kind of legislation ought to be some sort of a guide for people in the field.

Because we intend to look at children's interest bureaux with a view to setting them up, I thought that they should be provided for in the Act. I certainly envisage that the provision will be wide enough to enable children's advocates to be provided. Of course, whether or not they will be provided is another matter that will have to be examined. In reply to the Hon. Miss Levy's question, I certainly envisage that the provision in the Bill will be wide enough to comprehend that.

The Hon. Miss Levy spoke about the provision prohibiting the sale of cigarettes to minors. The honourable member said that this was more a health matter and that, in the form in which it now exists, it could hardly be enforced. The honourable member was quite right, because this is a health matter. However, because it is intended to put appropriate provisions in the health legislation later this year, it seemed unwise to repeal the provision now and leave a gap. It seemed better to repeat the provision in the Bill and to provide more appropriate penalties, and unwise to repeal the provision at this time. When there is so much publicity about the ill effects of smoking, and so much is said in the press and by politicians in this regard, it seemed to me that it would be harmful to repeal this provision. We are leaving it on the Statute Book until provisions to amend the Health Act are introduced in Parliament.

It is my intention, when these provisions are brought in and enacted, to repeal this section in the Act. The point raised by the Hon. Miss Levy about blood tests will be taken into account. The matter she raises is one that I personally have not considered. I do not know whether any of my officers have. The matter will be taken into account. The Hon. Mr. Foster referred to glue sniffing and suggested that it comes within my area. I do not suppose that it comes specifically within any departmental area, but certainly, we are greatly concerned about it. As the Hon. Mr. Foster said, I saw him on at least one occasion in my office and he gave me very valued information. We are concerned about glue sniffing, which does relate to the welfare of children although, of course, they will not be in a state of welfare if brain damage or even death results. There is an obvious health component involved, and the matter could also come under the Department of Education as many of the children are of school age. Quite a lot of work has been done in my department and other departments, particularly the Health Commission, on this subject and it will continue to be done. We will certainly consider the suggestion made by the Hon. Mr. Foster and other members.

I was pleased to hear the Hon. Mr. Foster concede that his fears about the supporting parent's benefit being completely handed over to the Commonwealth and not being justified had been allayed and that this appeared to be operating correctly. Not having received any complaints, he suggested that it did appear that this was a better basis than the previous one, and I agree with him. I thank members for their attention to this Bill.

Bill read a second time.

**The Hon. BARBARA WIESE:** I move:

*(a)* That this Bill be referred to a Select Committee.

*(b)* That the Committee consists of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members, and that Standing Order No. 389 be so far suspended as to enable the Chairman of the Select Committee to have a deliberative vote only.

*(c)* That this Council permit the Select Committee to authorise the disclosure or publication, as it thinks fit, of any evidence presented to the committee prior to such evidence being reported to the Council.

**The PRESIDENT:** Before the question of a Select Committee is discussed it is necessary to point out that there is a limit to the number of Select Committees which can be handled by the present Legislative Council staff. Their service to so many committees, coupled with their normal duties which must come first, has created a large work load. For this reason, and notwithstanding the right of the Council to appoint such committees as it thinks fit, I intend to direct that further committees be handled in order of their establishment but not be proceeded with until those already in progress have been finally reported to the Council. I have no desire to oppose the appointment of committees but I feel justified in taking this step, in view of the work load that my present staff has to handle.

**The Hon. FRANK BLEVINS:** I rise on a point of order in regard to the statement that you, Mr. President, have just made to the Council. I do not rise at this stage to speak on the motion before us.

**The PRESIDENT:** Is there some clarification of my statement that you require?

**The Hon. FRANK BLEVINS:** I want to indicate that the Opposition will certainly be having a look at your ruling. If the Council, in its wisdom or otherwise, decides to appoint a Select Committee, I believe that it is up to the administrative side of the Parliament to fall in line with what the Parliament has decided. It seems to be quite out of order for the administrative side of the Parliament to say to the Council, "You shall do this and you shall do that." Certain Bills that come before the Council have to be, because of their very nature, referred to a Select Committee and, on occasions, with some urgency. I think it would be quite improper for anyone to restrict this Chamber and say that we cannot go ahead with a Select Committee because there are some problems with the administration. Surely the administration is here to serve the Parliament and this Chamber, and not *vice versa*.

We had no warning of your statement, Mr. President, and I do not have it before me to refer to. However, if I understood it correctly, with the greatest respect, the Opposition takes the utmost objection to anybody outside the Chamber who administers such matters saying what we can and cannot do. We object to obstacles being put in the way of our despatching business as we think fit. We believe that that is quite improper.

**The PRESIDENT:** There is no doubt in my mind that the honourable member understood exactly what I said, otherwise he would not have taken exception to it. I have pointed out that there is a limit to what the present staff can handle. They are already loaded fully in this regard, and there must be a list. I presume that, if there was urgency and the Council believed that one committee should take priority over another, it could so decide. I am suggesting that at present they will come in order of appointment. I cannot be fairer than that.

**The Hon. G. L. BRUCE:** On a point of order—

**The PRESIDENT:** It is not a matter that can be debated.

**The Hon. G. L. BRUCE:** I seek clarification. What happens to the Bill for which we are seeking a Select Committee if, because of your ruling, we cannot have a Select Committee? Is that Bill in suspension or does it proceed without going to a Select Committee?

**The PRESIDENT:** It is nothing to do with me how many committees are appointed or how many Bills are referred to a Select Committee. That is not within my power, nor do I oppose the practice of appointing Select Committees, but I am saying that there is a limit to how quickly Bills can come before a Select Committee. Members can appoint a committee but not necessarily have it serviced.

**The Hon. FRANK BLEVINS:** I did not hear the first few words of your statement, Mr. President. Are you giving a ruling based on Standing Orders and, if so, on which Standing Order? Is this a ruling we can move dissent from which, or is it just a statement?

**The PRESIDENT:** It is a statement on how the present staff can handle the committees.

**The Hon. FRANK BLEVINS:** Therefore, we cannot move dissent from your ruling, because it is not a ruling. You are merely giving us information on the staffing problems of the Council. I must at this stage record some very serious reservations that the Opposition has, which we will perhaps take up later.

**The Hon. N. K. FOSTER:** I have understood what you have said, Mr. President. I would not question it any further than to say that the work load in certain areas involving Select Committees has become very heavy indeed. Also, one of the features of the present Government (I must be fair) was its attitude to one Select Committee, of which I was a member, when assistance was sought and given. I ask whether you will give thought to having your views canvassed by Cabinet so that a request by a fair number of members of a Select Committee for assistance regarding compilation of reports can be considered. It has been turned down by the previous Government and ignored by this Government or treated in such a way that little or no assistance has been given.

**The PRESIDENT:** I think that is a matter that the member can take up with me at any time if he wishes.

**The Hon. N. K. Foster:** With you?

**The PRESIDENT:** Yes, if you ask me. I think the Hon. Mr. Bruce wanted to ask a question on the statement I made.

**The Hon. G. L. BRUCE:** There is nothing to prevent a member from moving for a Select Committee on any Bill, but you are saying that when it is dealt with must wait?

**The PRESIDENT:** Yes.

**The Hon. G. L. BRUCE:** If we move for a Select Committee, it may be some time before the matter is dealt with. You are not saying that we cannot have Select Committees?

**The PRESIDENT:** No.

**The Hon. BARBARA WIESE:** The Opposition has moved the motion to refer this Bill to a Select Committee because, as I pointed out in my second reading speech, we feel that this piece of legislation is very important. It affects directly so many people in South Australia, and that means, we think, that it is crucial that we should make sure that we have the legislation right. It should be as good as it can be before it is enacted. The Opposition does not view the Bill as a Party-political matter. We believe that we should have a bi-partisan policy on community welfare and that we should be able to reach bipartisan solutions to community welfare needs. The Bill is a major overhaul of the Community Welfare Act. It has been a mammoth task to review it and produce a Bill. As we stated in the second reading debate, that review began in 1977 and was completed last year, so it has taken a long time to review the Act and produce the Bill. It has also been quite a task to study the Bill and its implications.

Since the measure was introduced late last year, the Opposition has attempted to contact as many groups and individuals who may have an interest in the matter as we could. We did that so that we could get the comments of those people. We have not had enough time to consult all the people with whom we would like to speak. I have contacted a number of people during the past few weeks, and every person to whom I have spoken has raised new questions and has identified omissions or gaps in services currently being provided by the department. We think that these matters need to be discussed further. We think that as much time as possible should be made available for people to comment on and discuss the Bill. We believe that a Select Committee is the best way to achieve the most useful discussion.

In moving the motion, we are fully aware of the consultation that has already taken place. We acknowledge that it has been extensive, and perhaps more comprehensive than is usually the case with most other legislation, but most of the consultation took place before the Bill was drafted. We believe that serious attempts should be made to seek comments on the Bill now that it has been framed. In my second reading speech yesterday, I identified three matters in particular that concerned the Opposition.

The Minister, in reply, addressed himself to some of those questions but I do not think he has satisfied many of our concerns, and I should like to summarise those fears again briefly. The first provision that concerns us permits the Minister to let out contracts. As I said yesterday, we believe that the provision is so broad that it permits the Minister to do almost anything. He could let contracts to private organisations whose aim is profit-making. He could use the provision to opt out of costly community welfare services altogether.

There are no guidelines to control the types of service which may be contracted out: there are no guidelines to control the standard of services provided. The Government has already demonstrated its ideological commitment to promoting private enterprise at the expense of public enterprise by contracting out in other areas. We want to be sure that the Government, will not use this provision in the Bill to run down or downgrade community welfare in this State.

**The Hon. R. C. DeGaris:** Do you think that that requires a Select Committee?

**The Hon. BARBARA WIESE:** Yes.

**The Hon. R. C. DeGaris:** I think you are being foolish to say that on that point. If you have a problem, amend the Bill.

**The Hon. BARBARA WIESE:** Certainly, we propose to amend the Bill if Parliament agrees, but we believe that these matters are matters of principle that need to be determined before we take the Bill further. We want to know the extent to which the Government intends to move.

**The Hon. R. C. DeGaris:** Ask questions.

**The Hon. BARBARA WIESE:** The Minister has had the opportunity to answer in his reply to the second reading debate, and he has not given satisfactory answers. It seems to me that, unless we have a committee where other people also can be brought into discussion, we will not get satisfactory replies. Many welfare agencies want to be assured that these matters we have raised will be resolved satisfactorily. They want to be assured that aspects of their work will not be made more difficult by the implementation of this provision.

The Public Service Association wants to be sure that its members' rights will not be infringed and that their jobs in the Public Service will not be affected by this legislation. They want to be consulted about the use of contracts, and they want to know how extensive this practice is likely to be. All these problems can be dealt with by a Select Committee.

Yesterday I also raised doubts about the provisions of the Bill dealing with the licensing of family day-care agencies. We want to be sure that these provisions will not allow the Government to opt out of family day-care altogether. We want to know which organisations are likely to be interested in setting up agencies. We want to be sure that this is not the beginning of franchised child care in South Australia.

