HOUSE OF ASSEMBLY

Tuesday, June 10, 1975

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

CONSTITUTION ACT AMENDMENT BILL (SALARY)

His Excellency the Governor, by message, informed the House that he had reserved the Bill for the signification of Her Majesty the Queen's pleasure thereon.

SUPPLY BILL (NO. 1) (1975)

His Excellency the Governor, by message, recommended the House of Assembly to make provision by Bill for defraying the salaries and other expenses of the several departments and public services of the Government of South Australia during the year ending June 30, 1976.

APPROPRIATION BILL (NO. 1) (1975)

His Excellency the Governor, by message, recommended the House of Assembly to make appropriation of such amounts of the general revenue of the State as were required for all purposes set forth in the Estimates of Expenditure for the financial year 1974-75 and the Appropriation Bill (No. 2) 1975.

BEEF INDUSTRY ASSISTANCE BILL

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

QUESTIONS

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

MOUNT COMPASS WATER SUPPLY

In reply to Mr. CHAPMAN (March 19).

The Hon. D. J. HOPGOOD: The trust has built and sold 14 houses within the township of Mount Compass; all houses were serviced by a rain-water tank. Four additional houses are being built for rental purposes. As this area is not serviced by mains water supplied by the Engineering and Water Supply Department, it is proposed that these houses will be equipped with rain-water tanks.

MINERAL DISCOVERIES

In reply to Mr. BECKER (March 20).

The Hon. D. J. HOPGOOD: The most recent significant mineral discoveries in South Australia include those of uranium in the Lake Frome area, copper at Mount Gunson, and coal at Lake Phillipson. Mining at the Cattlegrid deposit near Mount Gunson commenced in August, 1974, and is proceeding satisfactorily. Development of uranium is dependent on securing markets and on Commonwealth Government decisions concerning export licences and processing requirements so that there are no plans for new ventures in this area. I am optimistic that the coal deposits at Lake Phillipson will be utilised locally and feasibility studies are in hand to determine requirements for electric power generation, and the gasification and hydrogenation characteristics and also the possibility of export. There is significant deposit of copper at Mootooroo but the prevailing low price of copper and high costs associated with development suggests that it cannot be economically mined but feasibility studies are in hand. The recently published annual report of the Mines Department for the year 1973-74 includes, on page 15, a graph to depict the importance of the various categories of mineral production over the past decade.

LAND PURCHASE

In reply to Dr. EASTICK (March 20).

The Hon. D. J. HOPGOOD: The trust paid an annual amount of $1 821 for Engineering and Water Supply Department rates on the land transferred to the Land Commission. The trust is not assessable for land tax.

OPAL FIELDS

In reply to Mr. GUNN (March 25).

The Hon. D. J. HOPGOOD: Until three or four years ago the explosive in common use at the opal fields was AN60 but ANFO has generally supplanted it since this explosive, made by mixing a prilled form of ammonium nitrate with diesolene on the job, is one-quarter or one-third the cost of conventional explosives. Owing to a recent spate of accidents at Coober Pedy, believed to result from static electricity build-up in association with dry atmosphere and faulty handling, the miners are switching back to the more expensive but apparently safer AN60 gelignite. A cast of AN60 may be purchased from the I.C.I. magazine at Dry Creek for $29·30. When costs associated with cartage and storage are added, this is retailed ex magazine of P. Coro at Coober Pedy at $45. The higher costs thus associated with using gelignite reflect a return to the accepted explosive of several years ago which was more expensive and which in the meantime has inflated in price.

MONARTO

In reply to Mr. WARDLE (March 19).

The Hon. D. J. HOPGOOD: The Director-General of Transport has been investigating alternative links between Adelaide and Monarto. A number of suggestions has been considered to date. A substantial study to evaluate the most likely solutions to the problem of transport between Adelaide and Monarto for both passengers and freight has been initiated. It is expected that results will not be available for approximately one year.

THIRD PARTY INSURANCE

Dr. TONKIN (on notice):

1. Is it the policy of the Motor Registration Division to allot third party insurance equally between participating companies (including the State Government Insurance Commission) where no preference is indicated in the application for registration, or is it now the policy that this insurance be allotted to the State Government Insurance Commission in all cases where no preference is indicated?

2. If the latter is presently the policy of the division, when was the change from the former policy made and for what reason?

3. What steps will be taken to ensure that third party insurance is allocated equally between all insurance companies where no preference is indicated?

The Hon. G. T. VIRGO: Since all private insurance companies have withdrawn from the third party insurance field, the State Government Insurance Commission is the sole insurer and, consequently, the question of allocation is irrelevant.

RELIGIOUS EDUCATION

Mr. DUNCAN (on notice):

1. On June 1, 1975, how many people were teaching religious education or participating with teachers taking religious education classes in Government schools?

2. How many of these were professional teachers holding regular teaching qualifications?

3. How many were people who, not being ordinarily engaged in teaching, have received special registration or authorisation to teach religious education from the Teacher's Registration Board?

4. How many were clergymen or laymen authorised by local religious education committees under regulation XVI 7 (2) of the Education Act?

5. Were those in the last category being paid by the Education Department and, if so, at what rates?

The Hon. HUGH HUDSON: The replies are as follows:

1. 157.

2. 150.

3. Registration does not apply until February, 1976.

4. Seven.

5. Of the seven, four participate voluntarily in team-teaching situations with professional teachers. They are paid at a rate of $6·25 an hour.

SPECIFIC LEARNING DIFFICULTIES

Dr. TONKIN (on notice): Is the Premier aware of the rapidly increasing volume of work being done in the community in relation to those children with specific learning difficulties by the Specific Learning Difficulties Association of S.A. Inc. (Speld) and will appropriate consideration be given to the financial needs of that organisation so that a grant may be made by the Government commensurate with the importance of the work it is doing in the community?

The Hon. D. A. DUNSTAN: The matter of assistance for Speld for the 1975-76 financial year is being considered.

WANSLEA INCORPORATED

Dr. TONKIN (on notice): Is the Government aware of the serious financial situation in which Wanslea Incorporated, an emergency home for children, is now situated, and what urgent steps are to be taken to relieve this situation and to prevent the possible restriction of services or actual closure which could otherwise result?

The Hon. L. J. KING: An Interim Residential Child Care Committee comprising representatives from non-statutory children's homes and from the Community Welfare Department met with Wanslea representatives late in 1974. Resulting from this an agreement was reached with Wanslea Incorporated in April this year that provides for $2 500 to be allocated to Wanslea for the year ending December 31, 1975, to enable part-time social work services to be available. The agreement also allows for a subsidy payment for each child in the home. The interim committee did not recommend a general purpose grant, but this may be reassessed when the agreement is renegotiated in October, 1975. Additionally, Wanslea Incorporated is subsidised to the extent of two-thirds of the wages paid to girls in training as Wanslea aides. This subsidy has been paid for many years.

PETROL TAX

Mr. BECKER (on notice):

1. How do the sales of standard and super grade petrol for the 12 months ended May 31, 1975, compare to sales for the 12 months ended May 31, 1974?

2. What are the respective gallonages of sales in each year?

3. What effect has this had on the petrol tax income estimates?

4. What is the amount of petrol tax owing by resellers unable to meet their commitment?

The Hon. D. A. DUNSTAN: The replies are as follows:

1, 2, 3. No information is held in State Government departments of sales of standard and super petrol for the 12 months ended May 31, 1974, or the 12 months ended May 31, 1975.

4. $4 342·46 was owing by three resellers as at June 4, 1975.

Dr. EASTICK (on notice):

1. How much money was raised under the Business Franchise (Petroleum) Act to May 31, 1975?

2. Is this amount as previously expected and, if not, by how much did the amount differ?

3. If the amount of money raised is not as expected, what was the reason for this variation?

4. What amount of money is expected to be raised from this tax during the next 12 months?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. $3 841 338·39, including $4 448·63 in respect of the second instalment due on June 23, 1975.

2. The amount originally expected was $4 500 000 for the first quarter. The amount received for that quarter is therefore $663 110·24 less than expected.

3. Reasons for this variance included:

(*a*) One oil company has not paid its first quarterly instalment pending the outcome of its action before the High Court.

(*b*) Statistics of sales of petroleum products in South Australia were not available when estimates of possible revenue were made, as the statistics are prepared for marketing areas that do not coincide with State boundaries.

(*c*) Petroleum products used for aviation and for the bunkering of ships were exempted from the payment licence.

(*d*) Values attributed by the Minister for lubricants, fuel, oil and other products were determined at amounts below that on which the estimates were based.

4. $4 100 000. This will be paid on or before June 23, 1975, after which the Act will be repealed.

STATE FINANCES

Dr. EASTICK (on notice):

1. What is the currently expected Revenue Budget deficit that will apply for the financial year ending June 30, 1975?

2. What are the major reasons for this situation occurring?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. As a result of the arrangements to transfer the non-metropolitan railways to the Australian Government, it is estimated that Revenue Account will record a surplus of about $5 000 000 in 1974-75.

2. The main factors will be mentioned when the Supplementary Appropriation Bill is introduced.

STAMP DUTY

Dr. EASTICK (on notice):

1. What has been the pattern of receipts by way of stamp duty on land transfers and general conveyancing for the 11 months to May 31, 1975?

2. Does the amount collected for that period differ from the amount previously estimated?

3. If the amount is different from that previously estimated, by how much, and what were the reasons for this variation?

4. How does the amount collected for that period compare to collections for the same period in 1972-73 and 1973-74?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. Separate statistics of revenue received for stamp duty on land transfers and general conveyancing are not maintained by the State Taxes Department. Revenue received from conveyances on sale of all classes of property excluding marketable securities during the 11 months ended May 31, 1975 were as follows:—

1974:	(to nearest $1 000)
July	1 700 000
August	1 195 000
September	1 112 000
October	1 090 000
November	1 037 000
December	1 275 000
1975:	
January	1 044 000
February	1 182 000
March	1 225 000
April	1 524 000
May	1 685 000
	$14 069 000

2. Yes.

3. $5 023 000, because of a reduction in the number of instruments submitted for stamping.

4. Eleven months ended:—

31/5/73	31/5/74	31/5/75
$10 631 000	$16 857 000	$14 069 000

TOBACCO TAX

Dr. EASTICK (on notice):

1. How much money was raised under the Business Franchise (Tobacco) Act to May 31, 1975?

2. Is this amount as previously expected and, if not, by how much did the amount differ?

3. If the amount of money raised is not as expected, what was the reason for this variation?

4. What amount of money is expected to be raised from this tax during the next 12 months?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. $1 379 052·90.

2. The amount originally estimated was $1 000 000 for the first quarter. The amount for that quarter is therefore $379 052·90 more than expected.

3. No accurate figures were available upon which to base an estimate and sales by wholesalers during 1973-74 were greater than those upon which the estimate was based.

4. $5 600 000.

DEPARTMENTAL STAFF

Dr. EASTICK (on notice):

1. How many persons were employed in Government departments on:

(*a*) June 30, 1974;

(*b*) December 31, 1974; and

(*c*) May 31, 1975?

2. In what departments have the major increases occurred?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. All of the information is not yet available and it is not possible therefore to provide the answer within the time stipulated.

2. A computer run of staff employed as at May 31, 1975, is scheduled for tomorrow and a complete answer will be submitted by Wednesday, June 11, 1975.

ADELAIDE RAILWAY STATION

Dr. EASTICK (on notice): What planning or studies have been undertaken into any major project contemplated for Adelaide Railway Station site and, if any, how much has this cost so far?

The Hon. D. A. DUNSTAN: Following the engagement of consultants in February, 1974, a master plan has been prepared for the redevelopment, on a long term basis, of the Adelaide Railway Station site. The plan envisages better facilities for users of public transport, a better environment integrated with the performing arts complex and Elder Park, commercial development along North Terrace, office accommodation, an international standard hotel and a stadium. The cost of this work was $30 604.

VICTORIA SQUARE HOTEL

Dr. EASTICK (on notice):

1. What cost has been involved in the Government's attempt to attract an international-class hotel to Victoria Square?

2. Is there any immediate prospect of finding a company or organisation to undertake this project?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. $920 for the printing of 250 copies of a brochure. There was of course some cost in relation to the salaries of staff but this has not been separately recorded.

2. For some considerable time a committee appointed by Government to investigate proposals for an International hotel in Victoria Square has been negotiating with a developer from New South Wales in association with a leading Melbourne architectural firm, acting in concert with an Adelaide architect. These negotiations had reached a stage where the Committee had advised other interested parties against further preliminary expenses pending a decision on the proposal under consideration. However, the group has now advised the committee that due to the complexities of current economic conditions and the liquidity situation of the institutions which were to have provided the major financial support, it was obliged to discontinue its efforts to formulate a firm proposal for the Victoria Square hotel complex. It indicated however, that it would like to revive its project if there is what it would regard as a meaningful improvement in the economic situation and if the Government is not then committed to another developer. With the withdrawal of this developer the committee has re-opened negotiations with another interstate architect who had asked to be permitted to submit a proposal.

WINDY POINT RESTAURANT

Dr. EASTICK (on notice):

1. What is the current situation regarding planning for a restaurant at Windy Point?

2. What cost has the Government had to meet so far with this project?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. The project's viability is being reassessed.

2. The Government has met total cost of $21 830.

DEPARTMENTAL INFORMATION

Dr. TONKIN (on notice):

1. Has a directive been issued to Government departments indicating that no information is to be given to members of Parliament by departmental officers and, if so, when was this directive issued?

2. What is the reason for the change in attitude of the Government whereby all queries must be channelled through the Minister?

3. How does the Premier reconcile this attitude with his suggestion contained in an answer in the House on March 24, 1975, that members should consult departmental officers to obtain information?

The Hon. D. A. DUNSTAN: The replies are as follows:

1 & 2. See 3.

3. No general directive has been issued by the Government. However it is the usual practice, well understood by departmental heads, that where the reply would involve Government policy or is of a confidential nature, the reply must be referred first to the responsible Minister for approval.

AMPLIFICATION SYSTEM

The SPEAKER: Honourable members will be aware that a new amplification system has been installed in this Chamber, and that in future honourable members will no longer need to switch their microphones on or off as previously, as these operations will now be performed by an operator sitting at a console in the *Hansard* Gallery.

The green button on each honourable member's microphone is to be used to call a messenger, and the red one should be depressed and kept in that position when honourable members do not wish conversation between them to be recorded on the *Hansard* tape recorder, or to be heard over the amplifiers. I point out that, until such time as the operator presses a button on the console, all microphones are dead, and each microphone will become alive only when the individual's name is called by the Speaker. The operator will press the console button and the specific microphone will become alive. If a member is on his feet and speaking and another member wishes to converse with the member speaking, the red button must be depressed, otherwise the private conversation between the second member speaking to the member addressing the House will come over the microphone system. To ensure privacy of conversations, honourable members concerned should each keep the red button depressed.

If an honourable member is speaking, his microphone will be switched on by the operator and, unless the red button is depressed by a member, his speech will be heard over the amplifiers and also recorded until the operator switches his microphone off. As well as being an amplification system, the system allows for the voice being received by the microphone to be recorded on a special tape recording machine, and conversations in this House over the microphone system will be recorded on that tape as a record for all time. It may be used against individual members!

The microphones are very sensitive, and on no account should members handle or knock them, as this will cause loud noise in the system. They are fixed in position, an no attempt should be made to alter the direction of the microphones. Honourable members will notice that the speaker boxes have been placed under the benches in such a position as will require the feet to be placed carefully so as to avoid interference with and damage to the system. An intercommunication system has also been installed in both Houses of the Parliament, whereby honourable Ministers, the Speaker and the Clerk, the Leader of the Opposition, the Whip, and the Parliamentary Counsel are now able to call and be called, but only from the telephones within the building of those persons whose number appears on the typewritten list of numbers provided. An incoming call will be indicated by a quiet but audible note emitted from the hand-set. It is hoped that this new amplification system will prove much more satisfactory than was the previous one, in that members' speeches will be more readily heard, even though there is no guarantee that they will be more readily understood. I remind honourable members of an extremely important aspect of this system. Until the Presiding Officer calls on a member to speak, the operator will not press the button that creates a live microphone. If any member rises to speak without receiving a call from the Chair, his microphone will be dead until the operator hears the call for that member by the Presiding Officer at the time. That is an important point.

PETITION: FLINDERS HIGHWAY

Mr. GUNN presented a petition signed by 221 residents of South Australia stating that the present condition of the Flinders Highway between Talia and Streaky Bay was in a very poor state of repair, was rapidly deteriorating, and was reaching the stage that soon it would be completely unsatisfactory for normal use by motor vehicles, and praying that the House of Assembly would take immediate action to supply the necessary funds for the completion of this important highway.

Petition received.

PETITION: DAYLIGHT SAVING

Mr. GUNN presented a petition signed by 17 parents of children attending schools in the Central Eyre Peninsula area stating that strong resentment existed amongst the parents of schoolchildren, particularly those who had children travelling on school buses, to the introduction of daylight saving in the State of South Australia during the summer months. The petitioners prayed that the State Government would re-examine the legislation providing for daylight saving in the State of South Australia.

Petition received.

ASSENT TO BILLS

Administration and Probate Act Amendment (General),
Art Gallery Act Amendment (Board),
Building Societies,
Community Welfare Act Amendment,
Control of Waters Act Amendment,
Coroners,
Crown Proceedings Act Amendment,
Dog Fence Act Amendment,
Electricity Trust of South Australia Act Amendment,
Fences,
Friendly Societies Act Amendment,
Highways Act Amendment (Property),
Impounding Act Amendment (Fees),
Justices Act Amendment (Various),
Land and Business Agents Act Amendment (Fee),
Land Tax Act Amendment (Equalisation),
Libraries and Institutes Act Amendment,
Limitation of Actions Act Amendment,
Listening Devices Act Amendment,
Local Government Act Amendment (Amalgamations),

Manufacturers Warranties,
Margarine Act Amendment,
Marine Act Amendment,
Motor Vehicles Act Amendment (General),
Planning and Development Act Amendment (Appeals),
Road Maintenance Act Amendment (Contributions),
Road Traffic Act Amendment (Inspections),
Road Traffic Act Amendment (Major Roads),
Rundle Street Mall,
Savings Bank of South Australia Act Amendment,
Shearers Accommodation,
Statute Law Revision (Various),
Statutes Amendment (Judges' Salaries),
Statutes Amendment (Miscellaneous Metric Conversion),
Statutes Amendment (Public Salaries),
Teacher Housing Authority,
Vertebrate Pests,
Weights and Measures Act Amendment,
West Beach Recreation Reserve Act Amendment,
Wheat Industry Stabilisation Act Amendment,
Wills Act Amendment.

PETITIONS: MEDIBANK SCHEME

Mr. GUNN presented a petition signed by 39 residents of South Australia stating that the implementation of the Medibank scheme in South Australia would provide significantly lower health care standards, and praying that the House of Assembly would act to cause the Government to reject the proposal and urge the Commonwealth Government to enact provisions to include pensioners and people on low incomes in the present health scheme.

Mr. BECKER presented a similar petition signed by 141 residents of South Australia.

Petitions received.

PETITION: COOLTONG WATER

Mr. ARNOLD presented a petition signed by 94 fruit growers at Cooltong and Chaffey stating that water at the Cooltong-Chaffey pumping station was not acceptable for irrigation purposes, and that salinity comparisons between locks 5 and 6 and the Cooltong-Chaffey pumping station showed that the water in Ral Ral Creek had a higher salt content than either locks 5 or 6, and praying that the House of Assembly would ask the Minister of Irrigation to take action to improve the quality of water at this pumping station.

Petition received.

PETITIONS: SUCCESSION DUTY

Mr MATHWIN presented a petition signed by 183 residents of South Australia stating that the burden of succession duty on a surviving spouse, particularly a widow, had become, with inflation, far too heavy to bear and ought, in all fairness and justice, to be removed. The petitioners prayed that the House would pass an amendment to the Succession Duties Act to abolish succession duty on that part of an estate passing to a surviving spouse.

Dr. EASTICK presented a similar petition signed by 2 024 residents of South Australia.

Mr. MILLHOUSE presented a similar petition signed by 1 210 residents of South Australia.

Petitions received.

PETITION: GLENELG NORTH TRAFFIC

Mr. BECKER presented a petition signed by 573 residents of South Australia stating that, because of the increased volume of traffic using Tapley Hill Road, North Glenelg, a pedestrian crossing be installed near Macfarlane Street, Glenelg North, and praying that this request be acceded to in the interests of orderly traffic control and road safety.

Petition received.

PETITION: GILLES PLAINS TRAFFIC

Mr. WELLS presented a petition signed by 691 residents of the Gilles Plains area stating that the present location of median strips on North-East Road and Sudholz Road constituted a danger for traffic entering or leaving the Gilles Plains shopping centre and had caused several accidents, and praying that the House of Assembly would take action to overcome this traffic hazard by requesting that cuts be made in the median strip on North-East Road and Sudholz Road to give easier and safer access to the Gilles Plains shopping centre car park.

Petition received.

PUBLIC WORKS COMMITTEE REPORTS

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Port Pirie High School (Redevelopment)—Stage II;
Ottoway—Rationalisation of Engineering and Water Supply Department Workshop Activities.

Ordered that reports be printed.

SITTINGS AND BUSINESS

The SPEAKER: Before calling on members for questions without notice, I indicate that I have considered carefully the matter of questions asked during previous sessions of this Parliament, and believe some of the explanations thereto were not necessary; in other cases the explanations were far too long and went beyond the realms of explanation. I therefore intend to clamp down on any long, unnecessary explanations of questions, because such explanations deprive other members of the right to ask questions. This will apply to all members. In future, explanations must be brief. If an explanation goes beyond what I consider to be brief, leave will be withdrawn. This will be of advantage to other members, as it will give them an opportunity to ask questions.

Mr. EVANS: I seek clarification of your statement, Mr. Speaker. My concern relates to Ministers debating replies and taking a long time to give them. Will you consider that aspect?

The SPEAKER: I have also seriously considered that aspect. Although Standing Orders give the Presiding Officer certain authority when leave is granted for a member to make an explanation, they do not make any provision regarding the Minister's reply. As Presiding Officer I can interpret the matter only in accordance with Standing Orders as laid down by this House. The only determination regarding replies is that they must be relevant to the question asked. Other than that, as Presiding Officer, I have no control over the reply. However, I point out that, as Question Time is extremely limited and as it is intended that members should be able to ask the maximum possible number of questions in the time allowed, Ministers' replies should be as brief as possible. A report, if it is possible to provide it, would be a better way of replying than giving a long, unnecessary reply.

QUESTIONS RESUMED

PREMIERS' CONFERENCE

Dr. EASTICK: I wonder, Mr. Speaker, whether you would permit me briefly to congratulate the member for Adelaide on his elevation to the front bench. However, it

will be a short-lived elevation, as I am sure he realises. I commiserate with him in that his portfolio was dismembered before he had an opportunity to get his clutches on it. After his performance on television last evening about what he was going to do regarding worker participation—

The SPEAKER: Order! The honourable Leader has already gone beyond the realms of congratulating the Minister.

Dr. EASTICK: Will the Premier give to the House details of the proposals to be put to the Commonwealth Government by the States at the coming Premiers' Conference? In addition, can he say why he has not already made this information freely available to the House when it was agreed by all other States that a simultaneous release of the information should be made today by all Premiers? I understand that Premier Lewis of New South Wales has released details of the States' case to the Premiers' Conference and that there had been an agreement between the States that the information should be released simultaneously today. Therefore, I ask the Premier to confirm the details given so far, namely, that the States will be asking for an additional $1 470 000 000 in tax grants, making a total of $3 850 000 000, and I further ask what specific case has been put for special consideration for South Australia.

The Hon. D. A. DUNSTAN: Mr. Lewis telephoned me last week and stated that, following the submission of material from the Premiers' meeting to the Commonwealth Government Ministers, which was material about which we had asked for reaction from and mutual discussion between their Ministers, our Ministers and our officers, there had been some release of information, from Canberra he presumed, as to the material contained in the submission from the Premiers, and he asked whether, in those circumstances, I raised any objection to his releasing the information to the press. I stated that, as long as Mr. Lewis spoke to the Prime Minister, as Mr. Lewis was the Premier who had conveyed the information to the Commonwealth Government, I had no objection to his doing so. I presume that he is doing so. He made no agreement with me about a simultaneous release today. I have had no agreement with him about that, but I see no reason why the Leader should not have the details of the submission which has been made so far and about which there is to be a discussion late this week. In fact, is was based on a proposal which came from the South Australian Treasury and which was largely the case put to the Commonwealth Government, and the other States have largely acceded to the proposals that we put. In view of the great financial benefits to South Australia arising from the recent arrangements in relation to the railways transfer—

Mr. Millhouse: Come now, we haven't got that yet.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: —which, as a result, would put this State in a far better position for financial reimbursement than any other—

Mr. Gunn: Nonsense!

The SPEAKER: Order!

Dr. Eastick: Answer the question!

The Hon. D. A. DUNSTAN: There is no means of our putting up a special further case for South Australia beyond the general submission to which the other States have acceded, but I will give the Leader the information.

RAILWAYMAN'S DISMISSAL

Mr. COUMBE: Will the new Minister of Labour and Industry (he has already been congratulated and commiserated with) find out and tell me what were the circumstances surrounding the dismissal last week of an employee at the Mile End goods yard, where a man who refused to join the relevant union was discharged? I ask whether this was not a clear case of discrimination, particularly under section 157 of the Industrial Conciliation and Arbitration Act, which provides that no employer shall dismiss an employee from his employment by reason only of the fact that the employee is or is not a member of an association. I ask the Minister, as he has just taken an oath to uphold the law of this State, whether in future he will observe this section of the Act, as well as give me the information on the matter.

The Hon. J. D. WRIGHT: The Deputy Leader would be well aware that I was sworn in only this morning at 10 o'clock. I have had no opportunity to examine the files on this case, or on any other case for that matter. I will undertake to do that, bring down a report, decide then whether the case was correct, and inform the Deputy Leader accordingly.

MEDICAL PRACTITIONERS' FEES

Mr. MILLHOUSE: Will the Premier say what action, if any, the Government intends to take in regard to the fees of medical practitioners in this State? The Premier probably has read this morning's newspaper and seen in it that the new Commonwealth Treasurer, who is the third in the present Commonwealth Government, I think (the current Treasurer, Mr. Hayden), has announced that he proposes to contact each State Premier today, asking him to use his powers to control Australian Medical Association members' fees. Of course, this is no new matter in South Australia.

Mr. Gunn: Not the metal workers.

The SPEAKER: Order!

Mr. MILLHOUSE: No, only the medical practitioners are under fire at present, or under the biggest degree of fire, from the Government in Canberra and, maybe, from the Government here, too. That is why I ask the Premier whether he intends to accede to that request. If he does so intend, what action does he intend to take, and does he consider that any action at all would be justified?

The Hon. D. A. DUNSTAN: The attitude that has been taken previously by the A.M.A. in South Australia is that it would not move its fees until after consultation with the Commissioner for Prices and Consumer Affairs. Following the events of the past few days, the Commissioner has been asked for a report on this matter. It is expected that later this week he will be seeing Dr. Cowling and, after a report has been made to the Government, a statement will be made to the House. At present it is by no means clear that action by the South Australian Commissioner is necessary. I expect that, if the medical profession in South Australia acts responsibly, it will act in accordance with the arbitrator.

MOTION FOR ADJOURNMENT: WINE TAX

The SPEAKER: I have received the following letter, dated June 10, from the honourable Leader of the Opposition:

I wish to inform you that it is my intention to move this day that the House at its rising this day adjourn until tomorrow at 1 o'clock for the purpose of discussing a matter of urgency, namely, that, in view of the Premier's

failure thus far to impress upon the Commonwealth Government the disastrous effects that will follow its insistence upon the revaluation of wine stocks for taxation purposes and its refusal to reduce excise on brandy, this House calls upon the Premier to immediately convene a top level conference between himself, the Prime Minister and the Commonwealth Treasurer for the purpose of convincing them of the calamitous effect these decisions will have on the grapegrowing and wine making industry of this State.

In accordance with Standing Order 59, I call on those members who approve of the motion to rise in their places.

Several members having risen:

The SPEAKER: The required number of honourable members, in accordance with Standing Order 59 having risen, I call the honourable Leader of the Opposition.

Dr. EASTICK (Leader of the Opposition): I move:

That the House at its rising this day adjourn until tomorrow at 1 o'clock, for the purpose of discussing a matter of urgency, namely, that in view of the Premier's failure thus far to impress upon the Commonwealth Government the disastrous effects that will follow its insistence upon the revaluation of wine stocks for taxation purposes and its refusal to reduce excise on brandy, this House calls upon the Premier to immediately convene a top level conference between himself, the Prime Minister and the Commonwealth Treasurer for the purpose of convincing them of the calamitous effect these decisions will have on the grapegrowing and wine making industry of this State.

In putting the point of view set out in the motion, I fully appreciate that the wine-making people throughout the Commonwealth of Australia, not only those involved in this State, will be affected, but those in this State are of particular importance to this House. To show the importance of this industry and so that there can be no misunderstanding in the minds of people opposite or anywhere else, I point out that the figures given on page 7 of the annual report of the Australian Wine Board for 1973-74, indicating the quantity of fresh grapes processed by wineries and distilleries throughout Australia, show that an ever-increasing quantity has been processed. Indeed, the average for 1945-49 was about 113 043 tonnes, and for 1974, which is a preliminary figure for South Australia, the total is about 215 393 t. If we go one step further and look at the position in relation to Australia generally, we find that there has been more than a three-fold increase in production in this important industry, the figure having increased from an average of 135 279 t in 1945-49 to a position in 1974 of 350 529 t. The importance of this industry in every sphere of activity is well recognised right across the world. It is recognised not only for the benefit that accrues to the people of this State but also for the benefit that accrues to the people of Australia in the amount of grape juice or wine and brandy and other spirits sold overseas. Indeed, one of the things I was able to determine during a recent oversea trip was that there was an increasing export of Australian wine to Canada, and particularly to Belgium. The Australian Trade Commissioner's office indicated there is a selective market for ever-increasing quantities of wine in other areas, and in Belgium and associated areas. Not only the growers but also the many people employed in wineries and distilleries and in the transport and distribution facilities that are part of the overall industry are affected, so there has been a major multiplier effect in the whole situation.

It is important to point out (and it should be referred to) that grape growing is extremely important for this State's tourist industry. It is apparent that we cannot create false tourist attractions. People will visit natural attractions and involve themselves in undertaking investigations and tours, and living with attractions which are natural and which can be seen in their natural state. They will not accept false areas. In the wine industries in this State at Barossa Valley, Clare, Coonawarra, and McLaren Vale areas, and in the southern hills, the tourist industry has been greatly enhanced by our involvement in this extremely important industry.

The abysmal failure of the Premier effectively to obtain consideration from the Prime Minister and Commonwealth Treasurer is to his everlasting shame, particularly after he had been responsible for engineering to obtain from the wine industry funds for the return of a Labor Government to the Commonwealth sphere in 1972. He might hide behind the sham that the South Australian Labor Party is an entirely different organisation from the Commonwealth Labor Party, and the tragedy is that, unfortunately, the media in this State has allowed this sham to build up to such an extent that it has become accepted. This does it no credit. The Premier, as a member of the Australian Labor Party, is tied to the same provisions as is the Prime Minister, who is a member of the same Labor Party.

Mr. Evans: And using the same rules.

Dr. EASTICK: It is ridiculous for the media or any person to suggest that the Premier has demanded action to benefit South Australia when next day he appears on the same platform as the Prime Minister extolling the Prime Minister's virtues: this situation indicates what a sham it is and how much play-acting is involved. This is a vital issue for South Australia, and it is an issue to which we must give our urgent attention. I believe there is a chance for this State if the Premier initiates an action that might not be too late to overcome the very grave difficulties that are being forced on to the industry. The present situation has caused several wineries recently to indicate to their suppliers that regretfully they are unable to fulfil their commitment to the growers. The growers in turn will be unable to undertake their commitment to their suppliers and employees. In this grave situation, I seek the total support of this House for my motion.

Mr. ARNOLD (Chaffey): I support the motion. In the eyes of all those engaged in the wine industry throughout Australia (and not only those in South Australia), the Premier stands condemned for his inability to protect the wine and brandy industry in this country. In 1972 the Prime Minister gave an undertaking that no additional impost or tax would be placed on the wine industry, but what have we seen? Since then the excise on brandy has increased from $440 before the Commonwealth election in 1972 to more than $1 000 today. At a meeting in the Rivoli Theatre at Berri, attended by representatives of the present Government, an undertaking was given that no impost would be placed if the then wine tax was removed. There was a 50c a gallon tax on wine that was reduced to 25c, but at the time of the election in 1972 the Prime Minister guaranteed to remove the remaining 25c, and gave an undertaking that no additional impost would be placed on the industry.

In fact, the Prime Minister is treating the Premier of this State with the contempt that he has shown to his senior Cabinet Ministers. The Leader has said that already some wineries have told their growers they will not be able to meet the agreement they had entered into in relation to payments. The financial stress that this action will throw on the grower and family unit—

Dr. Eastick: The whole community!

Mr. ARNOLD: —is obvious. It has been indicated by other wineries that, as a result of the valuation of wine

stocks and the increased duty on brandy, they will no longer require grapes in the forthcoming season from their traditional growers. What does the Premier believe that these growers will do with their fruit? The valuation placed on wine stocks for taxation purposes will mean that the quality of wine in Australia will drop considerably, because the winemaker will not be able to hold his wine in stock to mature and become a top-quality product. I suppose that situation will not worry the Prime Minister much, because a report in a newspaper last year indicates that the Prime Minister does not drink Australian wine in any case. It can only result in increased costs to the wine industry: prices will be increased and, naturally, demand will fall. There will be a buyer resistance from the community with a corresponding reduction in the demand for grapes, and this will result in a considerable surplus.

I believe that the Premier would be the first to admit that, unless something is done, there will be a large surplus of wine grapes next season if there is a normal harvest. We will see the financial collapse of many wineries and also individual growers, and communities throughout South Australia, whether in the Clare, Riverland, Coonawarra, Barossa Valley, or south of Adelaide areas, will be drastically affected by this tax and revaluation placed on the industry. I believe that the Commonwealth Government has adopted an incredibly short-sighted outlook and, in fact, it spells out clearly the hatred the Commonwealth Government has for any form of private industry or enterprise. I support the motion.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I do not know quite what it is that the Opposition is urging me to do that I have not done.

Dr. Eastick: Something positive.

Dr. Tonkin: Perhaps you should have been listening instead of reading the newspaper.

The Hon. D. A. DUNSTAN: I have been listening most carefully. Neither the Leader nor the member for Chaffey has said anything in relation to the wine industry that I have not already said in detail to the Prime Minister, the Minister for Agriculture, Dr. Cairns, and Mr. Hayden.

Mr. Millhouse: You've had no success or result from all you've said.

The Hon. D. A. DUNSTAN: That is true. I have made very clear that I believe that the measures that have been taken by the Commonwealth Government, both in the abolition of the differential in brandy excise and in the provision of revaluation of stocks under income tax provisions of wineries, were a breach of the undertaking given by the Commonwealth Government.

Dr. Eastick: Breaches aren't unusual for that Government.

Mr. Venning: Why don't you kick up a bigger fuss about it?

The Hon. D. A. DUNSTAN: I think I could hardly have spoken out publicly in more trenchant terms than I have used in this matter.

Dr. Eastick: Did you try sincere terms?

Mr. Millhouse: Your best opportunity will be at the conference next weekend; we'll see what you say then.

The SPEAKER: Order!

Mr. Millhouse: That's the only place you can do any good.

The SPEAKER: Order! The honourable Premier.

The Hon. D. A. DUNSTAN: The position is that there have been constant representations to the Commonwealth Government by the South Australian Government in conjunction with the Wine and Brandy Producers Association and the winemakers. In fact, I have constantly had the publicly expressed thanks and support of the industry and its leaders for the attitude taken by the South Australian Government. At no stage has this Government failed to make representations on this matter. In fact, officers of the South Australian Government have been provided to the industry to assist in preparing its case to the Commonwealth Government; they have been constantly with the industry in the representations made. I deplore the fact that the representations have not been successful. I spoke in some detail to Mr. Hayden about the matter only last week, when I released the letter that I sent to the Prime Minister and the Commonwealth Treasurer on this matter. I said clearly publicly what was the attitude of the South Australian Government in this matter, and that we believed that the attitude taken by the Commonwealth Government towards the wine industry was disastrous and wrong. I shall be seeing the Commonwealth Treasurer again about this matter within a week.

Dr. Tonkin: Which one?

The Hon. D. A. DUNSTAN: The Commonwealth Treasurer.

Dr. Eastick: Whoever that might be.

The Hon. D. A. DUNSTAN: I will reiterate the matters that have already been put in very considerable detail by me and our officers. The motion moved by the Leader is unnecessary. Whatever needed to be done or could be done by the South Australian Government in this matter has been done, and it is most strange that, after a long campaign by the South Australian Government in conjunction with the industry, the Opposition should wait until now to get into the act.

Mr. GOLDSWORTHY (Kavel): We have listened to a rather pathetic effort by the Premier. His statement that the Opposition has only just endeavoured to get into the act is completely and utterly baseless and false. About 18 months or two years ago, the member for Chaffey moved a motion in this House condemning the actions of the Commonwealth Government in this regard. I am sure that the Premier's memory is not so short that he could have forgotten that, so that he could claim that the Opposition had done nothing about this matter; that is baseless nonsense. The proof of the pudding is in the eating, and the Premier has been unsuccessful in moving in any way his Commonwealth colleagues. Let him withdraw some of his support for those members; perhaps a few more heads should roll in Canberra.

Perhaps he should withdraw some of the support he obviously gives to his long-time friend and mentor the Prime Minister. Perhaps he should withdraw some of the public support he gives to his Commonwealth colleagues. What has he really done to put pressure on them? He has done precious little. He has gone on with this charade of public announcements, with the splash in the press, and the telex he sent to Canberra. All this motion does is ask him to convene a conference for the specific purpose of dealing with this matter, which is of vital concern to a major industry in this State. We ask the Premier to convene a conference with the Prime Minister and the brand new Treasurer of Australia.

I do not think I need to impress on members the importance of the grapegrowing and winemaking industry to the Barossa Valley, a large area of which I represent in this House. One of the important and significant features of the economy of the Barossa Valley is that there are largely small independent growers in the area. Some time

ago, I had the opportunity of going overseas. One feature of the Californian wine situation that I found disturbing was that there was no place in that rural economy for the small independent grower. The position was: "Get big or get out"; in fact, the small grower had been squeezed out. One of the pleasing features of the rural economy of the Barossa Valley is that many small independent winegrowers earn a living on relatively small holdings of land there. The existence of these small growers is threatened.