We believe that these are fundamental questions of principle that should be thoroughly discussed and agreed upon. I also raised a number of difficulties in relation to foster care and discussed the problems that can arise when the rights and interests of the children of biological and foster parents have to be taken into consideration and balanced one against the other. I suggest that a Select Committee should study these questions and any recommendations made by the Minister after his overseas study tour because the Opposition believes that all these issues need further discussion. As I said earlier, we acknowledge that extensive consultation took place prior to the Bill being framed. We do not wish to delay the enactment of this legislation, but we believe that there are some groups and individuals in the community who have not yet commented and whose views would be very useful.

The Mann Committee's report itself has self-acknowledged omissions in terms of the evidence collected or not collected from certain consumers of community welfare services. For example, very little information was collected from migrants about their specific needs. On that question the Mann Committee Report stated:

> The Committee did not obtain a great deal of evidence on the views of consumers or potential consumers from migrant groups. The limited evidence available came mainly from the

> submissions of a small number of advocate groups. Two submissions were especially comprehensive, with many useful suggestions—one from Italian Social Workers of Adelaide with 17 signatures; the other from the Co-ordinating Italian Committee. Another thoughtful submission was received from a Greek advocate. However, no submissions were received from migrant clients.

That is an extremely important section of the community which, as acknowledged by the Mann Committee, is not being serviced adequately by the department. The reason is that in the past we have not collected information from those people in order to determine their needs. It seems to me that we should give not only Greek and Italian people in the community the opportunity of putting their view to us before the legislation proceeds but also other ethnic groups as well. I cannot recall the exact figure, but I understand that about 40 per cent of the Serbo-Croat people who were included in one survey had no idea at all of the services provided by the department.

**The Hon. L. H. Davis:** A Select Committee will do that, will it?

**The Hon. BARBARA WIESE:** Of course it will, because we will be able to contact groups which represent those communities and seek their views specifically. In addition, very little evidence has been collected from Aboriginal people in the community. Only six biological parents gave evidence about their problems in relation to foster care arrangements for their children. This group, too, is very important with very special needs. I have mentioned only three groups of people whose needs are not well known; the Mann Committee indentified others.

The Mann Committee also acknowledged that little was known about gaps in community welfare services; that is, services that may be needed in the community, but which are not being provided. That is an important omission from all the surveys and studies conducted over the past few years. As far as I know, the department does not keep records of people who are turned away from district offices because they cannot provide a service to solve their problems. The Mann Committee's terms of reference did not require it to seek the views of non-clients or rejected prospective clients, so very little information was forthcoming from that source.

A Select Committee would provide a forum for these people and groups which act as advocates on their behalf to make submissions on deficiences in the welfare area and, more particularly, deficiencies in the Bill. In relation to the evidence that has already been collected, not all of it is yet available, even to members of Parliament who are supposed to be making informed decisions about this Bill. Last week I attempted to obtain a copy of the appendices to the Mann Committee Report so that I could read some of the submission, but I was told that they are not yet available. They are still being printed and will not be available for about two months.

There are important issues still to be discussed and there are people who have not yet had an opportunity to comment on the Bill since it was drafted and even before it was drafted. The Opposition believes that those people should be given that opportunity. The Minister has said that he is prepared to let the Bill lie on the table in the House of Assembly until the Budget session to allow as much time as possible for public comment. He has also agreed that this matter should have a bipartisan approach and that community support for the Bill is important. I put it to the Minister that if he is really serious about his desire to encourage community participation he should agree to a Select Committee rather than allowing the Bill to lie on the table.

If a Select Committee were appointed we could ensure that a broad range of agencies, groups and individuals could be notified that the Bill is open for comment. Without notification, many of these people will miss that opportunity. We would not only benefit from their views on the Bill, but as a bipartisan committee we could also cross-examine them and evaluate their evidence properly. We will also have time to discuss and incorporate any information which the Minister may be able to recommend after his overseas tour.

On a matter like this there is no doubt that the more discussion and analysis the better the final product will be. For example, last week I discussed some of the Opposition's proposed amendments with two people who have considerable expertise in the community welfare area and they were immediately able to offer further qualifications which considerably strengthen one or two of our proposals. I believe it is very important that we should have as much discussion on this matter as possible. In summary, the Opposition believes that there is much to be gained by setting up a Select Committee to examine this Bill more closely. Since the Minister has already said that he has no intention of proceeding further than the second reading stage in the House of Assembly before the Budget session later this year, it would be possible to have such a Select Committee meet and report to Parliament without any loss of time. I urge all honourable members to support the motion.

**The Hon. J. C. BURDETT (Minister of Community Welfare):** I oppose the motion for the reasons I have already stated. I strongly support public consultation, particularly on a Bill such as this. However, one can only go so far. One must also examine the nature of the particular Bill and decide whether it is suitable for a Select Committee and whether a Select Committee is likely to produce satisfactory amendments to the Bill. A Bill of this type simply states things that can be done by the Department for Community Welfare.

As I pointed out before, the Bill contains many things which could be implemented without putting them into a Bill. They are simply put in the Bill to let the public know what the Government has in mind. A long consultative process has taken place in relation to this matter, which I will outline in a moment. Doubtless that process can and will continue, as is normal. It is normal when a Bill lies on the table in a House of Parliament for some time for people to make representations to the Government and to the Opposition. While Select Committees very much have a place and I support them in many circumstances, so does the process of lobbying and the process of members of the public speaking to members of Parliament on both sides of the House. A review of the parent Act has been undertaken since mid-1977.

The first review involved extensive public consultation to ensure that full recognition was given to the needs of the community and the views of other Government departments, local government, voluntary welfare agencies and community groups.

The Minister wrote approximately 100 letters to other Government departments, the Local Government Association, voluntary agencies and interested groups and individuals, informing them of his intention to review the Act and inviting submissions. Press releases were also made outlining the proposed review and inviting submissions from anyone interested in community welfare.

Nearly 70 submissions were received from voluntary welfare agencies, community groups, self-help groups, academics, members of the public, other Government departments, statutory authorities, Community Councils

for Social Development, political parties, the staff of my department, S.A.C.O.S.S. and commercial child care agencies.

A series of nine workshops were held to consider in detail the various aspects of the department's work. These were attended by departmental staff, academics and representatives from other Government departments, the Local Government Association, voluntary agencies, S.A.C.O.S.S. and Community Councils for Social Development.

To disseminate information and points of view obtained in the workshops and formal submissions, and to stimulate further comment, six special news-sheets were printed and distributed in offices of the department, S.A.C.O.S.S. and the School of Social Studies at the South Australian Institute of Technology.

To review the vast amount of information obtained in the consultation and to translate it into proposals for legislative change, the Minister, in May 1978, established a Community Welfare Act Review Committee. The committee comprised Professor Ray Brown of the School of Social Administration, Flinders University, as Chairman; Rev. George Martin, Superintendent, Port Adelaide Central Mission and former Commissioner with the Australian Poverty Inquiry; Ms. Deborah McCulloch Women's Adviser, Premier's Department; and the Director-General of Community Welfare.

The committee first met on 6 June 1978 and examined the submissions made during the public consultation phase and considered other relevant legislation including that of the other Australian States, Canada, United Kingdom, United States and New Zealand. Discussions were held with an officer involved with the recent review of the New South Wales Department of Youth and Community Services. Special policy discussion papers were prepared for the committee on various important issues.

The committee presented its report to the Minister in the form of draft instructions for a Bill. This was subsequently approved for formal drafting by Parliamentary Counsel.

The views of consumers of community welfare services was one important aspect that was not covered in the consultation phase of the review of the Act. A community welfare advisory committee was established in 1979 to ascertain the views of consumers of community welfare services and to report on improvements that could be made to the delivery of services by the department.

The committee comprised Professor Leon Mann, Professor of the Psychology Department, Flinders University, as Chairman; Mrs. Heather Crosby, Executive Officer, Y.W.C.A. and President of S.A.C.O.S.S.; Mr. Rod Oxenberry of the School of Social Studies, S.A.I.T.; Rev. Kyle Waters of the Uniting Church of Australia; Mrs. Elaine Martin of the School of Social Administration, Flinders University and Mr. Ron Layton, Director, Southern Country Region of the Department for Community Welfare. The committee used a number of different methods to obtain a comprehensive and balanced picture of public attitudes toward the Department for Community Welfare.

Written and verbal submissions were obtained by using the media. An advertisement was placed in over 20 newspapers throughout the State calling for submissions, and letters were written to the Editors of the major South Australian daily newspapers publicising the inquiry. Posters were distributed to human service outlets such as hospitals, community centres and welfare agencies.

The Chairman of the committee was interviewed on television about the work of the inquiry and two members publicised the inquiry on a radio talk-back programme in which they received comments from listeners about the services of the department. An open telephone line was also made available to enable the public to call in throughout the day following the radio programme. In addition, letters informing people of the inquiry and inviting responses were sent to voluntary agencies, community groups, local government authorities, churches and ethnic organisations.

Altogether 104 written submissions, 52 telephone submissions and 42 verbal submissions were received by the committee. In addition, 37 telephone submissions were received to the radio talk-back programme. At the conclusion of the period allowed for the receipt of submissions, members of the committee attended a public meeting hosted by the South Australian Council of Social Services, at which representatives of voluntary agencies commented on their relationship with the department and made suggestions regarding its work.

The committee was concerned that evidence gathered for the inquiry should be broadly representative of the views of all consumers and not only those who had taken the effort to make submissions. The committee designed and commissioned five research studies which were intended to provide a reliable and representative picture of attitudes toward the department's services.

The community survey was designed to obtain the views of a wide cross-section of the community, both consumers of the department's services and non-consumers. Its primary aim was to identify the level of knowledge about, and attitudes towards, welfare services, particularly those provided by the Department for Community Welfare. The survey was conducted in three metropolitan areas—Marion, Mitcham and Thebarton, and in two country areas—Murray Bridge and Port Augusta. The questionnaire was administered by interviewers from the Australian Bureau of Statistics. A total of 616 people were interviewed in the survey which was conducted in April 1980.

Then there was the client contact study, which was designed to tap attitudes toward the department held by a sample of clients who used the services of the department during a two-week period in March 1980. Interviews were conducted with 158 clients in district offices and with 60 clients in their homes. The 218 clients who participated in this study were clients of the Marion, Mitcham, Thebarton and Murray Bridge District Offices. There were the particular services studies in which two studies were undertaken to allow a detailed review of clients' attitudes towards two services, emergency financial asistance and foster care. Sixty people seeking emergency financial assistance were interviewed and 52 foster parents, 12 foster children and five natural parents were interviewed, all clients of the Marion, Mitcham, Thebarton and Murray Bridge district offices.

A client poll was conducted to obtain the views of clients entering district and branch offices throughout the State on a specified two-day period in March 1980. Clients were asked to complete a brief anonymous questionnaire about their satisfaction with the services they had received. A sample of 547 people answered the questionnaire.