If it is the avowed intent of the Commonwealth Government to socialise this country and to smash private enterprise and the little capitalist, it is going the right way about it. The first people who will feel the effect of this decision by the Commonwealth Government will be the small winegrowers of the Barossa Valley. In this area, two groups will be affected. Wineries will be affected, as their sales will no doubt drop. They are embarrassed at present by the need to find large sums of money to pay these tax levies. Although they will be adversely affected by the Commonwealth Government's decision, they will not go out of business overnight. Small growers will be affected. I will read to the House a letter sent out by S. Smith & Son Proprietary Limited, one of the wineries in my district, which I believe sums up the situation fairly succinctly and which I do not think the Premier could in any way find offensive. The letter was sent to the grapegrowers and suppliers of this winery. The winery does not want to frighten these people away, but is simply putting some salient facts about the matter. The letter states:

Following the 1973 Federal Budget measure in which the basis of valuation of winery stocks was changed to require winemakers to repay to the Government the substantial tax benefits which were derived during the past 25 years, Yalumba, together with other members of the wine industry, lobbied intensively with successive Treasurers and the Government, for a repeal or at worst, a review of these measures.

When the industry representatives met with Dr. Cairns on 26th February of this year, they were given a most sympathetic hearing. The Treasurer encouraged our belief that an early decision would be made to repeal the special wine industry taxing measures. In fact, at the close of the discussions, Dr. Cairns personally approved of the following telegram which was sent to all winemakers:

> Submission on stock valuation favourably received by Treasurer. Request you to delay any action through press or other means until final Government decision is known, probably by end of March at latest.

That, as the letter indicates, was approved by the then Treasurer. The letter continues:

Dr. Cairns further informed us that Mr. Chris Hurford, M.H.R., had been appointed to head a special investigating committee instructed to report direct to the Treasurer with its recommendation in regard to the wine industry. This report was furnished some time prior to Easter and we were given to understand that the findings of the committee were favourable to the wine industry. Dr. Cairns' announcement was then eagerly awaited, but our former hopes were soon changed to concern when the Government's reply was subjected to numerous delays, culminating last week in a brief but negative reply from the Prime Minister. This decision has the effect of winemakers becoming the highest taxed corporate taxpayers in Australia and the effect on the liquidity of many winemaking companies will be extremely serious.

The situation for our company is that for the 1975 vintage we processed a substantially increased tonnage of grapes. At the higher prices for grapes this has meant a huge financial commitment. We proceeded with the record vintage intake acting in good faith on the Treasurer's assurances that our business would not be jeopardised by Government action. We are now faced with the necessity to meet a huge tax demand in respect of past benefits in priority over payments to growers and our other suppliers. In other words, the benefits referred to are those due to deferral of tax, and payments to the Treasury take priority over payments to growers. The letter continues:

Furthermore, the income tax law in its present form discriminates against private family companies which are required to pay in excess of 30 per cent more tax than public companies in similar circumstances. In view of this change to the situation, we regret to have to advise that we will have no alternative but to review our grape payment schedule for the 1975 vintage. We propose to make an initial payment of approximately half the value of your grape crop by June 30 and we hope to be in a position to pay the balance by instalments of 25 per cent each on September 30 and November 30.

In view of the Australian Government's insistence on proceeding with the retrospective tax measures, many wine companies are likely to be forced to reduce future grape intakes and instead sell off existing stocks of ageing wines prior to full maturity. This could well prove to be disastrous for many growers and a great tragedy for the excellent reputation of the Australian wine industry. We sincerely appeal to you to support our efforts for a further review of the Government's attitude by discussions with members of Parliament or by direct letters to the Government leaders and/or Ministers. The Directors and staff of Yalumba have been particularly proud of Yalumba's reputation in regard to its dealings with its supporting growers and we will naturally do all in our power to uphold this relationship.

That gives a fairly precise (although the letter may be long) synopsis of what has occurred in recent months in relation to this matter. The then Treasurer (Dr. Cairns) encouraged those people who were attending on him to believe that some relief would be given. The result, however, has been a curt dismissal by the Prime Minister. Now we have a new Treasurer, who has been talking similarly to the way in which we would expect a Liberal Treasurer to talk. He has been saying that we must encourage the private sector and that we have a mixed economy, and he has forgotten some of the socialistic utterances of his predecessors, whereby a deliberate attempt had been made to transfer resources from the private sector to the Government sector. The new Treasurer is saying a few sensible things. He is saying, "We must look after the private sector in this mixed economy."

Mr. Nankivell: Somewhat belatedly.

Mr. GOLDSWORTHY: Perhaps it is belated, and perhaps he has been forced to say these things, but he is saying them. That would give hopes to these people whose hopes were raised by the former Treasurer and dashed by the Prime Minister, who sacked him recently. Let us hope that Mr. Hayden will continue to espouse the philosophy he is mouthing at present. All we ask is that the Premier get up off his backside, off his stage, go to Canberra, collar Bill Hayden and the Prime Minister and say, "Look, this matter is serious and will affect the livelihood of many small independent winegrowers in South Australia." I suggest that this charade of sending telex messages and letters back and forth which get into the hands of a public servant and which are shuffled back and forth by Treasury officials is of no use. Let us cut out all that red tape. Let us collar this new Liberal thinking Treasurer, this man who will look after the private sector. Let us get to the Prime Minister and by hook or by crook get some sense into what appears to be a completely senseless decision of the Government. I cannot see that the motion should embarrass the Premier, because all it asks is for him to confront the necessary Government officials.

Mr. Keneally: And do what he has already done.

Mr. GOLDSWORTHY: We have a new Commonwealth Treasurer who is saying, "Let us have a new approach."

Let the Premier go there and confront and meet these people. I was present at a meeting of grapegrowers in the Barossa Valley about a fortnight ago, at which the present Minister of Agriculture was present (no doubt as Government spokesman) and a lengthy telex message with messages to and from was read to me. No matter what the Premier says, that kind of telex falls into the hands of a public servant in Canberra, who says, "What's all this about, Jim? We have had a telex again from Don about the wine industry again."

Mr. Payne: Again!

Mr. GOLDSWORTHY: The Premier should go over there and meet these people; that is all we ask. Let us hope that he will have more success with the new Commonwealth Treasurer than he had with his predecessor, or a few more heads should roll in Canberra.

Mr. NANKIVELL (Mallee): Although most of the points that could be made in this argument have already been made by my colleagues, I will make some points which may be considered constructive. First, I qualify my position by saying that the Riverland produces 80 per cent of the wine produced in South Australia and that the Mallee District, covering Paringa through to Loxton or Moorook, contains 19 per cent of the wine-grape growing acreage of South Australia. So, it is a substantial investment. It is a big business to the people I represent, and it is a very big business regarding the war service land settlement, because most of the industry in this area is in Loxton, which was based on a war service land settlement scheme. These are the little people in the business of independent farming: they farm small acreages, they work intensively, and are extremely dependent on season and condition, and more particularly on prices, for survival.

This year we have seen probably one of the best vintage years on record: not the biggest vintage harvest on record, but one of the best vintages of wine grapes. Consequently, most of the present grape harvest has been taken in. Apparently this is why the proprietary companies are in their present position, because in this vintage they have taken in a greater tonnage of grapes than normally. However, those companies now cannot pay for the grapes because of the impost being placed on them by the Commonwealth Government's system of revaluing wine stocks. As the member for Kavel said, it is not the multi-nationals only that are in this business: it is also small private companies that have a large stake in this industry in Australia.

Multi-national companies will weather the situation, because they can spread their risk, whereas small companies cannot, because they are specialists with little backing. Already, because of the Commonwealth Labor Government's impost these people have been forced into a pricing situation in which wine can be imported to be retailed on the table in restaurants in Adelaide at the same price as the local product.

Wines from Austria are being sold at the same price as wines from the Barossa Valley. Already this is a serious situation and, if there are additional problems associated with the handling of wine and its marketing, I very much fear for the future of the people who are engaged in this industry in the district I represent. Co-operatives are not affected directly by this income tax provision, but there is a limit to the tonnage of grapes the co-operatives can handle. Few co-operatives have entered the field of retail marketing of wine; they are basically bulk producers. If the proprietary companies do not buy from them, they cannot shift their stocks, so there is no market from the co-operatives or proprietary companies for next year's harvest.

I suggest to the Premier that, if that is the situation and if he cannot budge his Commonwealth colleagues to do anything positive for the industry, he should look at the situation that exists in California and in some European countries where grapes are concentrated by evaporation. I have seen grape juice reduced to a substance almost identical to honey so that it can be spread like a normal table spread. In fact, I have seen it in all forms of liquidity: it is self-preserving. I understand that 500 tonnes of grapes can be placed in a 90 920 litre storage tank. This is a must, which is a form of grape processing: it is not a "must" in the sense of compulsion. The must can be brought back into fermentation at any time and can be exported and used for other purposes such as fillers in drinks. These are the sorts of outlet at which we must look. I realise we may need finance to do this. Probably, if we took a proposition to Canberra that in certain circumstances there may be other ways the grapes can be marketed and processed that are not uncommon to other grapegrowing areas, this may attract support and we may be able to get through the crisis facing us in 1976, if it is a reasonable vintage year.

I should like the Premier to take up this matter seriously. I support what has been said by my colleagues. We need to make a stronger case regarding this matter to the Commonwealth Treasurer for direct and indirect assistance through the means I have suggested so that the little people who are independent and pride themselves on that independence will be able to continue to survive; they will not go to the wall but will be protected. If the Commonwealth tax has been designed to catch the big companies it will not hurt them, but will hurt the little people I represent. I strongly support the representations made in this House by the Leader and my colleagues. I urge the Premier to take up the matter strongly once again with the Commonwealth Treasurer and his other colleagues in Canberra.

Mr. VENNING (Rocky River): I, too, support my Leader in this motion, the purpose of which is not to knock the Premier completely but to strengthen his hand in this matter. What has caused me great consternation is the Premier's silence during the past fortnight: it has been most notable. He should have come out strongly in support of South Australia not only from the point of view of this motion but in relation to our reputations to the Commonwealth Ministry. I do not support the move to alter the situation in relation to marketing, but I ask the Government to consider reversing the decision that has created problems for this industry in South Australia. Some of my colleagues have referred to grape production in their respective districts. South Australia produces about 70 per cent of the wine and brandy produced in Australia, so the situation is more important to South Australia than it is to any other State of the Commonwealth. For this reason the Premier should have been outspoken for South Australia and should have tried to get a fair deal for us.

The new Commonwealth Treasurer (Mr. Bill Hayden) has been referred to this afternoon by other members. I do not believe that Bill Hayden is altogether sympathetic to primary industry. In fact, he indicated his feelings towards primary industry when the floor price plan for wool was discussed recently in the Commonwealth sphere. He favoured a reduction in the floor price plan. As I believe that an application from South Australia will not be easy, I believe this motion will strengthen the

Premier's claims for South Australia. I support the motion and wish the Premier well in trying to bring justice to the wine and brandy industry in this State.

Mr. CHAPMAN (Alexandra): I support the motion and ask the Premier to try again on behalf of the winegrowing industry in this State to get a better deal. I am not at all concerned about the criticism of the Premier's efforts and my Liberal Party colleagues at Commonwealth level on behalf of this group of people over the years. I am not concerned with the efforts that the Premier has made and the fruitless replies he has received so far. However, I am concerned that we be seen to be representing that group of people in South Australia who are in desperate need; we should be seen to be helping those who have their back to the wall. The member for Kavel referred to the little people who were able to obtain a living from a small area of land in their own right; people whom I believe we should be protecting; people who should have the right to continue in their free enterprise practices whether it be in this or any other industry in South Australia. These people are spread over wide areas of South Australia.

My colleagues have said that about 80 per cent of South Australia's wine grapes are produced in the Riverland area and that only 20 per cent were produced in other parts of the State, including the Barossa Valley, Southern Vales, Coonawarra, Clare, and one or two other isolated areas. However, within the area in which only 20 per cent of this State's grapes are grown there are literally hundreds of grapegrowers. We in this place are responsible for protecting that group of small enterprise people.

At 3.15 p.m., the bells having been rung:

The SPEAKER: Order! Call on the business of the day.

APPROPRIATION BILL (No. 1) (1975)

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act for the further appropriation of the revenue of the State for the financial year ending June 30, 1975, and for other purposes. Read a first time.

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

That this Bill be now read a second time.

In doing so, I wish to submit for the consideration of the House Supplementary Estimates totalling $20 550 000. Before dealing with the details for which the Estimates are required, I believe it would be useful if I were to give a few brief comments on the main movements in Revenue Account during the year and on present prospects and to remind members of the appropriation procedures within which the Government is able to operate.

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

At the conference, the Australian Government agreed to make additional general purpose grants available to meet State budgetary problems and South Australia's share was $6 600 000. Accordingly, when I reported to the House on February 18, it appeared that the estimated deficit could be reduced from $27 000 000 to about $20 400 000. I pointed out that, if recent indications of some upturn in revenues should be strengthened by actual experience over the rest of the year, it was possible that the deficit could be held to a figure of less than $20 400 000.

The statement I gave on February 18 was a fairly complete resumè of financial prospects as they were seen then and, should members wish to refresh their memories of it as background to consideration of this Bill, they will find it recorded in *Hansard* at page 2421.

In the event, there have been some improvements in revenues since February, mainly in the financial assistance grant for 1974-75. The latter has been increased by about $7 000 000 as a result of two factors in the formula. The first is an increase in the average wages factor and the second is a temporary increase in the population factor as a result of the abnormal movement of people from Darwin following the severe cyclone damage.

In the absence of the special arrangements to transfer the non-metropolitan railways to the Australian Government, I believe the 1974-75 revenue deficit would have been about $14 000 000 to $15 000 000. The railway arrangements have led to an increase of $20 000 000 in grants this year, made up of a special additional grant of $10 000 000 and a completion grant of $10 000 000 brought forward in time and payable this year without further review by the Grants Commission. As a result I estimate now that the 1974-75 Revenue Budget may record a small but useful surplus of about $5 000 000.

Dr. Eastick: You're assuming a bit!

The Hon. D. A. DUNSTAN: Well, for the benefit of this State, that assessment had better be right. Any other course would be a most irresponsible one.

Appropriation: Turning now to the question of appropriation, members will be aware that early in each financial year Parliament grants the Government of the day appropriation by means of the principal Appropriation Act (supported by Estimates of Expenditure). If these allocations should prove insufficient, there are three other sources of authority for supplementary expenditure, namely, a special section of the same Appropriation Act, the Governor's Appropriation Fund, and a further Appropriation Bill supported by Supplementary Estimates.

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

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

Supplementary Estimates: The main explanation for this recurring requirement lies in the fact that, whilst additional expenditures may be financed out of additional revenues with no net adverse impact on the Budget, authority is required nonetheless to appropriate these revenues. Also, the appropriation procedures do not permit variations in payments above and below departmental estimates to be offset against one another. If one department appears likely to spend more than the amount provided at the beginning of the year, the Government must rely on other sources of appropriation authority, irrespective of the fact that another department may be under-spent by the same or a greater amount.

The appropriation available in the Governor's Appropriation Fund is being used this year to cover a number of individual excesses above departmental allocations, and this is the reason why some of the smaller departments do not appear on Supplementary Estimates even though their expenditure levels may be affected by the same factors as those departments which do appear. It is usually only the larger amounts of excess expenditure for which appropriation is sought by way of an Appropriation Bill supported by Supplementary Estimates, the remainder being met from the Governor's Appropriation Fund.

SUPPLEMENTARY ESTIMATES

With these special authorities in mind, then, the Government has decided to introduce Supplementary Estimates totalling $20 550 000. The reasons for this additional expenditure may be seen from the detailed explanations which follow.

Police: Salaries and wages payable in the Police Department are expected to exceed the estimate made in August last by more than $3 500 000. The majority of this excess falls within the provisions of section 3 (2) of Appropriation Act (No. 2), 1974, which, as I explained earlier, gives appropriation authority for certain wage and salary increases. However, bonus payments to members of the Police Force for additional duty over the Christmas period, flow-on payments to Women Police Auxiliaries and some other payments of a more minor nature are not covered by this section. An amount of $450 000 has been provided in the Supplementary Estimates for these purposes.

Price increases affecting many of the operational items of the department necessitate the provision of a further $300 000 for administration expenses, and higher prices for new motor vehicles coupled with depressed prices for police vehicles on the used car market are expected to increase the net cost of vehicle relacement by about $170 000. The total provision in the Supplementary Estimates for the Police Department is therefore $920 000.

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

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

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

Engineering and Water Supply: The effects of pay-roll tax on Engineering and Water Supply Department salaries were under-estimated when the August Budget figures were compiled, and the total provision for salaries and wages and related payments was $250 000 short of requirements for this reason. An additional $170 000 is required to cover the cost to the Revenue Account of payments made to employees who could not be gainfully employed during the transport workers' strike early in the financial year.

Dr. Eastick: What was the $170 000 for?

The Hon. D. A. DUNSTAN: That was for payment to workers who could not be gainfully employed during the transport workers' strike. It is this Government's policy not to put off people who are not directly responsible for the situation that obtains in Government departments as a result of strike action.

Dr. Eastick: The Nyland benefit fund!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Higher costs of goods and services generally have caused a short-fall in allocations on several items other than salaries and wages. In addition, the costs of treating water supplies have been higher because of the very hot weather experienced between January and March this year. An abnormally high level of maintenance on tanks and pumping stations in the metropolitan area has also contributed to increased expenditure by the department. The items included in the Supplementary Estimates in addition to the $420 000 for salaries and wages are as follows:

	$
General administration expenses	150 000
River Murray locks	200 000
Metropolitan waterworks	350 000
Metropolitan sewerage	200 000
Country waterworks	130 000
	$1 030 000

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

	$
Salaries and wages	550 000
General administration expenses	100 000
Maintenance expenditures	1 000 000
	$1 650 000

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

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

	$
Pre-school education	100 000
Primary education	750 000
Secondary education	850 000
Education services and resources	400 000
Administration	400 000
Buses—running expenses	400 000
	$2 900 000

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

Education—Miscellaneous: Although the Australian Government has accepted responsibility for financing tertiary education, the State still contributes to the operations of the Institute of Technology in respect of subtertiary courses. The $59 000 provided in the Supplementary Estimates is for salary and price rises that have increased the State's commitment for the subtertiary component of the institute's activities. In January last, as part of a wider programme aimed at rationalising fare structures on urban public transport, the Government approved additional payments to the Municipal Tramways Trust and the Railways to enable the differences between the two authorities, with regard to student concession fares, to be minimised. The amount provided in Supplementary Estimates for this purpose is $58 000.

Procedures relating to the payment of per capita grants to independent schools were changed this year from three payments a year to two. This involved some transitional arrangements that resulted in some payments related to the 1973-74 financial year being paid in the present year. Also, requirements for 1974-75 were about $52 000 higher than the original Budget estimate. The amount of $108 000 is provided in the Supplementary Estimates to cover these payments. In March last, the Government agreed to provide a grant of $100 000 to the South Australian Institutions for the Deaf and Blind to relieve its recurrent budget, and provision is made in the Supplementary Estimates accordingly.

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

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

	$
Rolling stock Branch	420 000
Way and Works Branch	380 000
	$800 000

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

	$
July announcement of increased pensions	375 000
Consequential announcement of increases in child allowances	100 000
March announcement of increases in pension rates	75 000
Consequential announcement of increases in child allowances	50 000
	$600 000

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

The sum of $100 000 is included in the Supplementary Estimates for this purpose, making a total additional provision for financial assistance of $700 000.

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

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

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

As to the clauses of the Bill, they give the same kinds of authority as in the past. Clause 2 authorises the issue of a further $20 550 000 from the general revenue. Clause 3 appropriates that sum for the purposes set out in the schedule. Clause 4 provides that the Treasurer shall have available to spend only such amounts as are authorised by a warrant from His Excellency the Governor, and that the receipts of the payees shall be accepted as evidence that the payments have been duly made.

Clause 5 gives power to issue money out of Loan funds, other public funds, or bank overdraft, if the moneys received from the Australian Government and the general revenue of the State are insufficient to meet the payments authorised by this Bill. Clause 6 gives authority to make payments in respect of a period before July 1, 1974. Clause 7 provides that amounts appropriated by this Bill are in addition to other amounts properly appropriated. I commend the Bill for the consideration of members.

Dr. EASTICK secured the adjournment of the debate.

SUPPLY BILL (No. 1) (1975)

Standing Orders having been suspended, the Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to apply, out of the general revenue, the further sum of $160 000 000 to the Public Service for the year ending on the thirtieth day of June, 1976. Read a first time.

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

That this Bill be now read a second time.

It is a short and normal type of Supply Bill which is the standard measure introduced at this time. I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This Bill provides for the appropriation of $160 000 000 to enable the Public Service of the State to be carried on during the early part of next financial year. In the absence of special arrangements in the form of the Supply Acts, there would be no Parliamentary authority for appropriations required between the commencement of the new financial year and the date, usually in October, on which assent is given to the main Appropriation Bill. It is customary for the Government to present two Supply Bills each year, the first covering estimated expenditure during July and August and the second covering the remainder of the period prior to the Appropriation Bill becoming law.

The amount of the Bill now before the House is considerably higher than the amount provided by the first Supply Bill last year. This is, of course, a result of rising salary and wage rates and other costs together with a steady expansion in the services provided by the Government. It represents about two months expenditure based on recent activity levels. The absence in the Bill of any detail relating to the purposes for which the $160 000 000 is to be made available does not give the Government or individual departments a free hand in spending during the early months of 1975-76. Clause 3 of the Bill ensures that, until the main Appropriation Bill becomes law, the amounts made available by Supply Acts may be used only within the limits of the individual lines set out in the original and Supplementary Estimates approved by Parliament for 1974-75. In accordance with normal procedures, members will have the opportunity to debate the 1975-76 expenditure proposals fully when the Budget is presented.

Dr. EASTICK secured the adjournment of the debate.

RAILWAYS (TRANSFER AGREEMENT) BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to approve and give effect to an agreement between the State and the Commonwealth of Australia relating to the acquisition with the consent of the State of certain railways of the State; to refer to the Parliament of the Commonwealth certain matters relating to or arising out of the agreement; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

It is intended to approve an agreement entered into between this State and the Commonwealth on May 21, 1975, for the transfer to the Commonwealth of the non-metropolitan railways of the State, leaving the State with responsibility for the urban railway system in and around Adelaide. If Parliament approves this transfer the State will receive a number of immediate and long-term financial benefits. These benefits may be considered from three aspects.

In the first place, the Commonwealth Government is to take over the assets of the non-metropolitan system as from July 1, 1975, and is to take over from the same date the outstanding liabilities which correspond to those assets. The liabilities themselves are of three main kinds, namely, part of the State's public debt, special borrowings under rail standardisation arrangements and current liabilities, such as sundry creditors. Also, as from July 1, 1975, the Commonwealth Government is to take responsibility for the annual operating deficits of the non-metropolitan system. The non-metropolitan deficit is estimated at about $32 000 000 in 1974-75 and in the new financial assistance grants arrangements the 1974-75 base for South Australia is to be reduced by a corresponding amount.

Secondly, the Commonwealth Government is to make a grant of $10 000 000 to the State in 1974-75 in respect of land, minerals and other assets transferred and will arrange to build a special addition into the new financial assistance

grants formula. That special addition will be achieved by adding a sum of $25 000 000 to the normal 1974-75 base. In other words, it will go up from $10 000 000 in this year to a non-offset of about $25 000 000, and it will be added to the normal 1974-75 base and accordingly will escalate in 1975-76 and future years.

Thirdly, the State is to become a non-claimant State once again as from July 1, 1975. To complete the Grants Commission arrangements, grants aggregating $16 400 000 are to be brought forward in time and paid this year. The $16 400 000 comprises a completion grant of $10 000 000 in respect of 1974-75 to be paid without further review by the Grants Commission and $6 400 000 of grants assessed in respect of past years, but held in reserve temporarily by the Grants Commission until required by the State to offset a deficit. The accounts for the year 1973-74 have been examined by the commission and the completion grant for that year will be paid in accordance with the normal procedures, that is to say, early in 1975-76. The special grant of $25 000 000 payable to the State as a claimant State in 1974-75, that is, the sum of the advance grant of $15 000 000 included in the Budget papers and the $10 000 000 completion grant now to be paid, without review, is to be built into the base also of the new financial assistance grants formula. That is the most generous term upon which any State has ever been bought out of the Grants Commission in the history of the Commonwealth.

Mr. Rodda: What is the aggregate increase in the Budget this year?

The Hon. D. A. DUNSTAN: It is not possible to get a completely accurate aggregate of those figures, but the fact is that we get $25 000 000 from the Grants Commission built into the base of the formula and we get $25 000 000 in relation to the purchase of the railway assets annually built into the formula as a base, so that immediately we get $50 000 000 apart from a whole series of other advance benefits in the base of the formula escalating. Of the various grants payable, only the $10 000 000 in 1974-75 in respect of land, minerals and other assets is included in the agreement. Appropriate and satisfactory arrangements have been made to secure the other grants.

I should mention that an Appropriation Bill including provision of $26 400 000 for grants payable in 1974-75 has been passed by the Australian Parliament. The $26 400 000 comprises $16 400 000 in grants under Grants Commission procedures and $10 000 000 in respect of land, minerals and other assets. In determining the 1974-75 base for purposes of the new financial assistance grants, three major adjustments have to be made, each of which I have mentioned. The 1974-75 base is to be reduced by about $32 000 000, being the estimate of the 1974-75 non-metropolitan railways deficit. It is to be increased by $25 000 000 in respect of the transfer of land, minerals and other assets, and by $25 000 000 in replacement of grants which would otherwise be received as a result of recommendations of the Grants Commission. The net effect will be an addition of about $18 000 000. The $32 000 000 is subject to review to take account of some special problems which arise out of pay-roll tax and debt services.

The financial arrangements I have described probably sound rather complex. Perhaps I could sum them up in simple terms of what advantages they achieve for the State. The advantages are two-fold. The first one is clear cut in that we receive in 1974-75 an additional grant of $10 000 000 and in future years an additional grant gradually increasing from a 1974-75 base of $25 000 000. The second one is not so clear cut. Non-metropolitan railway deficits have been increasing in recent years at a faster rate than have the financial assistance grants. The graph of increases in railway deficits is an alarming one. It is probable that the future saving to the State from not having to bear non-metropolitan deficits will be greater than the offset to the financial assistance grants.

Dr. Eastick: That word was "probable"?

The Hon. D. A. DUNSTAN: On the best forecast anyone can make on any investigation of railway services in Australia, one could say that it is not only probable, but probable in the extreme. As honourable members know (and indeed this is something members opposite have been pointing to for some considerable time; they have indicated that we should relieve ourselves of the burden of the railways deficit), the Government considered the financial advantages of the transfer of the railways to be so marked that we were able to contemplate removal of the petrol franchise tax. This I announced a few days after the Prime Minister and I had reached final agreement on the matters which form the basis of this Bill, the attached agreement and the explanations I have given. I confirm that the consummation of the arrangements will enable the Government to remove the petrol franchise licence fee. As soon as this measure is passed, the Government will proceed with all the arrangements to remove the petrol franchise licence fee and to bring about a fall in the price of petrol.

Dr. Eastick: A reply today said that it will come off.

The Hon. D. A. DUNSTAN: It will come off as soon as this measure is passed. Before proceeding to a detailed examination of the provisions of the agreement, which appears as a schedule to the Bill, and a similar examination of the clauses of the Bill itself, it would appear appropriate to set out, in broad outline, the substance of the arrangements proposed. Briefly, on the commencement date, that is, July 1, 1975, the non-metropolitan railways, as defined in clause 1 of the agreement, will vest in the Commonwealth. In addition, all rolling stock and other equipment of the South Australian Railways exclusively used for those railways will also pass to the Commonwealth.

During the period following July 1, 1975, in the agreement referred to as the "interim period", the South Australian Railways Commissioner and his staff will operate the railways vested in the Commonwealth at the direction of the Commonwealth authorities. At the same time, of course, they will also operate the metropolitan railways as part of this State's transport system. The interim period will also be utilised to divide between the Commonwealth and the State equipment that has a use common to the systems proposed to be separated. When this division is complete and all other transitional arrangements have been made, a declared day will be fixed jointly by the relevant Commonwealth and State Ministers, and on this day the interim period will terminate and the Commonwealth will assume full operational control of their part of the divided system.

This then is, in outline, the means by which the separation and transfer will be accomplished. I turn now to the substance of the measure. Since, in point of time, the execution of the agreement necessarily preceded the introduction of this measure, it seems appropriate that the agreement should be considered first. Clause 1 of the agreement sets out the definitions used in it, and it is commended to members' attention since, consequent on

clause 3 (2) of the Bill, the definitions are carried forward into the Bill also. The definitions of metropolitan and non-metropolitan railways are of particular importance since, of themselves, they determine the nature and extent of the separation of the systems. Clause 2 provides that the agreement shall have no force or effect until the necessary enabling legislation has been enacted by the State and Commonwealth Parliaments. So far as this State is concerned, it is sufficient to say that the provisions of this measure, if enacted, fulfil our obligations under this clause so far as it relates to the enactment of legislation.

Clause 3 is intended to make clear that the State's right to operate urban passenger railway systems outside the metropolitan area remains unimpaired. Clause 4 expresses the general intention of the parties to carry out and give effect to the agreement. Clause 5 is a most important clause, since it entitles the Australian National Railways Commission (in the agreement referred to as "the commission") to—

(*a*) all land exclusively used for the purposes of the "non-metropolitan railways";
(*b*) certain land described in the second schedule being—
(i) portion of the Mile End freight terminal;
(ii) the Islington railway workshops;
(iii) the Islington goods yard;
(iv) the Dry Creek marshalling yard;
(v) certain Port Adelaide sidings;
and other lands described in the second schedule to the agreement.

The clause further provides that minerals shall pass with the land and the vesting of land shall be unlimited as to depth. The State's interest in certain other land in New South Wales and Victoria is also passed by this clause. In addition, the clause makes consequential provision for the division and apportionment of all other assets of the South Australian Railways. Finally, the clause makes provision for the Commonwealth to secure appropriate rights over land used in connection with metropolitan and non-metropolitan railways.

Clause 6 requires the South Australian Railways Commissioner to operate the system vested in the Commonwealth by clause 5 in accordance with the directions of the commission. Clause 7 enjoins the Commonwealth to operate and maintain the system vested in it to a standard at least equal to the prevailing standard, and further obligates the Commonwealth to carry out improvements which are economically desirable to ensure that future standards are equivalent to those prevailing over the rest of Australia. Clause 8 enjoins the Commonwealth to maintain the general standards of rail charges and freight rates at levels at least as favourable to users as they are at present and also to ensure that, where relative advantages in relation to such charges to users have been established, those advantages shall be preserved in the future. Subclauses (2) and (3) deal with the continuation on the Commonwealth portion of the divided service of passenger concessions at levels at present obtaining. Subclause (4) provides for a general arbitration provision. That, of course, is a vital clause to people in South Australia, because our freight rates have been kept lower than comparable freight rates to the rural community in other parts of Australia, and we insisted that the relative advantage in this State must be maintained.

Clause 9 grants the State certain rights in relation to the proposed closure of railway lines and in the reduction of "effectively demanded" services in relation to the system proposed to be transferred to the Commonwealth. An appropriate arbitration provision is provided in subclause (2). Clause 10 gives the State the right to nominate a part-time Commissioner on the Australian National Railways Commission for two consecutive terms each of five years next following July 1, 1975. Clause 11 (1) requires the State authorities, so far as is within their powers, to transfer to the commission certain land to which the commission is entitled, being land not within the State. Subclause (2) in effect provides that the State will make available, free of charge, Crown land within the State required for railway extensions by the Commonwealth. An arbitration provision is included in the clause to ensure that, in all the circumstances, the demands of the Commonwealth are not unreasonable.

Subclause (3) provides for the granting to the Commonwealth of certain rights to take stone and gravel for the construction of future railways in the non-metropolitan area by the Commonwealth. Subclauses (4) and (5) are quite formal, and subclause (6) ensures that land, stone or gravel vested in the Commonwealth pursuant to subclauses (2) and (3) are used only for railway purposes, unless the approval of the relevant State Minister is obtained. Subclause (7) gives the Commonwealth the "right of first refusal" in respect of certain railway land referred to in the subclause. Subclause (8) is intended to ensure that, should the land vested in the Commonwealth pursuant to the agreement go out of railway use, it is returned to the State free of charge.

Clause 12 confers reciprocal running rights over the two systems to the parties. Clause 13 deals with certain "transferred road and railway services", and is commended to members' attention. Clause 14 provides for the fixing of the declared date and ensures that the responsibility for fixing this date is a conjoint one, the relevant State and Commonwealth Ministers giving joint notice in the matter. Clause 15 provides that on the declared date all officers and employees of the South Australian Railways will be offered employment with the Australian National Railways. Clause 16 sets out the circumstances and manner in which the Commonwealth will provide a sufficient number of their employees to run the metropolitan railway system that remains the property of the State. This clause is also commended to members' close attention. Clause 17 ensures that any question of reduction by reason of redundancy in the general level of employment in railway workshops will receive the closest consideration, if necessary, by an independent arbitrator.

Mr. Coumbe: Does that mean at Islington, too?

The Hon. D. A. DUNSTAN: That includes Islington, and Peterborough. Clause 18 refers to the special $10 000 000 payment in 1974-75 in consideration for land, minerals and other assets. As has been mentioned in the general introduction, this is the only grant referred to in the agreement itself. Clause 19 refers to the taking over by the Australian Government of the long-term debt applicable to the non-metropolitan services. Of the total of about $140 000 000 involved, $124 000 000 is public debt as specified in the sixth schedule and about $16 000 000 is other debt incurred under rail standardisation and associated arrangements. Clause 20 provides for the State to receive revenues and bear costs in the interim period and to settle with the commission, which will take responsibility for the eventual result. The clause also deals with the apportionment of costs and revenues between metropolitan and non-metropolitan systems. Clause 21 refers to the transfer of investments arising out of superannuation contributions made

by State railway employees who will now transfer to the commission.

Clause 22 refers to the keeping, auditing and exchange of financial information, so that the Australian and State Governments may satisfy themselves of the reasonableness of charges and financial transfers made between them. Clause 23 sets out in some detail the operation of the arbitration provisions. There are six schedules to the agreement, all of which are explained by reference to the appropriate clauses of the agreement, and a reference to the appropriate clause is provided at the head of each schedule.

I will now deal with the Bill. Clause 1 is formal. Clause 2 is a somewhat elaborate commencement provision and is intended to ensure that the Commonwealth and State measures can come into operation on July 1, 1975. Clause 3 sets out some of the definitions used in the Bill. Definitions of other "terms of art" used in the Bill will be found in clause 1 of the agreement, and the authority for this is contained in subclause (2). Clause 4 (1) formally approves of the agreement, at subclause (2) consents in constitutional terms (regarding which see section 51 (xxxiii) of the Australian Constitution) to the acquisition of the railways provided for by the agreement, and at subclause (3) formally authorises the State and State authorities to carry out the agreement.

Clause 5 formally vests the land in the commission, to which it is entitled under the agreement. Clause 6 vests property, other than land, in the commission, being property to which the commission is entitled under the agreement. Clause 7 passes to the commission, on and from the declared date, all rights and obligations of the South Australian Railways Commissioner in respect of the administration, maintenance and operation of the non-metropolitan railways. Members will recall that the declared date is the date on and from which the commission assumes full operational control.

Clause 8 is a most important provision and is part of a linked system of Commonwealth and State legislation intended to deal with some complex questions of constitutional law that arise by reason of the fact that, on acquisition, the railways land acquired becomes a "Commonwealth place" and hence attracts the legislative constraints of section 52 of the Australian Constitution. Members of this House who were present on the passing of the Commonwealth Places (Administration of Laws) Act, 1970, of this Parliament will no doubt be familiar with the problems and also the legislative solution to them. Clause 9 provides for the commencement of proceedings during the interim period that, in ordinary circumstances, would be commenced against the commission, during that period to be commenced against the South Australian Railways. This is because, although the Commission will be the *de jure* owner of the non-metropolitan system, the system will, in fact, be operated by the South Australian Railways Commissioner. This clause, of course, depends on supporting Commonwealth legislation.

Clause 10 is a crucial clause and is intended, on and after the declared date, to "refer" certain matters to the Commonwealth in terms of section 51 (xxxvii) of the Australian Constitution. The reference proposed is in two parts, one dealing with the operation of the system intended to be transferred pursuant to the agreement and the other dealing with future railways constructed with the consent of the State, as to which see clause 11 of the Bill. Clause 11 provides for a continuing but somewhat limited form of continuing consent by the State to the future construction of railways in the State. Again this consent is expressed in constitutional terms (see section 51 (xxxiv) of the Australian Constitution). In brief, the consent covers all future construction in the non-metropolitan area and very limited construction in the metropolitan area.

Clause 12 provides for the issue of certain joint certificates by the relevant Commonwealth and State Ministers and is in general self-explanatory. Clause 13 empowers the commission to operate and maintain present and future railways and is "in aid" of the "reference" provided for by clause 10 of the Bill. Clause 14 provides for the vacation of all offices within the South Australian Railways on the declared day as a necessary consequence of the employment of the previous holders of those offices in the Australian National Railways.

Clause 15 formally empowers the trustees of the South Australian Superannuation Fund to give effect to clause 21 of the agreement. Clause 16, at first sight at subclause (2), provides a wide power of modification by regulation of existing law to the end that the agreement can be carried out. Any exercise of the proposed regulation-making power will, of course, be subject to the usual Parliamentary scrutiny. It is this reservation of power of scrutiny to Parliament, it is suggested, that justifies this particular legislative solution to the problem of possible inconsistency with other laws of the State.

Before completing my remarks, I should particularly like to pay tribute to the officers who have been engaged in this negotiation. Before I refer to my own officers, I shall take the unusual course of drawing the attention of members to the work of a Commonwealth legal officer, Mr. R. J. Watts. Mr. Watts had the legal carriage of the agreement on behalf of the Commonwealth and I believe it is safe to say that, without his unremitting and skilful labour seven days a week and far into each night, this measure could not have been brought before members at this time. When we embarked on the negotiations the forecast was that they would be much more lengthy than they have proved to be. Many objections were raised by the Commonwealth Treasury to the course proposed by the State. Mr. Watts's assistance particularly enabled us to unravel a whole series of knots and got us to the conclusion we have now reached. I understand that Mr. Watts will shortly retire and he will take with him in his retirement the appreciation of the Government of this State and, I trust, of this House.

I also pay tribute to our own officers, that is, the officers of the South Australian Railways, the Director-General of Transport in South Australia, Mr. Voysey (the Assistant Director of my department), the State's legal officers, the Chairman of the State Transport Authority, and particularly the Parliamentary Counsel (Mr. Daugherty), who has done a tremendous job in this whole matter. He has had to work extraordinarily long hours and he has done this extremely effectively and, without the very great devotion of the officers concerned, it would not have been possible to reach an agreement. I place on public record the Government's appreciation of those officers, and I commend the second reading to the House.

Dr. EASTICK secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL (ADMINISTRATION)

Adjourned debate on second reading.