A seminar was held on 30 May 1980 to bring together the proposals of the Act Review Committee, the recommendations of the Mann Committee, as those recommendations affected the legislation and current Government policy. People attending the seminar were members of the Act Review Committee, the Mann Committee and the executive staff of the department. Following the seminar, fresh instructions were drafted and forwarded to Cabinet. These instructions were approved

and a Bill to amend the Act was drafted by the Parliamentary Counsel.

I now come to what has happened since the Bill has been drafted, although I point out that the Bill, as drafted, resulted from all these consultations. This included, mainly, the Brown Committee and Mann Committee, and I have outlined in detail, with statistics, the number of contacts that they made and, as a result of the contacts that they made and the extensive consultative processes, they came up with the Bill.

This has been partly acknowledged by the Hon. Miss Wiese, who acknowledged the amount of consultation that there was. Surely, if there is not much or any consultation before a Bill is introduced, then one can expect that there should be a lot of consultation afterwards. However, if there has been massive consultation before, which there was in this case, and if the Bill is the result of that consultation then the need for extended and formal consultation in the form of a Select Committee afterwards is much less.

This was not a politically-oriented Bill as some are, and quite properly so: it was almost entirely the product of those two committees, as a result of their consultation. The Bill resulted from consultations between the two committees and the department. It reflects the results of consultation with the public and, in such a case, there is much less need for formal public consultation after the Bill has been drafted.

The Bill has lain on the table since November, and it will remain there for some time yet. It can be addressed by members of the public, whose views can be put to the Government or to the Opposition. There has already been public consultation since the Bill was drafted, and everyone has had access to it. Also, copies of the Bill were sent to various people and organisations that one would expect to be most interested in it. A copy was sent to the South Australian Council of Social Services, which, although some bodies may not belong to it, is the recognised co-ordinating body of social service agencies in South Australia. Most social service agencies or those peripherally interested in social service belong to SACOSS, to which a copy of the Bill was sent.

I was pleased to note that a recent SACOSS newsletter summarised the Bill. A copy thereof was sent to all the organisation's members, including individual and corporate members. The summary of the Bill was accurate and fair and set out the various aspects of the Bill. By that means, there has been a considerable amount of consultation since the Bill was drafted, and that can continue.

When the Hon. Miss Wiese spoke regarding proposed new section 24, which relates to the contracting out of the delivery of welfare services, it seemed to me to be a prime case for amendment. I do not agree with the honourable member. I think that the power ought to be there. It already exists, and I do not think that it should be taken away. I do not think that it is likely to be abused, and it is up to the Government to decide how it will use the power.

**The Hon. R. C. DeGaris:** Wasn't it in the original Labor Party Bill?

**The Hon. J. C. BURDETT:** It was not there at all before. It has always been accepted that the department has power, whether or not it said so, to contract out. We have tried in this Bill to spell out all the kinds of thing that have been done. Because contracting out had been used extensively and beneficially by the former Government, we included that power in the Bill.

If the Opposition does not like this and wants to restrict the use of this power, the answer is to move an amendment. The Hon. Miss Wiese seems to have forgotten that amendment is the way in which one addresses one's objections to a Bill. If one has the numbers, one can get a Bill amended.

I now refer to ethnic communities. This Parliament recently passed legislation relating to the Ethnic Affairs Commission, and the commission has been set up. I am told by the Minister Assisting the Premier in Ethnic Affairs (Hon. C. M. Hill) that that commission will establish a number of committees to examine various aspects of ethnic affairs, including this aspect of welfare.

So, for all those reasons, and also because of the reason that you, Sir, raised, I oppose the motion. When you, Sir, made your remarks, irrespective of whether they were in order, you raised an important point.

**The Hon. Frank Blevins:** Nonsense!

**The Hon. J. C. BURDETT:** What the President said was not nonsense. On the contrary, it was good sense. We must consider the work load on the staff and on the members in this Chamber in order to service the various Select Committees. If we were sitting on our bottoms with nothing very much to do, it might be a slightly different picture.

However, because we have had a good deal of public consultation, and have gone to much expense to do so, and because it would be difficult for this Council to service such a Select Committee, I oppose the motion. I do so also because, in my view, this kind of Bill is not particularly suitable for reference to a Select Committee. I suggest that the procedures of the Brown and Mann Committees were more appropriate, and that the procedure that can be adopted now by way of public comment from interested parties is a more useful way of getting the matter through Parliament. I oppose the motion.

**The Hon. K. L. MILNE:** I, too, oppose the motion, and think that I should give my reasons for so doing. It seems to me that there has indeed been more consultation and discussion on, and exposure of, this Bill than any of which I have heard. I understand the qualms that have been expressed so well by the Hon. Miss Wiese, and I hope that the Minister will take note of what she has said.

New ideas and attitudes regarding a Bill of this kind could go on forever. It is therefore better to get the Bill through this Council and into another place. Knowing what the Minister wants the Council to do, I think that we should iron out certain points by amendment, pass the Bill in this place, and let it lie on the table in another place while the Minister is overseas.

If on the Minister's return he has discovered some major items that should have been included in the Bill, or if some major defects therein have been discovered (which I think is unlikely), a Select Committee in another place, or preferably a Joint House Select Committee, should be appointed. In that event, I would support the appointment of such a committee. However, I do not think it is appropriate, after all the work that has gone into the Bill before and after its drafting, that a Select Committee of this Council should now be appointed. I do not therefore support the motion.

**The Hon. FRANK BLEVINS:** I support the motion, to which I will speak briefly. In his response, the Minister gave a number of reasons for his opposition to the motion. Although I disagree with those reasons, I think that they appear to be perfectly responsible and respectable views, and I have no argument with the Minister's holding those views. However, I object strongly to the final point made by the Minister that a Select Committee should not be appointed because there are staff shortages in Parliament House. That is absolutely nonsensical, and I was surprised

to hear this said by someone to whom I have listened in this Chamber talking about the supremacy of Parliament. Surely, whether or not a Select Committee is appointed on any matter should depend on the intrinsic merit of the arguments involved.

I refuse, as a legislator, to be restrained from using any of the forms that this Council provides because of staff shortages. I appreciate that there are staff shortages and that they should be rectified. However, it is ridiculous for legislators to say that we cannot use the forms of the Council because there are staff shortages. The Minister should be ashamed of himself for saying that, as should anyone who supports that point of view.

**The Hon. L. H. DAVIS:** I oppose the motion. The Minister has already covered very well his grounds for opposing the appointment of a Select Committee. The Mann and Brown Reports, the consultation that followed those two exhaustive reports, and the fact that this Bill has laid on the table for two and a half months and has been fully publicised and distributed through SACOSS and other relevant groups are reasons enough for rejecting the motion to appoint a Select Committee.

Going beyond that, as the Minister explained in rejecting the motion for a Select Committee, the Mann Report, in talking about the delivery of community welfare services, was very careful to emphasise the detail that it went into in establishing in the community and in the client surveys the statistical validity of those surveys. A Select Committee would not be able to do that. A Select Committee, structured as it is to seek the views of people who respond to Select Committee advertisements, would have an *ad hoc* approach necessarily to what people are saying. The whole crux of the Bill that is before the Council to amend the community welfare service is to focus on those areas of greatest need. The Mann Committee sought to achieve that by bringing statistical validity into its surveys, and that helps reflect the findings more accurately than a Select Committee could ever hope to do. The *ad hocery* involved would bring forward good points but undoubtedly points already covered. It would be going over old and repetitive ground.

As the Minister and the Hon. Mr. DeGaris said, once we set up a Select Committee to look at this matter, we are not just looking at the two or three specific areas that the Labor Party has managed to oppose after looking at the matter for some 10 or 11 weeks but, rather, we are opening up a whole range of areas upon which there is no opposition from the Labor Party. Such areas include Community Welfare Advisory committees, community aides, support services for children, guardianship facilities, and a whole range of matters contained in the Bill where there is common ground. That Select Committee would be obliged automatically to take evidence on those areas where there was no need for additional evidence. It would, notwithstanding the Hon. Mr. Blevins's argument, take up valuable time. I see no reason for that time to be taken up because in this case we have a perfect example of a Minister taking every care to ensure that the Bill brought forward is based on solid research which reflects community needs and which is aimed at meeting those needs.

The consultative processes which followed that research, the fact that the Bill was introduced 2½ months ago and the fact that the Minister has given assurances that there will be time to have further consultation, leave no doubt that there is no other course than to oppose the motion for a Select Committee.

**The Hon. N. K. FOSTER:** I support the motion because I do not believe that there has been any valid argument for not supporting it. Mr. Davis, who has just resumed his seat, sits upon a committee that has undertaken a more extensive study than any other. We could say much the same about health and the various State fees. However, that is not what has dragged me to my feet. I do not believe that anything Mr. Davis has said will sway anyone, as he has no great power of logic. Members may be swayed, however, in respect of what was said earlier by you, Mr. President. I make the point strongly as I have felt strongly about the matter for some time—before this Government took office and since that time. I say emphatically that there should be no inhibitation placed upon anyone in this Chamber (Presiding Officers or anyone else) in regard to the calling of Select Committees. Standing Orders in regard to Select Committees should not be inhibited by the Government of the day, which is shirking its responsibilities. Its responsibility first, is to this Council and the people of the State. It should supply the Council with the facilities to pursue the matter by way of a Select Committee. I defy the Government to put up an argument in this Chamber that that right does not exist. In conclusion, during the last recess we witnessed a past President of this Council—

**The PRESIDENT:** That is too far removed from this motion.

**The Hon. N. K. FOSTER:** The last President of this Council, Mr. Potter, and Mr. DeGaris—

*Members interjecting:*

**The Hon. N. K. FOSTER:** I am not being disrespectful. If we made no reference to the dead we would not make any reference to religion. During the course of a recess the Salisbury matter blew up and public statements were being made by the President and members of this Council demanding a Royal Commission into the matter when the Council was not sitting. I will say no more.

Going further than a Select Committee, they demanded that people be brought before the Bar in this Chamber. The responsibility rests primarily with the person who is Chairman of the Select Committee to make a submission to Cabinet for additional assistance or the right to spend money in pursuit of a matter before the Parliament.

**The Hon. R. C. DeGARIS:** I do not agree in this case that a Select Committee is warranted on this Bill. The point I have against the motion has been well expressed by the Hon. Mr. Milne and the Hon. Mr. Davis. I do not make that judgment because of the statement that you, Mr. President, made regarding Select Committees and their staffing but rather because of the amount of public inquiries that have already been undertaken into the matters contained in the Bill and because of the many reports that have been published. As the Hon. Mr. Davis pointed out, the whole of the Bill, the majority of which we do not disagree with, would be referred to the Select Committee. I believe that most A.L.P. members would agree with that viewpoint. A case has not been made for a Select Committee. All matters mentioned by the Hon. Miss Wiese are matters that can be handled by a Committee of the whole during that stage of the Bill. All matters that she raised could be handled by moving amendments to the Bill. It is not a question of new evidence; it is a question of her and her colleagues viewpoints on the matters before the Council.

However, I do not believe that Parliament is using the talents and abilities available to it in committee work. I am concerned about the statement made by you, Mr. President, although I am not criticising you for it.