(Continued from March 11. Page 2796.)

Mr RUSSACK (Gouger): Local government is a most important level of Government. If one looks at the report of the Local Government Act Revision Committee and the report of the Royal Commission into Local

Government Areas, one will find that both of these bodies have without doubt expressed the importance of and necessity for local government and that local government should have the authority it needs; it should be autonomous and have the right to deal with the proceedings of local areas in an independent way. I have noted with interest the report of the Proceedings of the Australian Council of Local Government Associations annual conference held on November 11, 1974, in Alice Springs and the speech by the Prime Minister when opening it. He said:

There is a symbolism about this gathering which one may find fascinating according to one's prejudices. Australian local government has at last come to the centre. When you choose not only to meet in the centre but have the Lucifer of centralism open your conference—and have your meeting on Australian territory—then the Premier of Queensland might well wonder what the world is coming to. I naturally and by contrast find both your choices—the venue and the opening speaker—welcome and gratifying. . . . This conference itself is another landmark on the rapid march to maturity—towards partnership in the federal system—which local government has made in recent years—very recent years.

From these remarks, I take it that the Prime Minister was suggesting that there must come a time when local government would be so closely tied to the Commonwealth Government that it would be ruled and governed by it. He referred to himself as the Lucifer of centralism. That is not a very self-uplifting name to give himself, as I understand that Lucifer is the devil. Perhaps it is apt for him to say that he is the devil of centralism. If that ever came about it would be a wicked result: we must at all costs keep local government independent and autonomous. We must give it the authority it deserves, the authority that has been suggested and recommended in the reports to which I have referred. When we can maintain this attitude I am sure local government will bloom and continue in a most effective role. That is as it should be, as it has been in the past, and as I am sure it will be in the future.

A press statement which was released at a recent Lord Mayors' conference held in Perth on Tuesday, March 25, 1975, and which was prompted by certain statements made by the Minister for Urban and Regional Development (Mr. Tom Uren), stated that the Lord Mayors of the Australian States were concerned about the attitude of local government being controlled and caught in the net of centralism. I believe it is necessary that I refer to these matters because, in considering this Bill, we must consider the future of local government and what will be best for it and the ratepayers. I am sure, therefore, that we must consider the intentions of Governments, both Commonwealth and State. The Lord Mayors' conference released the following press statement:

The Lord Mayors' conference today reacted angrily to a statement by the Minister for Urban and Regional Development (Mr. Tom Uren) that central city areas were no longer the preserve of a single council, city or State, but a national responsibility. The Lord Mayors said this was a threat to govern the people of every capital city in Australia from Canberra. The conference said that the suggestion was irrational and would be fought by the capital cities through every avenue at their disposal. The Lord Mayors said they would fight to preserve the rights of the citizens in their respective cities. They unanimously condemned Mr. Uren for statements that he would use his Government's economic influence as a form of development control in central city areas.

I suggest that it is not only in cities that that sort of economic influence will be wielded to bring about the desire for centralism of the Commonwealth Government and the State Government and to take away some authority from local government, authority which has not been abused in the past but which has been exercised in an effective way to administer the affairs of people living in local government areas.

I am aware that it is neither right nor correct for an Opposition member just to oppose a Bill for the sake of opposing it, so I do not intend to oppose the Bill. I accept that many of its clauses were recommended by the committee that investigated local government affairs. I accept, too, that the Bill is basically a Committee Bill and that each clause will be considered in detail. However, several salient factors emerge prominently from my reading of the Bill. One factor relates to the voting rights of ratepayers—the extensions of the franchise. Another factor relates to finance. The final clauses deal with matters of litter, waste material and other matters, such as the removal of vehicles that are left on streets and roadways. Clause 3 deals with ratable property, and inserts in the definition of "ratable property":

(*c*2) any institution approved by the Minister established from the rehabilitation of persons addicted to alcohol or drugs:;

As such addiction is apparently increasing in our society, we must consider treating people who are so addicted. Although it may not be appropriate to deal with this matter under this Bill, I believe that, while we are considering treating such people and providing relief with regard to corporation rates, we must also consider the cause of addiction and try to treat it, and in doing so deal with drug pushers. The definition of "urban farm land" is to be amended by deleting from the definition the passage "which is more than 0·8 hectare in area and". I understand that the purpose of this amendment is to include in the definition some nurseries in urban areas that were not included in the previous definition.

Clauses 4 and 5 will be considered later. Clause 6 provides for a major change in the voting at elections. Section 115 of the principal Act is repealed, and the new section provides that to be eligible to vote a person must be over 18 years of age, he must be a ratepayer, and he must be on the roll of various wards; he will then be entitled to a vote in each ward. In cases of joint ownership of property, an application of value of property was placed on determining the person who had the right to vote. New section 115 has two subsections and differs from old section 115 since the words "at an election" are added to subsection (1). The subsection continues:

unless he is of the age of eighteen years or more and unless he is otherwise qualified to vote pursuant to the provisions of this Act.

Subsection (2) simply states:

Every person whose name appears on the voters' roll shall be entitled to exercise one vote at an election.

I understand that this provision means that a ratepayer will be eligible to vote irrespective of the number of times his name appears on ward rolls. In other words, he will be entitled to one vote in a mayoral election. The same position applies in relation to the election of aldermen. From inquiries I have made, I understand that it is intended that, under the Bill, a ratepayer may have one vote in the ward in which he lives, and, if he has property or a business in another ward, he is also eligible to vote in that ward. In other words, he will be eligible to vote to elect a representative in each ward. If that is not the case, I will try to have such a provision inserted. I am convinced that a person should be entitled to vote for someone who will represent him. If this is not to be the case, I ask the Minister to clarify the matter.

If members opposite do not agree with what I have said, I ask them to cast their minds back to not long ago, when they gave two people in this Parliament two votes each. I refer to the Speaker of this House and the President of the Legislative Council, both of whom can have a deliberative vote and a casting vote. Is that not so? Therefore, if we adopt the same principle, how can I be wrong when I say that a ratepayer should have a right to elect every representative who will represent him?

The Hon. G. T. Virgo: That should apply equally to all citizens in the area, shouldn't it?

Mr. Chapman: If they pay rates, yes.

The Hon. G. T. Virgo: They must have a share in the company, must they?

Mr. Chapman: That's right: if they say, they pay.

Mr. RUSSACK: Clause 8 merely provides for regulations to conform to the Electoral Act as far as how-to-vote cards are concerned. The present Act contains a provision that, if a ratepayer desires to see the minutes of a council, a fee of 10c must be paid. The new clause provides that the council may, if it thinks fit, display any such minutes or recommendation for public inspection in some convenient place. I do not see anything wrong with that, because a ratepayer can go to a council meeting, except when the council is in committee, and hear the debate in the council; and, if the council desires to display something that will be of interest to the ratepayers, it will be permitted to do so.

The Local Government Act Revision Committee report suggests that the Town Clerk or District Clerk shall be the chief executive officer of the council. Many factors support this provision. First, a district council or corporation, by the Act, must have a Town Clerk, but, where the revenue is $200 000 or more, the Act obliges the council to retain the services of an engineer or a consulting engineer, and I guess that the difficulty that arises is one of deciding who is the chief executive officer of the council. This clause states clearly that the Town Clerk or the District Clerk shall be the chief executive officer of the council. Therefore, because of the recommendations in reports and the understanding in the Act, I have no objection to this particular clause.

However, regarding clause 11, I am pleased that it provides that a council "may" by resolution fix one day in each year as a holiday for its officers and employees and, on the day so fixed, the officers and employees of the council shall be entitled to a holiday. I did not mean that I was pleased that the clause was included: I only said that I was pleased that the word "may" was there, because it then rests with the council to determine whether this will be allowed. I think I am correct in saying that the Australian Workers Union award allows for this at present. I understand that several councils follow that award and provide a holiday for their officers and employees. So that the councils will have authority, this clause has been included.

Employees of councils receive several increments. I think that most council employees have consideration shown to them on Christmas Eve, so that is another day. The public holidays in industry generally at present number 10 a year, which is equivalent to two full working weeks, and employees have four weeks annual leave, and sick leave provisions. Therefore, the aspect of more public holidays must be considered. However, as the matter is left with the individual council to decide, perhaps on those grounds this clause can be acceptable.

Clause 12 merely repeals the section of the Act dealing with the award for officers of councils, etc., because this matter is now fixed by the Commonwealth Conciliation and Arbitration Commission. Clause 13 is an extremely important provision, dealing with voting powers, and the franchise is extended from the owner of property and the spouse of the owner to the occupier of the property and the spouse of the occupier. This provision extends the franchise to those who are in flats. Under the Act as it is now, when one valuation is given for a property in which people are dwelling, such as flats or homes for the aged, the only people who can be placed on a voters' roll are three of those who are involved as owners and three of the occupiers who would be determined by their names appearing on the roll in alphabetical order.

The provision in the Bill extends the franchise to include an occupier and spouse, and I should think that the number would be large. Many arguments could be advanced about whether this is right or wrong, and the Minister made one suggestion a short time ago. I suppose that, when it comes to a council and the matter of paying rates, it could be considered that those who pay rates should be considered for admission to the roll. Many of these people will not be ratepayers directly, but I suppose it could be inferred that they would be ratepayers indirectly, paying rates through rental, etc.

However, the provision will make those people eligible to become councillors, and I hope there will be a balance whereby those who in council will be responsible for the expenditure of money will be those who have had a share in the revenue contributions to the council. Clause 14 deals with assessments made by the Valuer-General. The Valuation of Land Act contains a provision that allows councils to adopt the valuation made by the Valuer-General. This, I suppose, ratifies that in connection with the Local Government Act, but there are certain difficulties in connection with the adoption of the Valuer-General's valuation, not in connection with values but in connection with the mechanics.

This provision would make it possible for a valuation from the Valuer-General's Department to be adopted, and there would be no further notification to the ratepayer, other than the notice of assessment from the Valuer-General. It provides that the assessment or the valuation that has been adopted from the Valuer-General shall be indicated on the rate notice, but the difficulty is (and I have mentioned this before in reference to other taxes and valuations) that it is not until the ratepayer receives the rate account that he realises just what has been the result of the new valuation. If the council adopts the valuation as provided by the Valuer-General, the only appeal that the ratepayer has is to the Valuer-General at the time of that assessment. So, I would suggest that, if this is the case (and I am sure it is), the ratepayers and taxpayers should be informed in some way or another, so that they will accept their right of appeal at the appropriate time before it is too late.

Recently, any new notifications of assessment from the Valuer-General say, in typewritten capital letters across the top, that the assessment may be used for rating and taxing purposes. So, I would strongly recommend that some campaign of education and information be given to the person receiving the assessment, so that he realises that this assessment can be used for all rating purposes and that the only time he can appeal is to the Valuer-General within 60 days after the notice has been issued.

Clause 16 deals with the differential rate. A council may strike a differential rate but this section, instead

of restricting the council to spending money in the ward in which it has been raised, will allow the money to be used anywhere in the council area. I suppose we could say that the most affluent areas of the council, if this provision becomes part of the Act and the council puts it into practice, will be providing for the other areas of the council. I suppose it could be said of a rural municipality that perhaps a business ward will be called on to supply extra finance for other wards, such as residential wards, because the clause provides that a differential rate can be expended anywhere in the council area and is not confined to the ward in which it is raised.

Clause 17 clarifies the rate that can be declared, or a lump sum can be determined by ratepayers of a council who approach the council with a memorial for some specific work to be carried out. This can be as either a rate or a lump sum. Clause 19 effects a metric change from feet to metres. Clause 20 deals with a maximum differential rate for a district council. Clause 21 repeals multiple voting in accord with annual value. Clause 22 is connected with the maximum rate on annual value for a municipality. Clause 23 deals with the maximum rate in a municipality on a special rate. Clause 24 deals with the maximum on a general rate for a district council. Clause 25 deals with the maximum on a special rate for a district council. Clause 26 deals with multiple voting at a poll in connection with land values. Clause 27 deals with the maximum rate on land value. Clause 28 deals with the maximum value on a special rate on land values.

All those provisions deal with the maximum rate in every instance, or they also deal with multiple voting for polls associated with loans, etc. I suppose it could be said that a council is responsible, and it is not necessary to have a maximum rate. Why need there be a maximum rate when the council is responsible, and it will see that the ratepayers' wishes are looked after? I understand, too, that three out of the six States in Australia have no maximum or ceiling in connection with rates. If South Australia adopts this principle, it will be the fourth State. I suppose that they are suggestions on the credit side of this principle. On the other side, where the franchise is being extended and where there is provision that money can be made available for various things such as rest centres, child-minding centres and other community structures and organisations, it would be possible for a council to be controlled by those who have an interest only in a certain venture; there is that danger. It may not be general; it may be a hypothetical suggestion, but it would be possible.

I now go back to the initial statements I made concerning centralism and the control of finances by Commonwealth authorities, perhaps through the Grants Commission. To this time this has been unconditional; no conditions have been placed on the money channelled through to local government from Commonwealth sources, but there is no guarantee and no assurance that this will always be the case. From statements made by the Commonwealth Minister for Urban and Regional Development, I think that there will be a time when there will be restrictions and strings attached to the money that will come. If that is the case, I am suggesting that the Grants Commission could say, "Right, your region is not raising enough finance on a local level. Therefore, you must increase your rates." There will then be an obligation on the council to increase the rate to an unreasonable figure.

For this and other reasons, as I have already suggested, I consider that there should be some restriction. Of course, we have inflation, and I do not think everything has been done that could be done to curb it by the State and Commonwealth Governments. We have inflation with us, and perhaps the maxima in the Act at present will have to be altered. I am very doubtful whether it would be a wise move for this Government and this Parliament to approve the idea of no maximum in connection with rates. Clause 29, another important clause, deals with urban farm land. The definition of "urban farm land" in the Local Government Act is as follows:

> means any parcel of land in a municipality which is more than ·8 hectares in area . . .

If this clause is passed, this passage will be struck out, and there will be no requirement in respect of minimum area in the remainder of the definition, as follows:

> which is wholly or mainly used for the time being by the occupier for carrying on one or more of the businesses or industries of grazing, dairying, pig-farming, poultry-farming, viticulture, fruit-growing, bee-keeping, horticulture, vegetable growing, or the growing of crops of any kind and from which businesses or industries the occupier derives the whole or a substantial part of his livelihood:

The last part of the definition refers to cases where the occupier derives the whole or a substantial part of his livelihood. There are areas in South Australia close to Adelaide in the water table area, where subdivisions of less than 8 ha are prohibited. Some of the landholders there use their land for primary production. This land is really urban farm land, but they cannot sell or subdivide it into lots smaller than 8 ha. They might have to undertake other employment to retain their liquidity. Therefore, the positions that they hold in other spheres could possibly bring them in more money than would their rural activities. They will be caught in a trap as a result of this clause. For this reason, consideration should be given to providing special treatment for people in these circumstances. New section 244a (1) provides:

> A council shall grant a remission in respect of the rates payable by a ratepayer upon urban farm land in consequence of the declaration of a general rate affecting that land.

I accept that a council should grant a remission. New section 244a (2) provides:

> The amount of the remission shall be one-half of the amount of the rates that would, apart from this section, be payable.

That differs considerably from the provision in the existing Act. Existing section 244a (1) provides:

> Subject to subsection (3) of this section the maximum amount in the dollar of the general rate declared in respect of urban farm land shall not exceed one half of the amount in the dollar of the general rate declared in respect of other land in the municipality. The maximum amount in the dollar of any such special rate declared in respect of urban farm land shall not exceed one half of the amount in the dollar of the special rate declared in respect of other land in the municipality.

I understand this to mean that the council cannot levy a rate greater than half, but the rate can be less than half. However, new section 244a (2) provides that the amount of the remissions "shall be one half of the amount of the rates that would, apart from this section, be payable." I take it that that is a set amount (one half), but the position will be difficult for some people because there will be an immediate increase in their rate.

One school of thought suggests that differential rating can be applied, while another suggests that the remission shall be one half. But this is not clear to me: I see this new provision as a definite determination of what the remission will be. I would like to see this clarified and spelt out. New section 244a (3) provides:

Where land ceases to be urban farm land the amount of rates remitted under this section during the period of 10 years immediately preceding that cessation shall forthwith become due and payable by the ratepayer.

In his second reading explanation the Minister stated:

Clause 29 repeals the existing section 244a of the Act with regard to rating of urban farm land. The amendments provide for a compulsory remission of rates in respect of urban farm land. The amount of the remission can, however, be recovered if the land ceases to be urban farm land. The provisions in this respect are analagous to the existing provisions of the Land Tax Act.

The period of 10 years is referred to in the new provision. However, from my reading of the Land Tax Act (unless it has been amended and I have no note to indicate any amendment to it), I cannot see how this applies. Section 12c (16) of the Land Tax Act provides:

For the purposes of this section—

"differential land tax" in respect of land means an amount of land tax being the difference between the amount of land tax that would, but for the provisions of subsection (5) of this section, have been payable in respect of the land and the amount of land tax actually paid in respect of the land for—

(*a*) the financial year in which the relevant date occurs and the preceding financial years in respect of which the taxpayer was liable for the payment of land tax upon the land after the date of the declaration under this section and before the relevant date;

or

(*b*) the financial year in which the relevant date occurs and the preceding four financial years,

whichever is the lesser:

I see a difference there. In this Bill the period of 10 years is provided for, yet the Land Tax Act provides for a maximum period of five years. Clause 33 has also been recommended by the Local Government Act Revision Committee report. Many councils are concerned about the non-payment of rates. As all honourable members know, the present Act refers to "a fine equal to 5 per centum thereof". Clause 33 (*a*) strikes out from subsection (1) the words "a fine equal to 5 per centum thereof" and inserts "a fine fixed by the Minister by notice published in the *Gazette*." Clause 33 (*b*) inserts in section 259 the following subsection:

(1a) A fine fixed by the Minister under this section shall be expressed as a percentage of the amount of the rates in arrear for each month, or part of a month, that the rates remain in arrear after the first day of December, or the first day of March, as the case may require.

In city areas December 1 is the date provided, and in country areas the date is March 1. In his second reading explanation the Minister made known what the conditions would be for unpaid rates after those dates.

Mr. Millhouse: We think you're still going on too long.

The DEPUTY SPEAKER: Order! The honourable member for Gouger.

Mr. RUSSACK: The Minister in his second reading explanation said:

The fine will consist of an interest rate 1 per cent above the present bank overdraft rate. Besides being published in the *Government Gazette*, each council will be notified by the Minister of the interest rate that will be applicable during the ensuing 12 months. In addition, a new subsection (1a) is included in section 259. This provides that a council should add interest on the amount outstanding for each month. The interest would be added on the first day of each month. The first interest would be added on December 1—

and so on. This means that there will be a fine of 1 per cent above the ruling overdraft bank interest rate, but some clerks consider that this would mean much bookwork in order to compound the interest monthly. Most consider that there must be some alteration to encourage unpaid rates to be settled on the due date, and the clause allows the Minister to make this provision. Clause 34 refers to those who cannot pay rates and any other amount for which they may be indebted to the council. The only difference is that the council may require from the ratepayer an oath or statutory declaration and, by resolution, the council can attend to this matter. The only additional difference I can see from the present Act is that at present there must be an absolute majority of council to agree to such resolution, whereas in future it will be by simple majority.

Clause 36 refers to the sale of property to redeem unpaid rates. Under the Bill an advertisement required to be published by the council to advertise the sale of such property must include the amount of rates due and also any rates or taxes due to the Crown, and I understand that this provision will be an advantage to the ratepayer. In the past when a person purchased such a property he was often confronted with an account from the Crown for unpaid rates and taxes. Now, the amount due to the Crown will be included in the advertisement for the sale of the property. Also, it provides that the Crown is in the third position in relation to collection. An increase in petty cash is to be made available, the amount being increased from $10 to $20. Clause 40 makes it possible for councils to subscribe to the cost of establishing or maintaining a library. Also, the Bill allows councils to contribute to the payment of veterinary surgeons, and also to spend money on establishing child-care centres.

The Act is amended by striking out from section 319 (11) the passage "three dollars twenty-five cents per metre" and inserting "five dollars per metre" in relation to the cost of constructing public streets. Also, the moiety for footpaths is increased from $1 a metre to $1·50 a metre. The Bill also provides for certain works to be carried out and for an annual fee to be sought by the council. I understand this is to provide for over-street work, such as in Stephens Place and Charles Street in the city between commercial buildings and where lines go across the streets. Clause 47 provides for councils to authorise any person to erect on a public street or road a stand or shelter for milk or cream containers, a stand, platform or ramp, or letterboxes. Apparently, the previous practice has not complied with the provisions of the Act.

I will not refer to other clauses that may be more convenient to consider in Committee. However, part of the Bill deals with litter, waste, etc., and provides that a person can be guilty of an offence of depositing rubbish or litter in the street and be subjected to a penalty of a fine of not less than $10 and not more than $500. For many years vehicles have been discarded and left in streets and have remained unclaimed by their owners. Councils have not had the authority to remove these vehicles, but this Bill allows councils to remove such vehicles from streets and roadways. The last clause refers to metric conversions. I consider that many of these clauses should be included in the Act, and many times we have asked the Minister when the new Act would be presented for consideration. We hope that soon a new Bill will be presented for the revision of the whole of the Local Government Act, which is an important piece of legislation. Local government is a most important level of government. I look forward to discussing these important clauses in Committee, and support the second reading.

Mr. MATHWIN (Glenelg): Generally, I support the Bill, but I do not agree to several clauses, and some clauses I deem to be rather ridiculous. Like my colleague, I believe that local government is important: it is a tier of government that is recognised as being the closest to the people, and should always be respected. The Commonwealth Government has now formed regions against the wishes of most councils, councillors and aldermen, and I believe that local government is now under the threat of being financially dependent on the Commonwealth Government. I believe that this situation has been brought about by the Commonwealth Government so that it will be able to mould local government into whatever form it wishes.

Mr. Keneally: Would you reject Australian Government money being paid to councils?

Mr. MATHWIN: I reject the tied strings that are about to be placed on it. The honourable member may be an authority on collective farming, but he is no authority on local government. As I read the Bill, it extends the voting to many more electors. Voters need not be ratepayers, and if the Government wishes to extend this form of voting to younger people and those who are occupiers or living in a specific district, one would think that the Government would place a poll tax on these people in order to give them some responsibility to the council. I know the Minister will say in reply that poll taxes were not recommended in the report of the Local Government Act Revision Committee. Nevertheless, some other things in the Bill were not recommended by that committee. The Government has, of course, cut down the ability of ratepayers. When this legislation takes effect, some of their franchise will be taken away and they will be allowed just one vote in any council election.

The definition of "election" could well be explained by the Minister when he stands guard over this legislation, but I should like him to give that definition so that we can see whether a person who has properties in two or three wards is entitled to vote for a councillor for each ward. What is the situation regarding the election of an alderman? No matter how many properties people have, as I see the provisions of the Bill they will have only one vote. If that is so, I take it that the Government is taking away from people who have a number of properties the ability to vote in all those wards or in other councils. If that is the meaning of the Bill, quite obviously the Government wishes to wipe from the Statute Book the term "ratepayer", because that term will no longer apply. Perhaps that is part of the exercise the Government is carrying out.

Clause 3 amends the principal Act to provide that rates will be remitted for people in certain institutions. Councils would be losing financially in this way, and therefore we would have bigger problems to be faced by local government, with councils going to the Commonwealth Government to get more finance and therefore getting further and further into the clutches of the Commonwealth Government. Clause 4 deals with the qualifications of aldermen and councillors and strikes out from subsection (1a) of section 52 of the principal Act the passage "a natural born or naturalised British subject" and inserts the passage "an Australian citizen". What would be the situation here? We could have a person who had taken out Australian citizenship or who was naturalised as an Australian but who had a wife in Italy who could vote at a council election. We could have a person in a similar situation who could stand for the council, yet people such as my son, who served in the Australian Army in Vietnam, under this clause would not be eligible to stand for council nor would they be eligible to vote in council elections. If the Government is trying to bring about such a situation it should be ashamed, because that situation exists.

Turning now to the recommendations to which the Minister refers us at every possible opportunity (the recommendations of the Local Government Act Revision Committee), paragraph 895 in the summary of recommendations states:

In view of the complexities that arise under the Commonwealth Act conferring Australian citizenship, and the impracticability of checking as to whether a person is an Australian citizen in many of the circumstances in which he can gain Australian citizenship under that Act, there should be no citizenship qualification for election.

That was a clear recommendation of the committee, and yet the Minister has seen fit to include this provision in clause 4 of the Bill. Therefore, the Government desires to make second-class citizens out of people who have served this country well in the time in which they have been here. When I first went into local government in this country I would have been in a similar position, but it is different now because I am an Australian by choice and not by accident, as the Minister could well have been.

Mr. Jennings: Your choice, not ours.

Mr. MATHWIN: Did the Minister say he was an accident?

The Hon. G. T. Virgo: I said I did not hear it. The member for Glenelg seems to be amusing his colleagues, but it does not take much to do that. I have been told what he said. That is a nice comment about my father and mother, because he never knew them. It is typical of the gutter—

Dr. Tonkin: Careful!

The Hon. G. T. Virgo: I am not being careful. What right have you got to reflect on my parents?

The SPEAKER: Order!

Mr. MATHWIN: I am glad to know the Minister had parents.

The SPEAKER: Order!

Mr. MATHWIN: I am pleased that the Minister has told me he had parents.

The SPEAKER: Order! There is nothing in the Bill about parentage.

The Hon. G. T. Virgo: That is typical of you.

Mr. MATHWIN: At least the Minister is improving. He used to call me a pommy, but now he has to say it with a smile on his face and he finds it far more difficult.

The Hon. G. T. Virgo: How about getting back to the Bill?

Mr. MATHWIN: The Minister knows what clause 4 and clause 6 are all about. Turning now to the provisions of clause 6, the person whose name appears on the voters' roll shall be entitled to exercise one vote at an election. Again, I bring to the attention of the Minister my request for his definition of an election. An election could be in a ward, in a number of wards, or in the whole of the council area.

Clause 9 provides that the council may, if it thinks fit, display minutes or recommendations for public inspection in some convenient place. I would not disagree with that. At present, people who wish to see the minutes of a meeting can get a copy by paying a fee of 10 cents if the council asks for it, although some councils have supplied copies of minutes free of charge. There is no explanation in the Bill or in the second reading explanation regarding the minutes. If they were to be displayed the day after the council committee meeting they would not have

come up for ratification until the council meeting. By that time, of course, they could well have been altered. A difficult situation could be created and, although I agree in principle, the matter needs some clarification. Clause 11 relates to holidays for employees, and refers to one day each year. I know that a number of metropolitan councils already do this, anyway. It is therefore only a matter of putting it on the Statute Book.

I refer now to clause 16. I believe this could cause many problems for local government, and I speak perhaps more particularly of metropolitan councils. Differential rating is not used very often in local government in those areas, and I suppose it would be fair enough to say that the money must be spent in a certain area. I assume that we could leave this matter in the capable hands of the councils concerned. If they strike a differential rate, and believe that a certain ward is experiencing problems with population, landscaping or land contours, some priority order could well be put up from the more easily serviced areas to the more difficult ones. Although I do not disagree with this, I can foresee some problems arising regarding it. Nevertheless, as I said earlier, we must put the responsibility on the councils themselves.

Clauses 22 to 24, and clause 27, all deal with the maximum rate, the implication being that it would be possible for the field to be opened up. If the Commonwealth Government wanted to dictate to local government, as it could well do, and if a council went to it cap in hand for further financial assistance, the Commonwealth Government could well say to it, "Your rates are not high enough. You must fix them higher and prove to us that you are getting the maximum amount out of your ratepayers. Unless you do that, and increase your rates, we will not consider giving you assistance with your financial problems."

Clause 32 relates to rate notices, and makes it much easier for ratepayers, an aspect with which I do not disagree. Clause 33 will, I believe, mean much more work for local government, and in this respect I refer more to the metropolitan councils than country councils. It is a difference between country and city, and I think local government in South Australia should always be regarded as such. The Minister should appreciate fully this aspect whenever he is dealing with local government matters. The situations are so entirely different between country and city councils. As far as the city is concerned, the Minister will fix the fines that are to be imposed, and the fines fixed by him shall be expressed as a percentage of the amount of rates in arrears for each month or part thereof that the rates remain in arrears after December 1, or March 1, as the case may require. I believe this will mean a terrific amount of work for local government in the metropolitan area. One wonders whether, when the sums are added up, it will really be worth all the trouble of administration to collect these fines. In my estimation, the situation in the city could well be left as it is at present, thereby saving councils much trouble, and certainly much money.

The other matter which has been explained by my colleague the member for Gouger relates to clause 35, which amends section 267b of the Act. The only difference in this clause is that, in relation to the remission of rates in cases of hardship for pensioners and others who often apply to councils for a remission and to whom, in my experience, a remission is generally granted, the absolute majority of council has been changed to a simple majority, with which I agree. This concession has been in operation for many years, as the Minister would be aware, and has been working quite well. I hope that the Minister takes note of the matters that I have raised. I understand that at the appropriate time certain amendments could be moved. When the Bill gets into Committee, I will have more to say on it.

Mr. MILLHOUSE (Mitcham): There is not much that I want to say on this Bill. As the member for Gouger so rightly remarked at the beginning of his speech, this is a Committee measure. If I may say so, with charity to him, I thought that the honourable member then went on to spoil his debut as a shadow Minister by referring tediously (at least twice, I should think) to every clause in the Bill, instead of waiting until the Committee stages actually came. However, that is a matter for him and his Party: how he speaks on their behalf in a debate of this nature.

The one matter that I desire to raise (and I am sorry that the member for Elizabeth is not here: I told him that I hoped he would be in the Chamber when I spoke, because he is concerned with this matter) is something that has been very much of a convention between various political Parties in South Australia with regard to local government, and that is the attempt, as a rule, to keep what are called Party politics out of local government elections.

The Hon. G. T. Virgo: What about what you used to do in Adelaide for about 50 years?

Mr. MILLHOUSE: Well, the Minister makes a point. I take it, and must accept it, because when I was a member of the Liberal and Country League it used to do its damnedest to get control of the Adelaide City Council, and I think, if we did a count of heads, it probably still has that control. I therefore acknowledge what the Minister has said. That was—

Mr. Chapman: Like you attempted to do in Broken Hill.

Mr. MILLHOUSE: I hope I am not going to be caught in a cross-fire between representatives of two of the other Parties.

The SPEAKER: Order! The honourable member for Mitcham.

Mr. MILLHOUSE: The only exception to that rule was the custom of the L.C.L. with regard to the Adelaide City Council. I am very sorry indeed to find that the member for Elizabeth has very obviously deliberately breached that convention. This is a matter which has been mentioned to me by a resident and, I imagine (I am sure), a ratepayer of the city of Elizabeth—a man who, I may say, is an erstwhile Labor Party supporter. He is certainly not a Labor Party supporter now, because of the actions of the member for Elizabeth, who has seen fit to use Parliamentary paper to organise for the forthcoming local government elections within the city of Elizabeth. I have been given a photostat copy of a letter dated April 30, and I have the duplicate of the envelope which has the Parliamentary crest on it and which is marked "Elizabeth Electorate Office, Room 10, Sydney Chambers, Town Centre, Elizabeth".

The SPEAKER: To which clause is the honourable member speaking?

Mr. MILLHOUSE: The question of representation in local government. The letter states:

You are probably aware that the Munno Para council elections are scheduled shortly and I would be very grateful for any advice and assistance you may be able to give to the candidates who have our support. Accordingly I hope to see you at the West of Elizabeth Workingmen's

Club at 7.30 p.m. on Wednesday, May 14, for an initial campaign discussion for the elections.

Kind regards,

Peter Duncan.

The SPEAKER: Order! The debate must be confined to the Bill before the House. The honourable member for Mitcham.

Mr. MILLHOUSE: That letter has caused grave offence among a number of people in Elizabeth. I made a mistake earlier when I said that it was for the Elizabeth council elections; I should have said that it was for the Munno Para District Council elections. I do not believe that we should allow Party politics to come so obviously and blatantly into local government elections and I therefore take this opportunity to reprove the member for Elizabeth for what he has done and on behalf of some of his constituents who have made representations to me about it and I shall be looking forward to an affirmation from members on the Labor Party side—

The SPEAKER: Order! The debate must not continue along the lines of Party politics in local government elections, because there is nothing about it in the Bill. The honourable member for Mitcham.

Mr. MILLHOUSE: —that the convention which has always prevailed between the Parties in this State will, despite the member for Elizabeth, continue.

The SPEAKER: Order! I will not allow a member to participate in a debate that will give some other honourable member the opportunity to retaliate with respect to the remarks of the previous speaker. There is nothing in the Bill which I can find to which the honourable member is referring. The honourable member must confine his remarks to the Bill, otherwise he will be out of order.

Mr. MILLHOUSE: The honourable member has finished.

Mr. MAX BROWN (Whyalla): I welcome this Bill, as I have welcomed much other legislation affecting local government which the Government has introduced!

Mr. Dean Brown: Not all of it.

Mr. MAX BROWN: All of it. I preface my remarks by condemning some of the attitudes and policies of the Opposition, particularly in another place, every time we introduce similar legislation.

Mr. Goldsworthy: Do you know what the Bill is about?

Mr. MAX BROWN: That interjection is purely stupid and I remind the member for Kavel that I have been associated with local government for as long as he has been. Unfortunately, I have seen fit to remove myself from local government this year and, no doubt, the member for Eyre will welcome that. The Bill is correctly described as a Committee Bill. There are many proposed amendments and, naturally, when one is faced with such legislation the Bill can only be called a Committee Bill. Again we see the Minister of Local Government trying to help the operation of local government generally and to allow it to overcome what I have always termed its conservative problems. Local government is based on conservatism, and that is what its problems are all about.

The city council in the area with which I have been associated, namely, the City Council of Whyalla, would certainly welcome the provisions of the Bill and would support them to the utmost. The provisions of the Bill have been discussed many times that I know of in the city council chambers and many times independent councillors have expressed their concern that such provisions have not been made law in this State. I also bring to the attention of the House that it has been only in the last month that it has been voiced by most of the councillors within the city of Whyalla that the Local Government Association, when this Government introduces any progressive moves in local government, always tries to condemn it. No doubt on this occasion the association will again try to use its conservative element among the State's ratepayers to prevent some of the provisions we are trying to introduce from being implemented.

Mr. Venning: Are you sure of that statement?

Mr. MAX BROWN: I am positive of it. Obviously the honourable member does not know the association as well as I know it.

Mr. Gunn: But surely—

Mr. MAX BROWN: The member for Eyre has piped up, and no-one would be more conservative than he. The question of franchise in local government is the most important part of local government. The whole issue of local government revolves around finance and franchise; yet every time we bring these matters up in the House we get what we are getting now—a barrage from people who do not even remotely understand what the problems of local government are all about. The question of franchise has always been a contentious matter. I point out that it is now and has always been the Government's policy that the rights of the ordinary citizen in the community should be protected.

We go even further and say that the rights of 18-year-olds should be protected and we give them everything one can think of: the right to sign hire-purchase agreements, to buy a house, to drink alcohol, etc., but local government still remains aloof and says, "You cannot have the right to vote unless you own a house." What a provision that is! In addition, franchise prevents a spouse from voting. Who takes the most interest in local government? Although I am no expert, in my experience I have found that the woman of the house is much more interested in local affairs than is the man of the house. I point out to the Opposition that today, more than ever before, the Australian Government is making available grants to local government. Rightly or wrongly I believe those councils, even though they may be in regions, have direct access to the Australian Government Grants Commission. That was something that was never heard of before. Members opposite may brand that as being centralism or give it some other name.

Mr. Gunn: But you subscribe to it!

Mr. MAX BROWN: All I subscribe to is that, if any Government will give local government the right to make submissions for grants, surely it has the right to know when the money will be made available and where it is to be spent. I will now refer to the remarks made by the Opposition shadow Minister of Local Government.

Mr. Chapman: He's extremely capable, too.

Mr. MAX BROWN: The member for Gouger began this debate by saying that local government is the most important form of government. If that is so, why does not local government act like the most important form of government? In my humble opinion the majority of councils in South Australia do not act in that manner. They look at the situation in a completely conservative and apathetic way.

Mr. Mathwin: What a ridiculous statement!

Mr. MAX BROWN: The member for Glenelg can say that, but that is a democratic right. When one looks at the history of local government one sees that it is the most unprogressive form of government anywhere.

Mr. Mathwin: That might be right in Whyalla.

Mr. MAX BROWN: The member for Gouger went as far as to suggest that in time local government could be governed by central government. That suggestion was

based simply on a remark that local government can now make submissions for Commonwealth grants. What sort of baseless statement is that?

The SPEAKER: Order! The honourable member will come back to the Bill.

Mr. MAX BROWN: I think the member for Gouger wants his cake and wants to eat it at the same time. In fact, I will go further because, as I understood the member for Gouger, he suggested that the provisions of the Bill were trying to take away authority from local government. Let me be frank and sincere about this. If anyone has read the Bill (and the member for Kavel says it is questionable whether I have read it) he will see that the Bill gives more responsibility and more authority to local government than it has had before, so what sort of statement is it that the member for Gouger really makes.

Mr. Mathwin: Let's hear what you've got to say about clause 4.

Mr. MAX BROWN: I suggest that the member for Gouger believes that shareholders of a company investing in flats can operate from another State and may not be involved in the community at all. In fact, those shareholders need not be in other States but could be in other towns or other cities in South Australia. The member for Gouger suggested that if such a provision were not contained in the Bill he would move to insert such a provision so that each shareholder would have a vote through a representative at each property. I say that the member for Gouger should not waste his time putting up such an amendment to the Government.

Mr. Wardle: He didn't say that.

Mr. MAX BROWN: I would seriously ask the Opposition whether all occupiers of ratable property should be entitled to a vote. A flat developer could build four flats on an ordinary building block and could earn between $30 and $40 a week on each and could, because of an unimproved land valuation, be rated very moderately indeed. According to the Opposition the developer should be entitled to a multiple vote and the poor, insignificant tenant paying between $30 and $40 a week would not get a vote. That is real democracy!

Mr. Chapman: The member for Gouger didn't say that, either.

Mr. Keneally: Members opposite are protecting people with real money.

Mr. MAX BROWN: Yes. The member for Gouger almost made me cry when he spoke about workers. At one stage the member for Glenelg (and it is difficult to understand what he talks about) asked the Minister to explain whether the owner of several properties in different council wards would be entitled to what I presume is a multiple vote.

Mr. Mathwin: Could he vote in each ward? What is wrong with that?

Mr. MAX BROWN: In other words he could have several votes. That is another democratic line of argument!

Mr. Mathwin: Why don't you deal with clause 4? Let's hear what you've got to say about that.

Mr. MAX BROWN: I am dealing with what the honourable member said. The Minister of Local Government will explain the position to him. I question whether the old bogy is once again being raised by the Opposition on the basis of, "Please, please, whatever you do in local government, don't take away the multiple voting system that we have had for so long."