**The PRESIDENT:** I do not want comment at this stage.

**The Hon. Frank Blevins:** The Minister made reference to it.

**The PRESIDENT:** Yes, and I am sorry he did. The Hon. Mr. Blevins made further comment.

**The Hon. R. C. DeGARIS:** If the Council does refer a matter to a Select Committee, the staff who provide the service for that committee must be available.

Anything short of that is a denial of the right of the Council to carry out its functions. I can warn the Council about the appointment of Select Committees to try to grapple with wide-ranging subjects. I refer particularly to the Select Committee on uranium, which is nothing short of a sheer disaster, because that inquiry can go on day after day and week after week and no resolution can be reached.

There are important and urgent issues that need examination, issues which could be resolved and issues upon which Select Committees should be working, instead of wasting the time and ability of members, as we are doing at present. I do not believe that a Select Committee should be established to refer the whole of this Bill that is before the Council for a report, because all the points raised can be handled by the Committee of the Whole. However, more Select Committees are needed by this Council to reach resolution of topics that need examination and topics that can be resolved in a reasonable time.

*[Sitting suspended from 6.14 to 7.45 p.m.]*

**The Hon. J. R. CORNWALL:** I have given due consideration to some of the matters that were raised during debate before the dinner adjournment, and I believe it would be remiss of me not to comment briefly on the motion. My first concern relates to a matter upon which you allowed some debate, Mr. President, when you referred to the difficulties that might be experienced in servicing a Select Committee. I believe that raises matters of very great importance to this Council and to the Parliament. I appreciate that at the moment there may well be physical constraints, but it is a matter that we should not allow to pass. It has always been taken for granted in the Westminster system, or at least we have all paid lip service to it over many years, that Parliament is supreme.

We should not allow ourselves to deteriorate into a position where we have to look at how many people are available before we can set up a Select Committee. I believe it is an intolerable situation if we cannot set up such a committee because we are warned it will not be serviced. If the position is as bad as you have described, Mr. President, and there is good reason for me to believe that that may be so, then I believe that it is a matter of very great importance that should be taken up as a matter of urgency with the people responsible for running Parliament, and that more staff should be made available. The second point I wish to comment on concerns the Select Committee and the procedures of Select Committees generally.

**The PRESIDENT:** Order! Before the Hon. Dr. Cornwall continues, I make it quite clear that nothing I said today was an indication that whatever Select Committee was set up would not be serviced and serviced extremely well, as they always are in this Council. All I said was that you would have to wait your turn.

**The Hon. J. R. CORNWALL:** Yes, I appreciate that, Mr. President. However, if the work load is becoming so great that it is going to become a recurring problem, then surely it behoves us to ensure that the situation—

**The Hon. K. L. MILNE:** I rise on a point of order. The subject under debate is the motion on whether a Select Committee should be appointed, and not the administration of Parliament.

**The PRESIDENT:** I thank the Hon. Mr. Milne and take his point of order. The leniency that I allowed earlier this afternoon has caused me some dilemma inasmuch as several honourable members have already discussed this matter.

**The Hon. J. R. CORNWALL:** I do not wish to say any more on that subject. I simply wanted to have on record my views about the situation raised this afternoon by you, Mr. President. The other important point I wish to refer to, which I was beginning to make when the Hon. Mr. Milne took his point of order, concerns the conduct of the Select Committee itself. I do not believe that any honourable member in this Chamber has not served on a Select Committee, and many of us have served on many Select Committees. As members would appreciate, there is a very great difference between giving evidence in the essentially informal atmosphere of a Select Committee as opposed to attending the type of discussion organised by the Department for Community Welfare.

**The Hon. J. C. Burdett:** They are much more informal, don't be silly.

**The Hon. J. R. CORNWALL:** They are not much more informal at all. If the Minister was on top of his portfolio he would realise that. One only has to look at the Mann Committee and the qualifications of its members. It is quite overwhelming for the consumers of community welfare services to appear in that sort of atmosphere.

**The Hon. J. C. Burdett:** They did not.

**The Hon. J. R. CORNWALL:** The Hon. Mr. Burdett has had his say.

**The PRESIDENT:** Order! We must not get too far away from the motion.

**The Hon. J. R. CORNWALL:** I am very much on the subject, Mr. President. I am not getting away from it at all. I am referring to the atmosphere that would prevail in this particular Select Committee as it does in most Select Committees. The fact is that the atmosphere of a Select Committee is very different from the atmosphere at some seminars which are perhaps held at the University of Adelaide and attended by psychologists, psychiatrists, professional social workers, and other experts and professionals in the field. That is quite an overwhelming situation for the ordinary consumers of community welfare services. The jargon is also quite different. One of the first things that must have impressed the Minister when he took on his portfolio, as it has impressed me in the years that I have been associated with officers of the Department for Community Welfare, is that although they are magnificent, tremendously well motivated and dedicated, they do use a jargon of their own.

*The Hon. J. C. Burdett interjecting:*

**The Hon. J. R. CORNWALL:** The Hon. Mr. Burdett has had his say.

**The PRESIDENT:** Order! The Hon. Dr. Cornwall has the floor. Other honourable members have had their input today.

**The Hon. J. R. CORNWALL:** A great deal of good can come out of the informal atmosphere of a Select Committee. Witnesses would be able to talk to lay persons who are not professionally qualified or expert in this field. Therefore, they could express grievances, worries and problems in an informal atmosphere quite differently from the forums from which information is normally gathered on community welfare matters. The Minister can shake his head as much as he likes and he can prolong this debate as much as he likes if that is the way he wants to handle this matter, but the fact is that there is a difference, and there

is no doubt about that. People tend to be overawed by professionals in a professional setting.

*Members interjecting:*

**The PRESIDENT:** Order! Both the members interjecting have already given a very powerful oration today on what they believe should be done. The Hon. Dr. Cornwall has the floor.

**The Hon. J. R. CORNWALL:** If the Minister will simply control himself for another minute or two, I will be quite happy to conclude my remarks. It is obvious that I am touching on a very raw nerve. The matters I have raised have really got the Minister going, because he realises that what I have said is entirely accurate. I beg the Hon. Mr. Milne to reconsider his stated position, because he does tend to change his mind from time to time. He is not an inflexible person, and it is possible that if he considers the matter he may well change his mind and support our motion for a Select Committee. The Hon. Mr. Milne has had considerable experience on one particular Select Committee and is aware of the informal atmosphere in which the investigations are conducted. I am sure that if he gives due consideration to that particular aspect he may well change his mind.

**The Hon. BARBARA WIESE:** This has indeed been an interesting debate. There has been much more discussion than I would have anticipated. I would like to refer to a few of the comments made during the debate. First, the Minister spent much time outlining the methods and procedures of the various committees that were established prior to the framing of this Bill, and he pointed out to the Council that much consultation had taken place prior to the introduction of the Bill.

In my second reading speech I made such a reference myself. Indeed, the Opposition agrees that there has been much consultation prior to the framing of the Bill, but that does not alter the fact that there are groups of people in the community who have not yet had an opportunity to put forward their point of view. I want to refer again to those groups of people in the community with language difficulties. These are mostly people born overseas. In the community surveys to which the Minister referred, there were 14 people out of the total 670 who were approached and who were not able to participate in the survey at all because of language difficulties. They comprise 2 per cent of the total number of people approached. That in itself is a significant point that needs to be made. If migrant people with such special needs cannot even communicate their needs because of the difficulties they have, then the Mann Committee's report is not as comprehensive as it should be, and the committee acknowledges that itself.

The Minister also referred to the number of submissions, both verbal and written, that the committee received in the various stages of its deliberations. I, too, have looked at those figures, and I have made a few additions. About 1 740 (it may have been 1 743, to be exact) people gave either verbal or written evidence to the Mann Committee. That is a small number when one takes into account the number of people who are clients of the department. The number of clients of the department is uncertain, but the Mann Committee estimates that it is about 71 800, which does not include a number of categories, and I would like to refer to those categories of people who are not included in the committee's estimate of the number of people that the department serves. It claims that the statistics it has been able to gather do not include the number of people entering the departmental offices requesting assistance, they do not include the number of clients seen in their own homes, and they do not include recipients of short-term assistance or counselling, for whom files are not opened. That is the first point. The known number of clients served by the department does not represent anywhere near the actual number of people that the department sees altogether, and the number of people that the department sees and serves does not represent the total number of people in the community who need those services because, as the Mann Committee has suggested, there are many people whose needs are not being met.

As a Parliament we ought to hear from those people if it is at all possible. The first point is that those groups who are not being served and who have not had a chance to give evidence to the various committees that have been established ought to be able to come to a Select Committee and put forward their points of view. I take the point of the Hon. Dr. Cornwall that Select Committee meetings will often be more informal and will thus be easier for people to attend and give evidence. Secondly, and this is an important point, there are a number of questions which we have raised and which still have not been answered satisfactory. I do not intend to go through all those matters or the issues raised by those questions again, but I emphasise that those matters need further discussion. The Opposition believes that a Select Committee provides the best forum for that discussion to take place.

I will refer to the matter of contracts once again because the Minister said, I think in his second reading explanation, that he thought there ought not be too much verbiage (I suppose that is the right word) in legislation, that legislation should be readable, and I wholeheartedly agree with that view. However, on such an important issue in regard to contracts, assurances need to be included in the wording of the legislation to make sure that the sort of abuses to which I have alluded cannot take place.

The Hon. Mr. Davis made quite a startling contribution to this debate. I am not sure exactly what he was referring to when he suggested that the sort of evidence that a Select Committee would take would be of an *ad hoc* nature and, therefore, could not properly be evaluated. First, it takes only one person to suggest a good idea and, if any of us are worth the high salaries that we are paid in this place, we ought to be able to recognise a good idea when we hear it, and we ought to be able to make recommendations to Parliament for suitable amendments should individuals who give evidence to the committee advance any good ideas.

I stress that the Opposition is prepared to co-operate fully with the Government, should a Select Committee be agreed to. We do not not want to hold up the passage of this Bill. We will co-operate to see that a report is presented to Parliament before the Budget session begins, and we will also co-operate to ensure that the Minister is present at all meetings. In other words, if the Minister wished, we would work around his overseas trip. We believe that this matter is extremely important, and we would co-operate fully with the Government to ensure that no inconvenience is caused to anyone, so that the legislation can be enacted quickly.

Finally, the Opposition believes that the establishment of a Select Committee is essential. We believe that justice and the interests of the people that we represent in this crucial area of community welfare would be best served by encouraging thorough debate through the procedures open to this Parliament by the establishment of a Select Committee. I urge honourable members to support the motion.

The Council divided on the motion:

Ayes (9)—The Hons. Frank Blevins, G. L. Bruce,

B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and Barbara Wiese (teller).

Noes (10)—The Hons. J. C. Burdett (teller), M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Pair—Aye—The Hon. C. J. Sumner. No—The Hon. K. T. Griffin.

Majority of 1 for the Noes.

Motion thus negatived.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Interpretation."

**The Hon. J. C. BURDETT:** I have a number of amendments on file, and I understand that the Hon. Miss Wiese also has a number of amendments that are still to be placed on file. As it would be most convenient to deal with all the amendments together, I ask that progress be reported.