Mr. Mathwin: That's hogwash.

Mr. MAX BROWN: All I can say to the member for Glenelg is that, under local government franchise, for far too long the occupier, the ordinary person in the community who meets the bill, has been deprived of voting for councillors.

Mr. Mathwin: What piffle!

Mr. MAX BROWN: As far as the member for Mitcham's remarks are concerned, I will not go into them because they contain the greatest hogwash I have ever heard.

Mr. Mathwin: What about Elizabeth?

Mr. MAX BROWN: I do not know what the member for Elizabeth has done at Elizabeth but I assure members opposite that if anyone has played Party politics in local government it is the Adelaide City Council.

The SPEAKER: Order! The honourable member will come back to the Bill.

Mr. MAX BROWN: I can only commend the Minister for including in the Bill a provision that adjusts council franchise and the voting rights of ratepayers in council elections. It removes to some degree the multiple voting rights of some people and provides that each person whose name appears on an electoral roll will be entitled to vote. Surely that must be a step in the right direction: it is certainly a step in a democratic direction. However, it seems to me from the way this debate is going that the Opposition once again will try to stifle decent human democratic rights. I may add that part of the Bill also covers occupiers of elderly citizens' homes and tenants of flats. Present occupiers of elderly citizens' homes were ratepayers for many years and, because they go into a home conducted by an organisation, they are not entitled to vote. Again, this is a very undemocratic system under which we live.

The Bill also provides for the use of how-to-vote cards, and how could anyone deny that this is correct? I go so far as to say that I believe that, in certain instances, a how-to-vote card exists already, so I do not know what we are arguing about. People do all sorts of things, yet we are so stupid and naive as to think those things do not happen! Another provision in the Bill absolutely amazes me, and it points out the backward situation that has developed in local government. We must allow a ratepayer, under a Bill introduced in 1975, mind you, to inspect the minutes of a council without payment of a fee. What a terrible state of affairs this is!

It is said to be something that should never be on the Statute Book of any State. Certainly, we should not make anyone pay a fee to find out what took place at a council meeting. The question of the differential rate struck in a certain ward being applied to other parts of the council area has been raised many times in the Whyalla council, and I think it has been raised on the basis that perhaps some expenditure is required for a specific amenity in a certain ward, when the differential rate has been struck. I think we lose sight of the fact that, if that amenity is provided, although at that time it may seem to be provided for only that ward, in the whole sense it is a community or a city asset.

Clause 35 inserts a new provision for a council to remit the rates payable by organisations providing homes for the aged, and here again I point out that each year that I have been in local government approaches have been made to it by an aged persons' association for remission of rates. I think this is a terrible situation. Candidly, I believe that the provision of suitable accommodation for the aged in any community is the responsibility of that community. I do not believe that the council should have any prerogative

to rate a building providing such accommodation, and I am pleased that that provision has been included.

It also allows councils to expend revenue in the provision of child-care centres. Of course, in local government this matter is becoming more important and I point out again that it is expanding because of the role of the so-called centralist Government. At present, more than ever before, the Australian Government has become involved in providing child care, and why should local government not become more involved? I go further than that, because the amendment also provides that a council will be empowered to manage, control and conduct child-care centres. That is a responsibility that the community should accept in any local government area. The Australian Government, in becoming involved in child-care centres, is providing much more money for them. I do not take anything away from the many people who do a wonderful job in this field, but who other than local government should control expenditure of Australian Government money and State Government money?

I will deal now with another amendment. The Leader of the Opposition is not in the Chamber, so it may be easier for me to speak on it now. I am pleased to see a provision that allows a council to subsidise a veterinary surgeon who is practising in the district. The Whyalla council has had many problems about adequate provision for a veterinary surgeon, particularly in regard to animals, stray dogs, etc., and often the council finds it difficult to pay a veterinary surgeon. Under this provision, we could subsidise such a practice, and the action being taken is good. Candidly, I had not thought of it. The Bill also provides for councils to assist organisations such as the St. John Ambulance and civil defence organisations. The Whyalla council assists civil defence already, so this is not something new.

Finally, I refer to the provision to increase from $200 to $500 the penalty regarding litter deposits. I point out for the Minister's benefit that the Whyalla council has become greatly involved in the question of litter. We have found the administrative costs on this matter of litter to be far too high and I hope that in future we will be able to at least recover the costs of administering this part of the council's operations. The Bill brings forward for local government something that is needed but is not used. The Government always has tried to solve the problems of local government. I hope that the measure passes this House and I wait with bated breath to find out what the Legislative Council's role will be on this occasion.

Mr. CHAPMAN (Alexandra): I support particularly my colleague the member for Gouger, the shadow Minister of Local Government, because again he has shown to this House his ability to study a matter in which he has been interested for a long time, and he has displayed his knowledge on a matter for which he is responsible on this side of the House. Without reservation, I say that the member for Gouger has a total command of this role.

There has been much reference to the tiers of government during the debate, and, naturally, a concentration on the local government tier. The member for Whyalla took pains (in fact, he appeared to be pained at times while making comments in this regard) to refer to two vital ingredients in all spheres of government. They were franchise and finance. Let me remind that honourable member and other members that another ingredient belongs to local government particularly. It is that vital ingredient, the participation of local, dedicated councillors, that I believe ought to be protected and cited each time the Minister introduces Bills of the type now before the House. Whilst it is a 64-clause Bill, I must say at the outset that I support the Minister's plans in the main. I believe that only a few of the clauses in this Bill should be subjected to careful consideration before being passed.

Mr. Venning: The Government may try to get in some wonky ones.

Mr. CHAPMAN: In order to get in a few wonky ones, the Government may need to package them in an attractive wrapper. We have come across that sort of campaigning procedure before in the Commonwealth sphere and in this State. It is only afterwards, when the wrapper is removed, that we find the wonky bits, as described by the member for Rocky River. Before concentrating on the clauses, I should like to bring to the Minister's attention a point that appears to be either a misprint or an error in his second reading explanation. In his explanation (at page 2794 of *Hansard*) the Minister, in dealing with the implementation of clause 6 and other clauses, states:

> Generally, the provisions enable the occupiers and the spouse of occupiers to be included in the assessment book and be enrolled for voting at council elections and polls. Section 115 removes multiple voting rights and provides that each person whose name appears on the voters' roll shall be entitled to one vote at an election or poll.

I dispute the accuracy of this, because section 115 of the principal Act provides for multiple voting, and it would be only the implementation of the clauses in this Bill that would remove those multiple rights. So, in fact, section 115 does not remove the rights; in fact it provides multiple rights for the ratepayers.

I cannot let the opportunity go without referring also to a comment that the member for Whyalla made during his speech. He referred to clause 9, which removes the charges made by councils to their ratepayers and others, except members, for obtaining copies of the minutes or proceedings of council meetings. There is a very real reason for a fee in this regard. I agree with the suggestion that minutes ought to be placed in a convenient public place for perusal by members of the public, but I do not agree that it should be in lieu of the present situation, whereby these people pay a fee for pages of the records of any council. It ought to be as well as, not in lieu of, the present situation.

I do not believe that at any time a council ought to be required to provide minutes and provide staff to display minutes on demand. I do not believe that any council or the staff of any council ought to be required to provide copies of minutes for no charge at all. To remove this provision is, in fact, setting a precedent that could be exploited and could be costly and embarrassing to a council office. If we were to take this plan one step further to the next tier of government, we would have the Minister providing the public with free copies of *Hansard*. The type of precedent he is recommending in this instance would be dangerous if it were implemented.

There are no doubts whatever that the role of local government is under threat. Reference has been made by several speakers to the access that local government has and will have in the future to carry-on finance. Local government has access to Commonwealth money. Let me respectfully remind members that it is clearly realised and appreciated that such money is available, but often with an unsavoury tag. It is this aspect that we ought to be constantly bearing in mind. The member for Whyalla spelt this out clearly when he asked, in effect, "Why should councils' actions not be constantly reviewed? Why should

they not be told where they should spend the money if they get it from these sources?" The honourable member expressed to this House his true feelings about the tags relating to Commonwealth money and about local government becoming part of the machine. He demonstrated to this House his attitude to local government—that it depends on money and franchise, and he gave no credit whatever to the operation of local government in the field and to the participation by the local element as we know it today.

In many of the clauses there are hidden provisions to enact the master plan—the take-over of local control and the weakening of authority within the local community. In this way it is planned that afterwards local government will be more easily manipulated and dictated to by the central authority. It is obvious in this Bill and other Bills that have been before the House, and it was obvious in the very first matter raised in this House today.

Mr. Keneally: Now you have switched, for some unknown reason. Now you are saying that we are weakening local government.

Mr. CHAPMAN: I shall be most interested to hear the member for Stuart contribute to the debate at the appropriate time. He is quite vocal in making allegations and interjections across the floor of the House; he is renowned for this. I turn now to the clause referring to the distribution of special rate revenue that may be raised in a certain ward or area of a council. I accept that in many areas of local government there are occasions when it is necessary to strike a special rate for a special purpose. The Local Government Act at present adequately provides for this to be done.

I believe also that, if a special rate is struck for a special purpose in a ward, there ought not to be any legislative direction to encourage, direct or allow those moneys to be spent away from the area and not for the purpose for which they were designed. I cannot agree that legislation should be so open-ended as to encourage in any way the redistribution of funds earmarked for a special purpose in any one area or ward of a council.

Clause 11 enables local government to use its discretion in fixing a day as a holiday for its employees, and I find this acceptable. I am satisfied that it is a guide to councils and not a direction and that it gives them the power to provide a holiday. I accept this, obviously much to the surprise of members opposite; I accept that it is fair and reasonable.

The Hon. G. T. Virgo: You've had a change of heart.

Mr. CHAPMAN: It is a change to see the Minister smile. It is not often we see such mirth from him. However, I can assure him that my comments on this matter are made not for the purpose of extracting such mirth.

The Hon. G. T. Virgo: You might even support someone on strike next.

The SPEAKER: Order!

Mr. CHAPMAN: I would support the Minister if he genuinely wished to prevent strikes, and I refer especially to the man on the Birkenhead bridge.

The SPEAKER: Order! Order! Back to the Bill.

Mr. CHAPMAN: The Minister's mirth is suddenly gone.

The Hon. G. T. Virgo: What has the Birkenhead bridge got to do with the Bill?

The SPEAKER: Order!

Mr. CHAPMAN: The clause dealing with penalties in respect of litter is important and is one of the clauses in the Bill with which I agree, especially the provisions that enable councils to take action to remove vehicles or other undesirable property left in public places. There is no doubt that there is a need for councils to have this authority to clean up their own areas.

Mr. Keneally: You are going to talk about the franchise, aren't you? You're not going to evade that matter?

Mr. CHAPMAN: I am going to talk about the franchise, of course. I am going to talk about several other clauses in the Bill, too.

The Hon. G. T. Virgo: You'll have to be quick; you've only got a quarter of an hour.

Mr. Max Brown: You're wasting time now.

Mr. CHAPMAN: At times I appreciate interjections from the other side of the House, as they enable me to become stirred sufficiently to attack the subjects that need attacking, but I believe that, as this is an important Bill with many clauses, one should not at any stage lose one's cool. One should carefully concentrate without being side-tracked by members opposite. I agree that other matters must be referred to, and directly after the dinner adjournment I shall have much pleasure in referring to them generally for the protection of local government.

[*Sitting suspended from 6 to 7.30 p.m.*]

Mr. CHAPMAN: I know that several Government members are anxious to know my attitude towards the proposed extension of voting rights in local government and are anxious to know whether or not I support clause 13. I make my position clear in this respect, because I believe the definition of a ratepayer and of those who will have their names in the assessment books for voting in local government elections should not be expanded from the position that now applies. The ratepayer, as the owner or occupier of ratable property, and/or his spouse, is sufficient, in my opinion, for the purpose of elections and for other voting functions within local government. I do not support the extension of voting rights to those who occupy premises temporarily or to those in a multi-tenant situation. I do not agree that those who do not directly pay or contribute to local government should have any right to vote.

Mr. Payne: Is it okay for them to go on breathing?

Mr. CHAPMAN: I believe their rights are adequately and totally preserved, if they are taxpayers, in their being enrolled for voting in the wide field of State and Commonwealth Government elections, but in the ordinary course and function of local government I believe it is beyond the rights of those persons to exercise a vote. One other matter to which I refer is the proposal incorporated in clause 33 by which the Minister intends to delete the passage that refers to the 5 per cent fine on unpaid council rates. He proposes to insert a provision for a fine to be fixed by the Minister. I believe that the 5 per cent fine that has applied for many years is a long way out of date and so far below the present rate of interest that it tends to encourage ratepayers to neglect to pay their dues to councils, and presents a chance for them to refrain from making their payments to councils on or within a reasonable period after the advice or due date. It is time that the fine structure was increased realistically.

I believe that all unpaid rates or dues to councils should attract a fine that is in line with, if not more than, the present trading bank interest rates. I would clearly support a fine of 10 per cent to apply, but I do not agree with the Minister's proposal by which he shall have discretion to apply a fine under the formula outlined. I

appreciate the chance to speak on this Bill and in particular to support my colleague the member for Gouger. He has referred briefly to most clauses in the Bill and also has explained that it is a Bill that we will have the chance (and we should take it) to debate carefully clause by clause in Committee. I have no further comments in relation to the second reading.

Dr. TONKIN (Bragg): As the member for Gouger has already said, this is a most important Bill for local government, which is itself a most important part of the three-tier system of government in this country. It is a most important level because it is the body of government that is closest to the people. It is entirely correct (and I could not agree more with the member for Gouger) that this body of people should be autonomous and independent and not be made to be dependent on other people. I am sure it is under attack at present. If there were any doubt about this, one has only to listen to the comments of the Prime Minister when he speaks about the march of local government to maturity, and partnership in the federal system. By the use of the same forms and degree of financial control as are now being applied to the States, local government is being brought slowly but surely under the control of the Commonwealth Government.

It may not be control in a direct form, but it is control in a financial form, and economic control is just as close and tight knit as is any form of legislative control: indeed, sometimes it is much worse, because it does not have the clear limits that are usually defined in legislation. Control by means of economic pressure can force individuals or organisations to take actions they would not otherwise be forced to take under clearly defined legislative terms. I believe that the member for Gouger was entirely correct in raising this general topic when referring to this Bill. This is a Committee Bill: it refers to many issues some pleasant, some desirable, some unpleasant, and some totally undesirable.

More particularly it is being used to introduce the regional system of local government: I use "local" in parenthesis, because it is not truly local government. It is a regional system that suffers from exactly the same disadvantages as the regional consultative councils, under the Australian Assistance Plan, will suffer compared to the consultative councils which were set up under the Community Welfare Department in this State and which were working well. However, they are now being taken, because of a decision made by this Parliament and by the Commonwealth Parliament, further away from the people, and this is a retrograde step.

The SPEAKER: Order! The honourable member cannot refer to or introduce any new subject matter not contained in the Bill.

Dr. TONKIN: It is not new subject matter, because there is not only a parallel but a direct connection between the two matters that I will demonstrate for you. The Australian Assistance Plan regional development is based on exactly the same regions that local government regional development is being planned on. Now that we have the system of local government being forced into local regions under the plans of the Department of Urban and Regional Development we find it is being made dependent on Commonwealth Government funds, and that that Government is exercising a degree of regional control that is growing stronger and stronger.

The SPEAKER: Order! There is nothing in the Bill about Commonwealth finance for local government.

Dr. TONKIN: I believe that local government is having its powers taken from it. I believe that the Commonwealth Government is setting out to destroy local government powers, and I believe this Bill—

The SPEAKER: Order! I have ruled many times in this House that, when an amendment to an Act is being considered by the House, the original Act is not opened up for discussion. Only that portion of the Act dealt with in the amendment is open for discussion. The honourable member for Bragg.

Dr. TONKIN: I totally disagree with you, Mr. Speaker, with great respect.

The SPEAKER: Order! Hand that up in writing. Did I understand that the honourable member disagreed?

Dr. TONKIN: Not at all.

The Hon. G. T. Virgo: *Hansard* shows that you did.

The SPEAKER: Will the honourable member repeat the term he used?

Dr. TONKIN: I said that I totally disagreed with your interpretation.

The SPEAKER: Order! If the honourable member disagrees with the statement made, he must send up that disagreement to my ruling.

Dr. TONKIN: I did not intend to repeat it. It was simply that you asked for my clarification.

The SPEAKER: I did not ask for the honourable member's interpretation.

Dr. TONKIN: I will withdraw unreservedly, because—

The Hon. G. T. Virgo: And so you should.

Dr. TONKIN: —I am sure that was really not what I intended to say at all. What I was really trying to say was that I believe that the provisions of this legislation that undermine local government bear a close resemblance to other measures being taken in other places to likewise undermine the power of local government. The whole future of local government and local government authorities is being impinged on by the legislation we are considering. It will change quite dramatically the various aspects of local government. I believe that it is part of an overall policy being adopted by the Labor Government of this State in concert with a policy that has been adopted, under the Department of Urban and Regional Development, by the Commonwealth Government. That is why we are seeing this legislation introduced.

Mr. Gunn: Centralism.

Dr. TONKIN: It is indeed; as my friend the honourable member for Eyre so rightly says, it is an example of a centralist policy and it is inevitably bound up with the whole future of local government in this State and, I suppose, in Australia, too. The central Government in Canberra believes—

The Hon. G. T. VIRGO: Mr. Speaker, I rise on a point of order. For the tenth time, I think, the member for Bragg is continuing to take the line of an attack on the Australian Government and how it is undermining local government. If you intend to permit him to continue, will you tell me whether I may, in reply, give him the answers to the unfounded charges he is now making?

The SPEAKER: Order! I uphold the point of order. I have ruled previously that in a discussion such as this we are dealing with the amendments in the Bill now before the House. If the honourable member for Bragg intends to disregard my opinion in this respect, I shall have no hesitation in ruling him out of order and not allowing him to continue. I am certainly not going to allow honourable members to bring foreign material into the debate on

the Bill before the House and allow other honourable members to speak in retaliation to something said by someone else. The honourable member for Bragg.

Dr. TONKIN: I am very sorry, because I have obviously inadvertently transgressed.

Members interjecting:

Dr. TONKIN: I am quite serious, too. The honourable member for Gouger canvassed this matter very thoroughly for about 10 minutes at the beginning of his speech. If that was in order, I should like to know why what I am saying now is not in order. I am sorry, and I apologise unreservedly if in fact I have erred in this way, but I have done so only because the matter has been introduced into the debate already without question, without the Minister's taking any points of order whatever. The member for Gouger canvassed it very well.

The Hon. G. T. Virgo: The Speaker has ruled, and you seem to ignore the Speaker.

The SPEAKER: Order! The honourable member for Bragg will speak to the Bill or be ruled out of order completely.

Dr. TONKIN: The effects of the various provisions in this Bill that relate to rating and the raising of finance by local government are, I think, very much dependent on whether or not the Commonwealth Government will make available finance in its turn to local government.

The SPEAKER: Order! There is nothing in the Bill about finance to local government from some other Government. I repeat what I have said previously. The introduction of an amendment to an Act does not open up the original Act for discussion. We are discussing the Local Government Act Amendment Bill now before the House, and I give the honourable member for Bragg a last warning that, if he disregards the authority of the Chair in this matter, I shall rule him out of order in accordance with Standing Orders.