Progress reported; Committee to sit again.

## ELECTION OF SENATORS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 February. Page 2710.)

**The Hon. FRANK BLEVINS:** The Opposition has some difficulty with this Bill, the second reading of which honourable members will find on page 2710 of *Hansard*. Even though this is a very small Bill, its second reading explanation is exceedingly brief. In fact, it tells us virtually nothing. The Opposition has looked at this Bill as much as its members have been able to understand it. There is an obligation on the Government to give the Council a little more information in second reading explanations than it has done on this occasion.

**The Hon. R. C. DeGaris:** We've heard this argument for years.

**The Hon. FRANK BLEVINS:** I am sure that the honourable member has. He will therefore agree with me. Like many other things, it is time that we solved some of the problems.

**The Hon. R. C. DeGaris:** Is the second reading explanation misleading?

**The Hon. FRANK BLEVINS:** In a way it is, because it tells us virtually nothing. In effect, therefore, it misleads by omission, and that is misleading in as serious a way as any.

However, the Opposition is favourably disposed to the Bill, provided that, when responding to the second reading debate, the Attorney-General gives members more information regarding the necessity for the Bill, that he outlines some of the problems which exist with the present Act and which will be remedied by this Bill, and provided also that the Attorney gives the Council some examples of why it is considered necessary at this stage to amend the Act. Without being uncharitable, I suspect that this Bill has been introduced merely to pad out the Government's legislative programme, which is decidedly thin.

I am sure that the Government will be boasting that it put through 100 Bills or some such number. The overwhelming majority of those Bills are of the same importance as this one. Having asked those questions, knowing that the Attorney-General has recorded the question and will give me a full answer when he responds, I indicate the Opposition's support for the second reading.

**The Hon. K. T. GRIFFIN (Attorney-General):** I do not accept the criticism which the Hon. Mr. Blevins suggested in relation to this Bill or other Bills on the legislative programme. Some of these matters have been around for quite a long time and need to be cleared up, particularly in relation to defects which may have affected elections, especially elections of Senators.

Under the old Election of Senators Act, if the honourable member had undertaken some research he would have found that, in 1903 when that Act was passed, section 2 provided:

> The Governor shall, by proclamation to be published in the *Government Gazette*, not less than five days before the issue of the writ for any election of senators for the State of South Australia, fix—
>
> I. The places at which such election shall be held:
>
> II. The date for the nomination:
>
> III. The date for the polling:
>
> IV. The date for the declaration of the poll.
>
> and, so far as any of such times and places may be mentioned in the writ for the election, they shall be in accordance with the times and places fixed by such proclamation.

There is some deficiency in the Act, because the Electoral Commissioner has suggested that there is no power presently to deal with unforeseen but always likely adjournments. The 1903 Act is deficient in its reference to the writ and the appropriate days fixed in the writ for nomination and the election. No time is specified in the present Act for the closing of the nominations. We see in the Bill that 12 noon on the day of nomination is the time fixed.

It is also important to realise that section 3 (as I have already indicated) allows changes to be made in the date of polling if there is some unforeseen event which prevents polling from taking place. I might also point out that in all other States legislation has been updated to take into account the sort of changes that we are now promoting in this Bill. I believe that it is an important piece of legislation to tidy up. We have seen in the last five or so years some uncertainties regarding the issuing of writs for the election of Senators and the holding of Senate elections. We want to be sure that this has been clarified in the Statute. That is the reason, why the Bill is before us.

Bill read a second time and taken through its remaining stages.

## PETROLEUM ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 February. Page 2862.)

**The Hon. C. W. CREEDON:** This Bill is an example of the Government's asking private enterprise to turn the other cheek. I have known members of the present Government, when in Opposition, to be most critical of the former Government when any attempt was made to enact legislation that would in any way require companies to provide essential information to the Government. Now we have this Government requiring licensees under the Petroleum Act to be obligated to keep records and keep the Minister and the department informed about the progress of operations, the extent of petroleum reserves and their long-term plans for development. The requirement of long-term plans for development seems to be a new provision. I believe that a production licence is usually issued for a period of up to 21 years. It would be almost an impossibility to present a plan that far ahead with any degree of accuracy. The Minister does not say how accurate these predictions will be required to be. I can imagine that any company obligated to that degree, because the plan would have to be regularly updated, will

find the task a time-consuming and expensive operation. I believe that the Minister of Mines and Energy had some talks with one company, or a number of companies, involved but that that was over 12 months ago. He has not yet given Parliament any indication of their reaction to the legislation. The Minister, in his second reading explanation, said:

> It would be expected that regulations to be made under these amendments would be discussed with parties likely to be affected by them before they were introduced.

That is putting the cart before the horse because if, in discussion, there is no agreement, the matter will be dropped and we will have wasted our time on this exercise. In any case, if some kind of agreement was reached, or a watered-down agreement was forthcoming, how would the Government enforce compliance? There is nothing in the Bill that I can see that will penalise the licensees for non-compliance. The second reading explanation also points out that the State is seeking alternative supply and has, in fact, entered into discussions with the Northern Territory Government, the Queensland Government, and the Federal Government in regard to access to natural gas reserves located within those States.

I believe that the late Rex Connor had an imaginative plan for a major gas grid to span Australia and to make provision for the supply of gas to our coastline settled country. This may well come into being and it would be a fitting memorial to a man who was well ahead of his time and who was roundly condemned by conservative elements for his forward thinking and because he was prepared to spend money making Australia's natural resources readily available to Australia.

Our State has a high rate of dependence on natural gas for its electricity supply. Indeed, 70 per cent of our electricity supply is derived from the burning of natural gas, and in my view it is logical to assume that the Government should have accurate records and plans about what the industry is doing. I support the Bill.

**The Hon. D. H. LAIDLAW:** I strongly support the second reading of this amending Bill, the object of which is to make licensees under the Petroleum Act keep records, informing the Minister about the progress of their operations, the extent of their petroleum reserves, and their long-term plans for development. The Minister is empowered to amend these development plans. The Hon. Mr. Creedon wondered whether the Minister had any power of sanction. If the Minister is not happy, he need not renew a licence.

As members know, the Cooper Basin consortium has contracts to supply natural gas to Adelaide and other areas in South Australia until 1987 and to Sydney and other areas in New South Wales until 2006. Present reserves of gas are insufficient to meet both contracts, which means that our access to gas will lapse by 1987 unless more finds of gas are made.

This is a major problem. Santos, the leading member of the consortium, pointed out in an advertisement in the *Australian* of 11 February that natural gas produces 47 per cent of the energy used in this State, that 70 per cent of our electricity is generated from natural gas, and that consumption of natural gas in this State has grown at a rate of some 13 per cent a year since it was introduced.

Santos and other producers have complained repeatedly that the price of natural gas in South Australia and New South Wales is far too cheap and that the price should be fixed near world parity price. Bulk prices around the world vary widely from $4 to 20c or less per gigajoule, whilst in Saudi Arabia vast quantities are flared to atmosphere. At present, the Cooper Basin producers receive 51·65c per gigajoule at the wellhead at Moomba, but this is due for further review. There is no accepted world parity price for natural gas such as applies to oil, but suffice to say that the producers want more money for their gas.

Santos claimed in its recent advertisement that a significant price rise would lead to an expanded exploration effort for gas, that more than $500 000 000 will be needed to find the necessary reserves to supply South Australia until 2006, when the Australian Gas Light contract will expire, and that a significant price rise would lead to increased conservation and more efficient allocation of a scarce premium fuel.

That is a valid argument, but it must be remembered that any substantial rise would hurt many industries because of increased power costs, as well as those who buy gas directly from the Pipelines Authority. Among South Australian users in the year ended 30 June 1980, the Electricity Trust bought 53 000 000 gigajoules, the South Australian Gas Company bought 18 900 000, Adelaide-Brighton Cement bought 4 600 000, Tarac at Nuriootpa bought 80 000, the town of Peterborough bought 105 000, and Adelaide and Wallaroo Fertilizers bought 480 000 for its plant at Burra.

In 1977, the Government created the South Australian Oil and Gas Corporation, known as SAOG, which is owned jointly by the Pipelines Authority and the South Australian Gas Company, to explore for hydrocarbons in the Cooper and other basins in association with private operators. A levy is imposed upon users of natural gas by the Pipelines Authority, and the proceeds, amounting to about $3 000 000 per year, are invested in SAOG so that it can carry on an exploration programme.

It is suspected that members of the Cooper Basin consortium are far more interested finding oil, for which they can obtain world parity price, rather than lighter hydrocarbons, such as methane or natural gas, for which the price, in their view, is far too low. Presumably, such fear has prompted the Minister to introduce this Bill at this stage.

In recent months, there have been significant finds of hydrocarbons in the Cooper Basin. In September at Dullingari, 70 kilometres east of Moomba, oil flowed at a rate of 2 180 barrels per day. A few weeks ago, at Strzelecki, 45 kilometres south-east of Moomba, there was an even better find, with a flow rate of 3 250 barrels per day, which exceeded the rate of 2 400 barrels per day in an earlier strike in the same field in 1978.

This news coincides with a proposal by the Cooper Basin consortium to spend $750 000 000 to build a liquids pipeline from Moomba to Stony Point, near Whyalla. Oil, propane and butane would be refined there and the Commonwealth Government has given tentative approval for the export of propane and butane or l.p.g. for a period of five years. When this liquids line is built, the Dullingari and Strzelecki field can be connected to the terminal at Moomba, as well as other prospective oil fields such as Tirrawarra, Fly Lake and Moorari.

There is as yet no market in South Australia for the surplus ethane, although I.C.I. has offered to buy the whole ethane supply and pump it to its ethylene plant at Botany Bay, along the existing Moomba-Sydney pipeline. This is unacceptable to the South Australian Government. I understand that the ethane for the present will be piped back into and stored in dry wells.

**The Hon. J. E. Dunford:** Who wrote that for you? Quarry Industries and the multi-nationals?

**The Hon. D. H. LAIDLAW:** I am referring to notes that I wrote this afternoon while listening to your interjecting or speaking.

**The Hon. J. E. Dunford:** Who wrote it for you?

**The Hon. D. H. LAIDLAW:** I am capable of writing my own speech.

**The PRESIDENT:** Order! I ask that the Hon. Mr. Dunford not interject and that the Hon. Mr. Laidlaw not take any notice of interjections.

**The Hon. D. H. LAIDLAW:** Thank you, Mr. President. I will comply with your request. Although Dow Chemical decided not to proceed with construction of an ethylene dichloride plant at Redcliff using ethane from Moomba and salt from Lake Torrens because of a downturn in world demand for ethylene, a large Japanese chemical company, Asahi, has set up a project office in Adelaide to examine the feasibility of building a similar type of petro-chemical plant in this State.

**The Hon. J. R. Cornwall:** Where do you think it should be?

**The Hon. D. H. LAIDLAW:** I do not mind where it is, as long as there is one. Apart from the Cooper Basin, there is new interest in the offshore basins in the Great Australian Bight by B.H.P. and British Petroleum, a consortium headed by Occidental Petroleum, and an Australian group consisting of Stirling Petroleum, Lennard Oil, Monarch Petroleum, and Magnet Metals. They have been granted exploration licences over large areas during the past year. In addition, in the Otway Basin (offshore in the South-East of this State) an American operator, Shoreline Exploration, has been granted rights over 8 500 square kilometres and is committed to a six-year drilling programme.

It is apparent that South Australia has areas of high potential for finding oil and gas. Having granted exploration licences, the Government must ensure that the explorers proceed expeditiously and diligently in their search for hydro-carbons as well as oil. It is significant that oil in the Cooper Basin is being discovered in the jurassic strata at a depth of about 1 500 metres whilst gas is located mainly in the triassic or permian strata at 1 800 metres or below. Therefore, explorers could drill to the jurassic level, find oil and then cap the wells without going deeper in search of much needed gas. I trust that this amending Bill will empower the Minister to overcome such a possibility. I support the second reading.

**The Hon. K. T. GRIFFIN (Attorney-General):** I thank those honourable members who have contributed to the debate and for their indications of support. The requirements which this Bill will seek to place upon licensees are really only consistent with the requirements on mineral explorers under the mining Acts where they have for many years been required to supply detailed information about the results of surveys that they undertake. The requirement of this Bill is not inconsistent with the general responsibility of Government to acquire, retain and make available for public scrutiny from time to time information about the geological structures and technical information affecting the State. For that reason I believe that this is an important piece of legislation which will enhance the capacity of South Australia to become self-sufficient in its supply of natural gas, amongst other things.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Schedule and programme to be submitted to the Minister."

**The Hon. C. W. CREEDON:** For how long is a licence issued? If the terms of a licence are not complied with, can it be taken away?

**The Hon. K. T. GRIFFIN:** I am not aware of the terms of the licences. I will endeavour to obtain that information for the honourable member and let him have a reply in due course.

Clause passed.

Remaining clauses (6 and 7) and title passed.

Bill read a third time and passed.

## RECREATION GROUNDS RATES AND TAXES EXEMPTION BILL

Adjourned debate on second reading.

(Continued from 17 February. Page 2863.)

**The Hon. J. R. CORNWALL:** The Opposition supports this Bill and does not intend to hold up its passage in any way. In fact, we wish to expedite it. The Bill is a machinery matter, a purely administrative matter with no Party-political overtones in the manner in which it is presented. However, in the Minister's second reading explanation he made the following strange statement:

> The Government, however, can see no justification for exempting either a business or a residence situated on such land.

Of course, he was referring to the city park lands. That sits a little strangely in view of the fact that legislation in another place is going to create all sorts of exemptions based on the so-called notional value of land rather than its potential use.

In those circumstances it seems to me that this is a little hypocritical. What the Government is quite rightly saying in this Bill is that it can see no justification whatsoever for exempting businesses or residences situated on the park land and that they should be rated at their real and actual value. On the other hand, in major legislation currently before Parliament in another place the Government is saying it is entirely correct and reasonable to work on notional value. That seems to be a substantial anomaly and, as I said, in the circumstances I think it is rather hypocritical. However, the Opposition has no difficulty at all in supporting the position that the Government has taken on this particular Bill. We will have more to say about the other entirely different attitude taken by the Government on rating and valuation in the other legislation. Having said that, there is no doubt at all that the Opposition supports this Bill without any qualification.

**The Hon. C. M. HILL (Minister of Local Government):** I thank the Hon. Dr. Cornwall for indicating that the Opposition supports this measure. Whilst it is difficult to say exactly how the legislation that is before Parliament that deals with that aspect of notional value will ultimately pass, it would appear that it may be that valuations of some of these improvements on the park lands might be made on a notional value basis. Putting it another way, they might be made on the basis of use rather than on the basis of capital value or any other criteria.

If valuations are made on such improvements within the park lands on a notional value basis, then of course the concern of the Hon. Dr. Cornwall disappears. However, I do think it might be prudent to wait until that legislation is debated or passes Parliament before we get into a debate on the subject of notional value. I do not think that the gounds are there for the mild criticism that he has made of the statement in the second reading explanation that the Government believes that business premises which are in the park lands ought to carry some rating, whereas previously those premises have not been rated.

That was one of the major changes in the Bill, and I think we must wait and see what the actual valuation is that the department places on such premises before we

criticise that particular aspect of the extent of those valuations. I understand that the Adelaide City Council and the relevant department have held considerable discussions on this subject and that council officers have accepted the principles in the Bill. From that we can assume that the council has accepted the fact that the time has come for this change to be put into effect. I believe that that is the only point raised by the Hon. Dr. Cornwall. I thank him for his support of the measure.

Bill read a second time and taken through its remaining stages.

## PORT PIRIE RACECOURSE LAND REVESTMENT BILL

Adjourned debate on second reading.

(Continued from 17 February. Page 2863.)

**The Hon. J. R. CORNWALL:** Again, this is a purely administrative matter. There are no political considerations in it. As stated in the explanation, its introduction follows approaches by the Department of Further Education and the Corporation of the City of Port Pirie to the Port Pirie Trotting and Racing Club Incorporated. As a result, certain parcels of land will be used to extend the Port Pirie Community College, a further area will be developed as a tennis complex in conjunction with the Port Pirie and District Tennis Association, and an area will be developed in conjunction with the Risdon Tigers Baseball Club as a baseball park. I suppose that the short title of this Bill could have been the Port Pirie Sporting Bill.

I have discussed this Bill at considerable length with the member for Stuart to ensure that there are no pitfalls or hidden traps. As a result of this lengthy consultation and discussion, as I said, it is clear that it is purely an administrative Bill. The Opposition can find no fault with it and, in the circumstances, has no trouble in supporting the second reading.

Bill read a second time and taken through its remaining stages.

## PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 February. Page 2864.)

**The Hon. FRANK BLEVINS:** The Opposition supports this Bill. Its aim is to express more clearly the intention of Parliament when the original Bill was passed. Circumstances have arisen where the spouse of a deceased member could be the recipient of a greater pension than the deceased member was entitled to. Not that that has actually happened, but an opinion indicates that it could happen and the intention of this Bill is to clear up that point to ensure that a surviving spouse gets no more superannuation than was the original intention of Parliament.

Also, the Bill addresses itself to the matter of continuity of service for members who have been in this Parliament or another Parliament and, for one reason or another, have had a break, the reasons for which are usually rather sad, depending on which side of the House one sits.

As the Attorney-General has said, it is practically impossible for one to carry out the letter of the present Act. One would have to be defeated or leave a Parliament on one day and be elected to this Parliament on the following day, or perhaps even on the same day, in order to comply with the letter of the legislation. That is not the intention of the Act, and this Bill gives some leeway (in this case, four years) between one's leaving another Parliament and commencing service in this Parliament.

It could be argued that a period of four years is too restrictive, and that perhaps an absence of two Parliamentary terms would be more appropriate. Sometimes, it is hard for one to get back certain electorates, and it may take a person two terms to do so. Also, there could be a problem with Legislative Councillors. It would be six years before one could get back into Parliament, as the ticket for the following election might have been arranged before the poor unfortunate person who lost his or her seat could organise himself or herself long enough to reclaim a place on the ticket.

The Opposition will not pursue this point, as it realises that the intention of the Bill is to correct anomalies that are at present affecting the operation of the Act. The Government has indicated in another place that, if further anomalies in the Act are found, it will consider the problem then. At the moment, the problems that have arisen are being dealt with by the Government. The Opposition is therefore pleased to support the Bill.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

## STATE LOTTERIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 February. Page 2864.)

**The Hon. J. R. CORNWALL:** Again, the Opposition, being very co-operative this evening, supports this Bill, the idea contained in which, as I understand it, came in the first instance from the Lotteries Commission. It is pleasing that the commission has shown the flair and imagination to involve itself in what could be said to be an entrepreneurial role.

There is no doubt that, if Lotto activities spread over the three States of Victoria, South Australia and Western Australia, as well as over the Northern Territory, there will be some big prize pools indeed, and that it would be reasonable to expect the amount of business and excitement generated as a result to be substantial.

It is interesting to observe in this respect that people who take tickets in this sort of activity, whether they be lottery or Lotto tickets, or anything along those lines, do not tend to assess the odds. Rather, they look at the pot of gold at the end of the rainbow. In the existing Lotto set-up in South Australia, one's chances of cracking it for a big prize are substantially better than they will be if this becomes a larger pool involving the other States.

**The Hon. R. C. DeGaris:** Why is that?

**The Hon. J. R. CORNWALL:** It is easy to work it out.

**The Hon. R. C. DeGaris:** If the odds shorten, the bigger the prize. Is that what you're saying?

**The Hon. J. R. CORNWALL:** No, the odds lengthen substantially. The population of Victoria is about 4 000 000 people; about 1 250 000 people live in South Australia; and about the same number of people live in Western Australia. Therefore, a total of 6 500 000 people, compared to South Australia's population of about 1 250 000, may be involved. On my rough arithmetic, five times as many people will therefore participate in this activity. Although the prize will be five times larger, you will have only one-fifth of the chances that you now have of winning the big one. Therefore, your chances of winning will be reduced by 80 per cent. However, if you win the big one, it will be five times bigger. I have not

prepared any accurate figures for the Hon. Mr. DeGaris, but I think that in simple terms even he could understand the figures that I have given.

**The Hon. R. C. DeGaris:** I understand that the chances of winning look better.

**The Hon. J. R. CORNWALL:** No, they are five times worse; that is clear. There is only one big prize, and five times as many people are competing for it. Therefore, the prize will be approximately five times what it is in the present Cross-Lotto situation in South Australia. The Opposition welcomes this move.

**The Hon. R. C. DeGaris:** What are the odds of winning?

**The Hon. J. R. CORNWALL:** I could not tell the honourable member that offhand, but it would be well in excess of 2 000 000 to one. As I said earlier, before I was interrupted and had to assist the Hon. Mr. DeGaris with these figures, the Opposition welcomes the entrepreneurial flair that the Lotteries Commission has shown in this matter. We think that on balance it will be a good thing for the State.

I am concerned about one other matter which was brought to the Opposition's attention today and on which I seek an assurance from the Minister. It has been suggested (I have no firm evidence on which to base this) that, once we move to the big pool situation, and the national Lotto set-up is operating, there will be further computerisation. It is said that in these circumstances there is a risk of somewhere between 40 and 50 people currently employed by the Lotteries Commission having their jobs placed in jeopardy. I have no firm evidence on which to base that statement, and I am not saying it as a matter of fact. However, it is a matter which ought to be cleared up when the Minister replies to the second reading.

**The Hon. R. C. DeGaris:** A bit over 10 000 000 000 to one.

**The Hon. J. R. CORNWALL:** That is very poor value. As an amateur numbers man, I do not normally take lottery tickets in any way, shape or form. As the Hon. Mr. DeGaris would know, you are far better off trying to pick the daily double or the fourtrella than trying to win Cross-Lotto. I believe the important issue is that it is going to generate perhaps some additional revenue, although I do not know how elastic the gambling dollar is.

I seek some assurance on the suggestion that there might be some danger of 40 or 50 people in the Lotteries Commission losing their jobs. That is of concern to the Opposition because of the employment situation in this State and the grim outlook for employment over the next couple of years. The existence of 40 or 50 jobs is to be prized. I and all my colleagues in Opposition would be very disturbed if there was any truth in the suggestion that technology, automation and computerisation of this operation could result in a net loss of those jobs. We would not like to see the Lotteries Commission go more capital-intensive and lose more jobs. I seek the Minister's comments when he sums up the second reading.

**The Hon. K. T. GRIFFIN (Attorney-General):** I am pleased that the Hon. Dr. Cornwall is going to support the Bill. I cannot presume to match his experience in the numbers game. He illustrated considerable expertise last year when we were talking about the amendment affecting the racing industry. I freely concede that his expertise is much broader and extensive than mine.

**The Hon. J. R. Cornwall:** It's not expertise, it's éxperience.

**The Hon. K. T. GRIFFIN:** I do not presume to be able to compete with that sort of experience. Perhaps I would not want to, anyway. I shall leave the calculation of the odds at Cross-Lotto and racing to others in the Chamber who have a much keener interest in those things than I have. I cannot give the honourable member an assurance about computerisation. I am not aware of the extent of further computerisation that may result from this move. I understand that the Bill will enable the State Lotteries Commission to provide a somewhat more attractive proposition, at least superficially, to investors. However, I am not in a position to give any assurances or any information about employment consequences.

Bill read a second time and taken through its remaining stages.

## PRIMARY PRODUCERS EMERGENCY ASSISTANCE ACT AMENDMENT BILL

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

**The Hon. J. C. BURDETT (Minister of Community Welfare):** I move:

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

The amendments made by this Bill are necessary because of the Natural Disasters Agreement made between the State and the Commonwealth in 1977. The principal Act was enacted in 1967, and the proposed amendments will tie it into the structure created by the Natural Disasters Agreement.

The agreement provides that the Commonwealth will assist in the funding of disaster relief programmes on a $3 for $1 basis after the State has contributed the first $3 000 000. The moneys provided must be repaid. The Farmers Assistance Fund has adequate resources to repay these loans but at the moment there is no power under the principal Act to make repayments from the fund. The first repayment due under the agreement became due on 30 June 1980, and was paid from the State's General Revenue Account. The amendments proposed to section 4 of the principal Act will allow money to be paid from the fund directly to the Commonwealth in repayment of a loan or to the Treasurer to reimburse him for payments made by him in repayment of a loan.

Section 5 of the principal Act provides for the making of advances from the fund to primary producers. Subsection (2) *(a)* requires the advance to carry interest at the State Bank overdraft rate. However, after the first $3 000 000 which the State provides, Commonwealth moneys become involved, and the agreement requires that moneys advanced carry an interest rate of 4 per cent. This creates an anomalous situation, and to resolve it the Bill replaces subsection (2) *(a)* with a provision that enables the Minister having the administration of the principal Act to determine the appropriate interest rate. 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 amends section 3 of the principal Act. Paragraph *(a)* ensures that both grants and advances by the Commonwealth are included. Paragraph *(b)* makes a consequential change, and paragraph *(c)* inserts a new subsection that allows the Treasurer to advance moneys to the Farmers Assistance Fund from moneys available for that purpose. This subsection justifies the payment made from General Revenue Account to repay moneys due to the Commonwealth under the agreement on 30 June 1980. Subclause (2) gives the provision retrospective operation.

Clause 3 amends section 4 of the principal Act. Paragraph *(b)* removes a reference to the Minister of Lands from section 4 *(b)*. From now on paragraph *(b)* will refer to "the Minister" which, by reason of the Acts Interpretation Act, 1915-1975, means the Minister for the time being administering the principal Act. Paragraph *(c)* adds two new paragraphs to section 4 which will allow moneys in the fund to be either repaid directly to the lender concerned or used to reimburse the Treasurer in respect of moneys paid by him, on behalf of the fund, in repayment of moneys lent to the fund.

Clause 4 amends section 5 of the principal Act. New subsection (2) *(a)*, inserted by paragraph *(b)*, will allow the Minister to determine the interest rate to be paid by a person receiving assistance from the fund. This will allow flexibility, which will ensure that the arrangements tie in with the terms on which Commonwealth moneys are advanced. Clause 5 makes a consequential amendment to section 8 of the principal Act.

**The Hon. B. A. CHATTERTON** secured the adjournment of the debate.

## PRISONS ACT AMENDMENT BILL

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

**The Hon. C. M. HILL (Minister of Local Government):** I move:

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

It implements certain policy initiatives that the Government strongly believes are vital to the better functioning of the correctional system. I should point out at the outset that the proposals of this measure do not impinge upon the terms of reference of the Royal Commission. My colleague the Chief Secretary intends to introduce a new Correctional Services Bill when the Royal Commission has completed its findings, which will completely replace the Prisons Act and deal with all aspects of correctional services. The Bill now before the House deals only with those matters that the Government regards to be of immediate importance.

The principal objects of the Bill are threefold. First, it provides for the establishment of a Correctional Services Advisory Council that will be answerable to the Minister. The council will consist of six persons, the Chairman being a person experienced in criminology, penology or a related science, and the Deputy Chairman being a person with experience in business management, medicine, social welfare or education. One member will be a nominee of the Attorney-General, and the remaining three will be nominees of the Minister.

The main function of the Advisory Council will be to monitor and evalute the operation and administration of the Act and advise the Minister on all matters pertaining thereto. Annual reports submitted to the Minister will be laid before Parliament. The recommendation for such an advisory body originally came from the Criminal Law and Penal Methods Reform Committee chaired by Justice Mitchell, and the Government strongly endorses the recommendation of that committee that the correctional system as a whole ought to be kept under regular review by a permanent body.

Secondly, the Bill provides for a Parole Board of a slightly different composition than that presently existing, and also effects several changes in the parole system. The membership of the Parole Board is to be increased from five to six, and the Chamber of Industry and Commerce and the Trades and Labor Council will no longer nominate any members of the board. Three members will be nominated by the Minister, thus giving the opportunity to have a wider range of community representation on the board. It is to be provided that both the Director of Correctional Services and the Commissioner of Police will have the right to make submissions to the Parole Board in any proceedings before the board, thus helping to ensure that all aspects of and differing viewpoints on any particular case will be well canvassed before the board.

The Bill makes it mandatory for a non-parole period to be fixed in respect of every sentence of imprisonment (other than those of three months or less), whereas at the moment the fixing of such periods is left to the discretion of the courts. This proposal is an integral part of the Government's policy in the area of law and order, as is the further proposal that prisoners serving sentences of life imprisonment will be released on parole only if the Parole Board so recommends and Executive Council confirms that recommendation.

This procedure obtains in all other States and has proved to be more acceptable to the general public in that the Government itself is accountable for the release of such prisoners back into the community. It is also provided that a life prisoner released on parole will be on parole for a period fixed by Executive Council, being a period of not more than 10 years. This will achieve a more workable situation for such a prisoner and the department.

Thirdly, the Bill provides for the substitution of the present system of remission by a system of conditional release. There are two major differences between the two systems. First, conditional release will have to be earned on a monthly basis, whereas under the present system remission of a third of a prisoner's sentence is automatically credited to him when he is first admitted to prison. Secondly, a prisoner released from prison on conditional release will still be liable to serve the unexpired balance of his sentence if he re-offends while on conditional release, whereas a prisoner released from prison upon remission is completely free of his sentence by reason of the fact that remission is in effect an actual reduction of sentence. The Government believes that the conditional release system will mean that a prisoner will virtually be subject to the whole of his sentence of imprisonment, and that therefore the sentences imposed by courts will, in the words of the Mitchell Committee, "mean what they say" to a greater degree than at present.

While the emphasis of the Bill is on measures that will ensure a greater degree of law and order in certain areas, at least two of the changes effected by the Bill may be said to achieve a fairer situation for prisoners. First, it is proposed that a prisoner returned to prison upon cancellation of parole for breach of a condition of his parole, or upon conviction of a further offence for which he is sentenced to imprisonment, will only be liable to serve the balance of his sentence unexpired as at the day upon which he committed the breach or the offence.

The Act as it now stands provides that such a person must serve the whole unexpired balance of his sentence, thus not taking into account the period of time that he is of good behaviour while on parole. Secondly, it is proposed that a prisoner so returned to prison will again be entitled to earn conditional release in respect of serving the unexpired balance of his sentence, a benefit not available to prisoners at the moment.

Finally, the Bill provides for promotion of the use of volunteers in the correctional services system. Earlier this year, the Goverment approved the expansion of the volunteer programme within the Department of Correctional Services, and funds have been accordingly provided in this current financial year. It is anticipated that

volunteers will be involved in manning the Court Information Centre, and the drop-in centre run for parolees and probationers, in acting as visitors to prisoners and befrienders of parolees and probationers, and in assisting in the day-to-day operation of the proposed new community service scheme. I must make it quite clear that volunteers will not in any way be used to displace or replace paid officers. 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 for the commencement of the Bill, with power to suspend the operation of any provision should it be necessary to do so. Clause 3 amends the arrangement of the Act. Clause 4 inserts two new definitions that are self-explanatory. Clause 5 provides a transitional provision preserving parole orders existing at the commencement of the Bill. Clause 6 inserts a new Part establishing the Correctional Services Advisory Council. The Advisory Council will consist of six members, the Chairman being an expert in criminology or penology. The functions of the Advisory Council set out in new section 6f are basically to monitor and evaluate on a continuing basis the operation of the Prisons Act, and to report on any matters referred to the council by the Minister, or on such other matters as the council thinks fit. The members of the Advisory Council are empowered to enter and inspect prisons and ask questions of any person within the prison. The Advisory Council must report annually to the Minister on its work during the previous financial year, and this report will be tabled in Parliament.

Clause 7 directs the Minister to promote the use of volunteers where practicable. Clause 8 effects consequential amendments. Clause 9 increases the membership of the Parole Board from five to six, and provides for the nomination of three members by the Minister in lieu of the current nomination of two members by the Chamber of Commerce and Industry and the Trades and Labor Council. Clause 10 increases the quorum of the Parole Board from three to four.

Clause 11 re-enacts two provisions relating to the fixing of non-parole periods by the courts. It is now made mandatory that a non-parole period be fixed for every sentence of imprisonment that exceeds three months, and for cumulative or concurrent sentences that in total exceed three months. It is also mandatory for a court to extend any existing non-parole period where the court sentences a person already serving the non-parole period of an existing sentence to a further term of imprisonment. Where a person serving a sentence of imprisonment in respect of which a non-parole period has not been fixed is sentenced to further imprisonment, the non-parole period then to be fixed is based on the total of all the sentences to which he is liable, but the non-parole period so fixed must not exceed the term of the subsequent sentence. Similarly, an existing non-parole period cannot be extended for a longer period than the term of the subsequent sentence.

Clause 12 substitutes new provisions dealing with release on parole. New section 42k provides that prisoners serving sentences of more than three months, or a number of sentences exceeding three months in the aggregate, may apply to the board for parole. Such an application may be made for release after the expiration of any non-parole period, or if there is no parole period (e.g. where the sentence was imposed before the commencement of the Bill), after three months has been served in prison. A prisoner may apply to be released before the expiration of a non-parole period only if the court that fixed, or last extended, the non-parole period gives him leave to do so.

The parole provisions do not apply to certain prisoners serving indeterminate sentences (that is, prisoners detained, or liable at the end of their fixed sentence to be detained, at the Governor's pleasure). New section 42l sets out the matters to be taken into consideration by the board when determining an application for parole. New section 42m provides that prisoners serving fixed terms may be released by order of the board, and that life prisoners may be released by the Governor, upon the recommendation of the board. A life prisoner is to be released on parole for a fixed period, being not less than three nor more than 10 years.

The two basic conditions of parole are that the prisoner will not commit any offence while on parole, and will be subject to the supervision of a parole officer. The board may specify additional conditions. The parole release of a prisoner may be revoked at the discretion of the board (or the Governor in the case of a life prisoner) at any time before he is actually released on parole. New section 42n provides that a prisoner other than a life prisoner remains on parole until his sentence expires. A life prisoner remains on parole for the period fixed by the Governor, and at the end of that period his sentence is deemed to have been fully satisfied. New section 42nb provides for the variation or revocation of parole conditions.

New section 42nc provides that a prisoner other than a life prisoner may apply to have his parole discharged. Where the board discharges a person from parole, the balance of the sentence is deemed to be a period of conditional release. New section 42nd provides for cancellation of the parole release of a person where the board is satisfied that the release was obtained unlawfully or that there is other good reason why the parole order should not have been made in the first place. A person whose parole release is cancelled under this section is liable to serve in prison the balance of his sentence unexpired as at the day on which he was released, unless the board directs that he is only required to serve the balance unexpired as at the day the release is cancelled.

New section 42ne provides for cancellation of parole release by the board were the person breaches a condition of his parole. The person is then liable to serve the balance of his sentence unexpired as at the day on which he committed the breach. New section 42nf provides for the automatic cancellation of parole release where the person is sentenced to imprisonment for an offence committed while on parole. The liability to serve the unexpired portion of his sentence exists notwithstanding that, at the time of conviction for the subsequent offence, the earlier sentence may have already expired. New section 42ng gives the board the necessary powers in relation to issuing a summons or warrant for the purpose of bringing a parolee before the board. New section 42nh provides that both the Director of Correctional Services and the Commissioner of Police may make submissions to the board in any proceedings before the board. New section 42ni makes it clear that more than one application for parole can be determined in respect of the same sentence of imprisonment.

Clause 13 strikes out regulation-making powers in relation to the Parole Board determining whether a prisoner should be released on parole notwithstanding that he has not applied for parole, and the board reducing non-parole periods. Neither of these powers is appropriate in view of the new parole provisions. Clause 14 inserts a new Part dealing with conditional release. New section 42ra provides that this new Part applies in relation to prisoners serving sentences that are imposed after the commence-

ment of the Bill. Life prisoners and other prisoners serving sentences of an indeterminate nature are excluded from the conditional release provisions.

It is made clear that conditional release can be earned by prisoners back in prison after having had their parole or conditional release cancelled. New section 42rb provides that a prisoner is to be credited with 10 days of conditional release at the end of each month he serves in prison. If the prison superintendent believes that a prisoner has not been of good behaviour at any time during a month, he may credit him with a lesser number of days of conditional release, or no days of conditional release. In such a case, the prisoner may appeal to a visiting justice. A prisoner is entitled to be released from prison at the point at which his entitlement to conditional release falls due.

New section 42rc provides that a prisoner released under this Part is released subject to the condition that he will not commit certain offences during the remainder of his sentence. Similarly to parole, the conditional release of a person is automatically cancelled if he commits a prescribed offence for which he is sentenced to imprisonment for a month or more, notwithstanding that his sentence may have already expired at the time of conviction. The person is thereupon liable to serve in prison the balance of his sentence unexpired as at the day the offence was committed.

Where a person on conditional release is convicted during that period of a prescribed offence committed during that period and is sentenced to less than one month's imprisonment is fined or put on a bond, the court sentencing him for that offence may, upon the application of the prosecution, cancel his conditional release. The offences that may lead to cancellation of conditional release are set out in subsection (5). All indictable offences are included, all summary offences punishable by imprisonment, and any other summary offence that may be prescribed. New section 42rd provides that a person on conditional release may apply to the court that sentenced him to imprisonment for an order discharging him from the balance of the sentence. Clause 15 is a consequential amendment.

**The Hon. FRANK BLEVINS** secured the adjournment of the debate.

## STATUTES AMENDMENT (VALUATION OF LAND) BILL

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

**The Hon. C. M. HILL (Minister of Local Government):** I move:

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

It gives effect to the Government's election promise to introduce legislation providing that valuation for rating and taxing purposes is, in certain cases, to be made on the basis of the actual use of the land rather than its potential use, and providing more realistic and understandable bases for valuation.

On 3 December 1979, Cabinet established a working party comprising the Valuer-General and representatives of the Ministers responsible for the rating and taxing Acts to advise it on implementation of these election promises. The working party recommended that a Bill be prepared to amend the Valuation of Land Act and the rating and taxing Acts to establish site, capital and notional values as the basis for calculating property rates and taxes imposed by the Government, thus eliminating the concept of "unimproved value" and substantially reducing the use of "annual value" as a basis of rating.

In South Australia today there are virtually no sales of truly unimproved land which could serve as a guide to unimproved values, and most ratable properties are owner-occupied, so there is little or no rental evidence available on which to base proper assessments of annual value. In fact, since 1977 the Valuer-General has not used rental values in making new general valuations but has assessed capital or market values of all ratable properties and converted them to annual values, a procedure that is permitted by the present statutory definition of "annual value". The value determined by this calculation bears no real relationship to the rental value of the property and causes confusion to the ratepayers. Its calculation and use also create unnecessary administrative complications.

The change from annual to capital values will not affect the amount of rates payable on any given property, since the rate in the dollar will be adjusted to reflect the new basis of valuation, for example, a rate of 10c in the dollar on annual value would change to ·5c in the dollar on capital value.

Although Government valuations will no longer be based on annual value under this amending legislation, it is not intended to prevent local government authorities from continuing to use annual values for rating if they so desire. If they choose to do so, however, they will have to make their own assessments of annual value by using the services of their own valuers or of private licensed valuers. The present Bill, incidentally, makes an amendment to the definition of "annual value" designed to ensure that, where a council chooses to rate on the basis of annual value, but is unable to obtain adequate evidence of rental value in a particular case, the valuation may, without risk of challenge, be based on capital value.

The Local Government Association, United Farmers and Stockowners Association, the Australian Institute of Valuers, and the Real Estate Institute have all been consulted in relation to the measures in this Bill. Support for abandoning unimproved values and substituting site values as a basis of rating and taxing has also come from the Law Department. Unimproved values today, when few areas of truly unimproved land exist and such unimproved land as does exist is in many instances purchased at prices unrelated to the productive capacity of the land, are archaic and meaningless. Rural land for decades has not been purchased on the basis of its worth as virgin scrub but on the basis of its productive worth as developed land. The Government agrees with the rural councils that unimproved values are outmoded, that they cannot, in many cases, be properly determined, and should be replaced with a more realistic basis of valuation. Unimproved values as a rating value base were abandoned in Victoria in 1975, Tasmania in 1976, New Zealand in 1976, and New South Wales in 1979.

For council rating in rural areas where rates are levied on the basis of land value, the change to site values will result in greater equity between landholders. Water rates are no longer levied on unimproved values in rural areas but are based on areas of ratable land. The Bill, therefore, proposes amendments to the Waterworks Act to delete all references to unimproved values in relation to country lands water rating. In the proposals to amend the bases of valuation, a new concept of value is introduced. This new concept of "notional value" operates in two cases:

1. in relation to an owner's principal place of residence where the value of the land on which it is situated is inflated by its potentiality for use otherwise than as the site of a single dwelling;
2. in relation to land used for the business of primary production with a potential for other more valuable uses.

The Government has been concerned for some time that inequities in rating and taxing have arisen between genuine home owners unaffected by a potential use for their properties for commercial or industrial purposes and those whose principal place of residence is situated in a commercially or industrially zoned area. Similar inequities arise between farmers when some, whose land is perhaps situated on the fringe of an urban area, suffer the consequences of valuations out of all proportion to the value of the land as a farming unit. It is hoped that the use of notional values in these instances will be a significant step towards ending the present inequities. Under the new system, where land is used as the principal place of residence of the taxpayer, or where it is used for the business of primary production, the valuing authority is required to make its valuation on the assumption that the potentiality of the land for more lucrative forms of exploitation did not exist. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

**Explanation of Clauses**

Clauses 1, 2, 3 and 4 are formal. Clause 5 contains transitional provisions preserving existing unimproved values and annual values until superseded under the provisions of the present Bill and providing for the conversion of existing determinations of annual value into determinations of capital value. Clause 6 inserts a new definition of "business of primary production", which is similar to that contained in the Land Tax Act. The definition of "site value" has been simplified to reflect more directly a value related to the productive capacity and use of land. New paragraph *(d)* has been inserted in the definition of "annual value" to ensure that the calculation of annual value on the basis of capital value, where a gross rental value cannot be determined, is not open to challenge.

Clause 7 inserts a new section 22a to enable notional valuations to be made in the case of land used for primary production and residential land (where the land constitutes the taxpayer's principal plan of residence). Such a valuation is made by disregarding the potential of the land for use for purposes other than those for which it is actually being used. Clause 8 is formal. Clause 9 inserts a definition of "site value" in the Land Tax Act and makes other consequential amendments to the definitions. Clauses 10, 11 and 12 amend the Land Tax Act by substituting references to "site value" for references to "unimproved value". Clause 13 repeals most of section 12c, which is no longer required since land used for primary production is exempt from land tax.

Clause 14 repeals section 56 (1a) and (1b), which are now obsolete. Clause 15 is formal. Clause 16 makes consequential amendments to the Local Government Act relating to the use of the "site" and "capital" values for rating purposes and provides that the present "urban farmland" rating provisions do not operate where a notional valuation applies to the land. These provisions are no longer necessary because, under the present Bill, such land would be eligible for a concessional "notional" valuation.

Clause 17 makes consequential amendments to the Local Government Act. Capital value is introduced as an additional basis on which local government rates may be levied. Clause 18 is formal. Clause 19 amends section 66 of the Waterworks Act to formalise the country lands rating procedure, which is now based on land area, and to provide for water rating in urban areas to be based on capital value rather than annual value. Clause 20 is formal. Clause 21 makes the necessary amendments to the Sewerage Act to change the basis of rating from annual values to capital values.

**The Hon. J. R. CORNWALL** secured the adjournment of the debate.

**ADJOURNMENT**

At 9.33 p.m. the Council adjourned until Thursday 19 February at 2.15 p.m.