Dr. TONKIN: I must accept your ruling. I find it very difficult indeed to talk about a hole in the ground without talking about the ground around it. Nevertheless, if we are dealing with a matter of financing and raising funds for local government, I believe it is necessary to consider the necessity for that legislation and how far its terms should go. I believe that local government is being put into a most difficult situation at present. In my own local newspaper, the Messenger Press in the Burnside and Norwood area, the Minister himself is quoted this week as saying that local government bodies are desperately short of funds and will have to find some other way of raising revenue. He said that he believed that they were reaching a crisis point and that somewhere along the line they would have to decide where they were going to get funds; whether that would be from the State Government or any other source, he believed that they were in serious difficulties. And so indeed I believe they are.

I think we can be quite sure that whatever this Government brings forward in relation to local government, it is not coming forward in total for the benefit of local government I think there is no question of that. The State Government wants very badly to change the whole character of local government, and indeed I suspect that local government is being attacked by the State Government entirely because it wants to see local government ultimately destroyed. This it does because the State Labor Government believes in a policy that involves regional council development, as opposed to local council development. In this it is carrying out general Labor Party policy. It is not the policy of the Labor Party in this State or of this Government to do anything to enhance or promote local government unless it fits into its plan for regional councils. We have already seen attempts made in the past for council boundaries and local government boundaries to be amended drastically. We have already seen legislation in this House, which I will not be debating at this stage, that has been related directly to that end, and that confirms me in my opinion that the State Labor Government is doing the very best it can to make life difficult for local government and so help to bring in a system of regional local government authority.

The SPEAKER: Can the honourable member inform the House which clause of the Bill he is speaking to in relation to regional control?

Dr. TONKIN: Yes, indeed. I am talking about the clauses of the Bill relating specifically to rating and to the amounts and proportions that may be reached by local government in raising its funds.

The SPEAKER: Order! I ask the honourable member to refer to the clause he is speaking to. I have said many times that I will rule the member for Bragg out of order. This is his last warning, because I can find nothing in the Bill about regional control or rating by local councils. If the honourable members does not confine his remarks to the Bill under discussion, in accordance with Standing Orders I will rule him out of order. That is the last warning I shall give.

Dr. TONKIN: Clause 29 of the Bill relates to urban farm land. There are several clauses here regarding the declaration of a general rate affecting the land—

The Hon. G. T. Virgo: What has that got to do with regional councils?

Dr. TONKIN: Because local government authorities are now receiving a large proportion of their financial income from regional sources.

The Hon. G. T. Virgo: From the Australian Government!

Dr. TONKIN: I did not say that: the Minister did.

The SPEAKER: Order! The honourable Minister is out of order.

Dr. TONKIN: He is being totally provocative, and I believe that the Minister, in saying that (out of order though he may be), is clearly supporting the submission I am making, and I believe that, to look at this matter, we must examine the funding. I will not canvass the matter any further. I believe the Minister's attitude has borne out the correctness of what I have said. I believe that this legislation must be looked at carefully.

There is one item with which I should like to deal specifically: the reference to institutions specifically treating alcoholics and drug addicts. I believe this provision could be a small contribution to the problem of drug dependence and of the treatment of drug dependants and chronic alcoholics. Far more useful help could be given by involving other local government facilities, community welfare workers and the other services that local government is able to provide.

In recent weeks there have been reports of a frightening increase in the incidence of drug dependence. I believe that this is only one small tip of the iceberg, and that this provision is one only of the good things in the Bill. There are a number of good provisions in the Bill, although I believe their beneficial effect is well and truly outweighed by the unpleasant aspects of the Bill. I do not believe that the Government's attitude in introducing this Bill and in all other matters affecting councils is

conducive to the best function of local government, which I believe is doing a remarkably good job in the difficult circumstances obtaining. I do not believe that its attitude is in the best interests of the community.

The cardinal rule is that the control and delivery of local government services, as with any other service (be it a health or community welfare service), must be as close as possible to the point of delivery. I do not think there is any doubt that we must examine most carefully all legislation amending the Local Government Act, and again I congratulate the member for Gouger on the work he has put into the Bill. Far from criticising him, as I understood the member for Whyalla intended to do, I believe the member for Gouger has thoroughly investigated and ventilated the provisions in this Bill, and I believe he will take the appropriate action in Committee.

I am disappointed in the member for Mitcham, inasmuch as the sort of activity to which he referred has been going on for a considerable time and, indeed, occurred in Norwood in 1968 when the Premier was Leader of the Opposition. I believe we must examine all this legislation very carefully indeed. I now refer honourable members to the front page report in today's *Financial Review*, in which there is a strong criticism and examination made of the whole system of centralism as it is related to regional control. I commend it to honourable members.

Mr. GOLDSWORTHY (Kavel): I will not canvass the whole compass of the Bill in this second reading debate, because the member for Gouger dealt in considerable detail with all aspects of the Bill. I should like to congratulate him on the effort that he obviously put into the preparation of his remarks on the Bill, and would dissociate myself from the rather churlish remarks that came from another quarter in seeking to denigrate these efforts in giving what I thought was an authoritative analysis of the Bill when the member for Gouger led for the Opposition in the debate.

There is one part of the Bill with which I shall deal: that part of it which is concerned with the area of the Hills in which I reside. This applies not only to this area but also to other areas throughout the State and is concerned with what is termed in the Bill as urban farm lands. In my view, the definition of "urban farm land", as it stands, leaves much to be desired. The provisions of the Bill under which a council's discretion will largely be removed regarding the rate to be struck for urban farm land is highly undesirable. First, the definition of "urban farm land" does, in fact, put a means test on the income of the owners of some land that is, and must be, used for primary production. The case can, and indeed does, exist where one can have two similar neighbouring properties, one of which is worked full-time by its owner and from which he derives his total income. That property will attract the urban farm land rating. A neighbouring property, which can be similar, can be, and indeed is, used for rural production, and its owner could have another source of income. The definition as it stands refers to a "substantial part" of an owner's income, and I understand that the courts interpret that to mean more than half. That seems to me to be open to challenge.

Nevertheless, the courts do have the job of interpreting legislation, and they do, I believe, interpret "a substantial part" of one's income as being in excess of half that income. Therefore, in the case of a neighbouring property, where the owner has some other source of income, he is not eligible for the urban farm land rating, simply because he has another income. The whole principle of this urban income rating was to catch up with people who may intend to subdivide their properties into housing allotments. However, the Hills ward of the Tea Tree Gully council area falls within watershed zone No. 1 and, in terms of the Government regulations regarding watershed zone No. 1, subdivision of that property is now strictly controlled.

I repeat that the definition does, for some lands that cannot be subdivided into housing allotments, place a means test on the income of some owners. I believe this is wrong in principle. If that is to be the principle, then indeed any people engaged in the business of primary production who have another income in excess of that gained from rural production should attract a rate somewhat higher than other people whose only income is from farming operations. This is, I believe, a serious anomaly in the Bill as it stands. I repeat that this land cannot be subdivided into housing allotments because of Government regulations. It must remain in rural production, yet it does not attract the urban farm land rating simply because its owner has some other source of income. Although it may be difficult to amend, I believe it is essential that this definition be amended.

The second point I wish to raise in connection with urban farm land rating, which is proposed in the Bill, is that the discretion has been taken from councils. The original provision, which is to be struck out, is as follows:

> Subject to subsection (3) of this section, the maximum amount in the dollar of the general rate declared in respect of urban farm land shall not exceed one-half of the amount in the dollar of the general rate declared in respect of other land in the municipality.

In other words, councils had the discretion of declaring a rate up to but not exceeding one-half of the general rate. However, the whole thrust of the amendment is in the opposite direction. We talk about the remissions that councils may make in respect of rates that shall not exceed one-half of the general rate. I point out for the Minister's benefit the immediate impact this will have in the area to which I am referring, and I will refer to some cases. I have taken out these figures and, as I live in the area, I know what the people do and how they earn their living. The first case is that of a dairy farmer who has a viable property in watershed zone No. 1 in the catchment of the proposed reservoir on the Little Para River; it is steep country that cannot be subdivided.

At present, the urban farm land rate for the Tea Tree Gully council on unimproved values is ·68c in the dollar, whereas the general rate for unimproved land is 4·2c in the dollar. The general rate is six times greater than the urban farm land rate. If the Bill is passed as it stands, these people will be immediately faced with a threefold increase in their rates. This dairy farmer will be paying rates in excess of $6 an acre (·4 ha) on his dairy property. I quote another case, namely, that of an orchardist with 38 acres (15·37 ha) in the Inglewood area. If the clause is passed and if the maximum remission is allowed, which is one-half of the rate, it will immediately mean a threefold increase in this area, and this person's rates will increase to about $9 an acre.

The Hon. G. T. Virgo: What is the declared rate now?

Mr. GOLDSWORTHY: It is ·68c in the $1.

The Hon. G. T. Virgo: What's the general rate?

Mr. GOLDSWORTHY: It must be 4·2c.

The Hon. G. T. Virgo: He's getting one-sixth of the general rate?

Mr. GOLDSWORTHY: Yes.

The Hon. G. T. Virgo: Are you sure?

Mr. GOLDSWORTHY: They are on unimproved values. If the Minister cares to look at the rates in the Gumeracha council area (which is virtually across the road from the Tea Tree Gully council area) and knows anything about an orchardist on a 15·37 ha property paying the council rates that are involved in this provision, he might realise the force of my argument. The amendment will involve an immediate threefold increase in rates for primary producers in this area. If one looks at the rates in the Gumeracha council area, one can see that they are comparable. I will check out these figures and give them in Commitee. They are the increases with which these people will be faced. It is essential that councils retain the discretion in this regard which they previously had. I will not canvass any other provisions in the Bill, because the member for Gouger has dealt with them fully. I know at first hand the impact these clauses on urban farm land rating will have in the area in which I reside and I know that, when these facts are put before the Minister, and if he is at all reasonable and looks at comparable rates in the Gumeracha council area that adjoins these properties, he will realise that discretion should be left with the council. These matters will no doubt be discussed in Committee.

One other matter I raise is that at present these provisions apply only to municipalities, whereas I believe that they should be extended to townships. I think now of the Tanunda council, where within the township area there is vineyard land which attracts a high township rate, whereas over the road similar vineyard land attracts a rural rate. The present provisions in the Bill do not allow for an urban farm land rate to be applied to this land within the township areas in respect of district councils. I believe that this is anomalous and I hope that the Minister will see fit to accept the amendments which would seek to clarify this situation. Regarding Tanunda, I quote from a letter I have received from that council. The letter states, in part:

In Tanunda, vineyards or other land used for farming and situated within the township boundary is valued at double the per acre rate of land used for the same purpose across the road but outside the township boundary. The reason for this is that land inside the township is classified as potentially subdivisional whilst outside it is not. It seems to me that "urban farm land" should be classified as within municipalities and within townships, and that provisions similar to section 244a as proposed should apply under annual as well as land values systems of assessment.

If the Government is worried that people might wish to subdivide their land at huge profits, I believe that other safeguards should be written into the legislation but, for people who genuinely wish to continue as primary producers, it seems anomalous to me that adjacent land, because it happens to be on one side of the road, will attract a rate double that of land on the other side of the road. In the Hills ward of the Tea Tree Gully council area it will mean a threefold increase if the discretionary power is removed from councils. I hope that, in Committee, some of these matters will be studied and considered sympathetically by the Minister.

Mr. WARDLE (Murray): I certainly do not want to go right through the various alterations the Bill makes, except to highlight several issues. I am glad that the Minister has seen fit to make it possible for local government officers and staffs to have a holiday once a year together, because local government families have no opportunity, except at weekends, to get together. If the butchers can have a picnic, I see no reason why local government personnel should not have a picnic.

Mr. Nankivell: Why can't we have one?

Mr. WARDLE: No doubt most members of the community would say that, as life is one big picnic for members of Parliament, there is no need to put it on the Statute Book. I am speaking from the point of view of observing the habits of some of my colleagues and some of the Government members. I am also pleased to know that the town clerk is now to receive his due and just reward as regards his title, anyway, even if he lacks it in remuneration. It is a good move to establish on the permanent records that he is the senior executive officer and, therefore, will assume the responsibilities that belong to him—some pleasant and others not quite so pleasant.

One of the first things I want to say of a more serious nature concerns the assessment. Far too many people receive an assessment notice, and when they read "This is not an account," they do not read any further. They put it away in the old oak chest, or up on the mantlepiece behind the clock, and do not think about it any more until they receive a council notice of assessment, a rate notice, or a Engineering and Water Supply Department account. They receive something which has been calculated from the assessment they received some months earlier. At last ratepayers realise that their property has increased in value. They had an opportunity to appeal, but the time allowed has passed and it is too late. Ratepayers become cross with their council or the Engineering and Water Supply Department because their property value has increased; they believe it is not a very democratic society because the time in which to appeal has lapsed. One cannot go on spoonfeeding the community and write out the detail involving each department that makes an assessment under the original Valuation of Land Act. It might be possible, as well as printing on the assessment notice, "This is not an account", to print, "You are reminded that your water rates or council rates may be based on this valuation". This matter really does not relate to this Bill but it concerns the Valuation of Land Act. The notice could say, "Your assessment for the previous year was $1 700. Your new assessment is $2 500." Perhaps the next time we consider the Valuation of Land Act this suggestion could be included. However, I do not have much faith in the comment made by the member for Rocky River that the assessment has dropped, because it is unlikely that that would happen.

The other matter to which I wish to refer relates to the fine to be fixed by the Minister. I cannot see that there is much to complain about because the 5 per cent surcharge will be removed and the fine will be in the Minister's hands. However, I wonder whether it is possible not to include the reference to December and March. I realise some people will get upset about this, so perhaps ratepayers could be given 60 days credit, a concept that is not out of keeping with the position in the business world. Some businesses probably do not now allow 60 days credit. Some councils may be late in sending out their assessment notices and ratepayers may have fewer than 60 days in which to pay. I hope, however, that most councils could issue their assessment notices long before the end of October. It is certainly worth considering that ratepayers be given 60 days credit from the date appearing

on the rate notice. From that point everyone throughout the State will pay the fine the Minister can apply, a fine that I believe will be a little higher than the current interest rates charged on bank overdrafts or the interest rates paid by companies or individuals who have borrowed money from lending institutions which is calculated on a monthly basis. I am pleased to see many of the provisions in the Bill, because some of them are being practised by councils. The Bill makes it lawful to continue those practices. They are innovations that are only in the best interests of local government, so I have pleasure in supporting the measure.

Mr. COUMBE (Torrens): I commend the member for Gouger for his comprehensive coverage of the Bill. He did the House a service in the way he canvassed the various aspects of this measure. Many of the provisions contained in the Bill are not easily absorbed at first sight, so his cogent coverage was most valuable. Several aspects of the Bill need to be improved because, although some of them seem to be facile, when one delves into them, especially if one has had experience in administration or in local government, one realises the real problems that will be faced. I have always supported any measure that improves and recognises the status of local government. Local government is expected to undertake certain responsibilities that were not even dreamt of a few years ago. With these added responsibilities and accompanying expectations there is a concurrent obligation that must be met either by increasing rating or by other supportive measures.

Contained in this Bill are some extremely worthy provisions, which I believe have been put forward as a result of representations made to the Minister by councils or other organisations. However, I strongly believe that some clauses of the Bill could easily be improved. I believe the Minister will be receptive to any suggestion put forward to him, and I hope that, in Committee, he will continue in the receptive mood that we know is so natural to him in this and in other measures that have come before the House over the years. I therefore hope he will agree to some of the worthy amendments that may be put forward. The amendments that will be put forward will be in the interests of local government generally and of ratepayers in the various council areas.

The advent of regions and Grants Commission funding have partly, but only partly, met some of the problems faced by councils. The regional concept is at present under serious review. In fact, one has only to look at the *Financial Review* of June 10 to see what is being thought in the Commonwealth sphere about this matter. I want to refer only to four or five major clauses of the Bill, because I believe they need to be emphasised. I hope the Minister will take the trouble to note these matters, because I am putting them forward in a constructive manner. Clause 13, among other things, deals with the question of franchise. The member for Whyalla had much to say about that.

Mr. Keneally: Very cogently, too.

Mr. COUMBE: I do not doubt that; in fact, I listened to him with some interest. However, I do not believe that everything he said was correct, but I could see the feeling he was generating. The Liberal Party wants to see that everyone who is entitled to vote has the opportunity to cast his vote. To substantiate that claim I refer to the precedent of, I believe, 1969, when the then Liberal Government introduced an amendment to the Local Government Act that entitled the spouse of the owner of a property to vote. That was the first time that was done, and the Minister has acknowledged that in previous debates.

The Hon. G. T. Virgo: In 1972 the Liberal Party opposed adult franchise.

Mr. COUMBE: The Minister cannot get away with that, because he put it up in a different context, just as he tried to stampede through this place the measure relating to the hours of meeting of a council.

Mr. Keneally: Say whether you agree with full adult franchise.

The SPEAKER: Order!

Mr. COUMBE: Let us not get excited about the issue; we are talking about what I believe is a serious subject. Doubtless, this clause dealing with the spouse, whether the wife or husband, of an occupier has much merit and is commendably supported.

I refer now to clause 29, about which there has been comment. The clause amends the old section 244a. Some of my colleagues already have referred to provisions now being made and I want to refer only to new subsection (3) of section 244a, dealing with where land ceases to be urban farm land. In that case the amount of rates remitted under section 244a during the period of 10 years immediately preceding that cessation shall forthwith become due and payable by the ratepayer. I am in complete agreement with the principle that, where a person receives a remission of rates on this type of land and subsequently subdivides, there should be a retrospective period whereby he is liable for making up the difference involved in the remission he has obtained.

However, I draw attention to the provision in the Land Tax Act, which certainly does not provide for 10 years. I believe that the period there is five years. Surely, if we are to have this principle (and I am not arguing against the principle), it seems to me that 10 years is an inordinately long time, especially in this period of escalation of prices when, understandably, the values of land and the rates are soaring year by year and getting out of the reach of most people. A period of 10 years can impose a burden, so I sincerely ask the Minister why he does not bring both Acts into conformity.

The Hon. G. T. Virgo: Make them both 10 years?

Mr. COUMBE: I did not suggest that. The Minister is suggesting that we amend the other Act.

The Hon. G. T. Virgo: I would be agreeable to that.

Mr. COUMBE: If the Minister did that, the Treasurer may have some harsh words to say to him and we may have occurring here a spectacle similar to what occurred in Canberra last week. I am not sure whether we are to get a new Treasurer but I see that the present Minister of Local Government, who is in charge of this Bill, has survived. He has that peculiar inbuilt spirit of survival. The game is commonly called the numbers game, I believe, but I do not say that the Minister was the "Queen of the Caucus", or anything like that.

The Hon. G. T. Virgo: What's that got to do with the Bill?

Mr. COUMBE: I suggest that the Minister may well seriously consider reducing the period of 10 years, which seems to me to be an inordinately long time, to make it conform to the provisions of the Land Tax Act. I have emphasised that I agree with the principle, but let us, in the administration of these various Acts, have some conformity, because people in this area must deal with more than one Act, unfortunately, and many members of the public become seriously confused because they do not know how many Acts are involved in a simple transaction.

For the benefit of the Minister, I refer now to clause 33, which deals with fines for unpaid rates. Quite apart from the fact that there are different expiration dates for the

city and the country, the present provisions are, as I understand them, that after a certain date unpaid rates attract a fine of 5 per cent. The Bill strikes out that provision and enables a fine fixed by the Minister to be imposed. It also provides that that fine shall be expressed as a percentage of the amount of the rates in arrear for each month, or part of a month, that the rates remain in arrear after December 1 or March 1, as the case may require.

Having inquired on this matter, I agree that the present 5 per cent penalty, as a deterrent to late payment in these days of inflation, is simply not on. It does not mean a thing to many people who can pay their rates and, in one municipality in my district, when the rates unpaid were published in the local newspaper, everyone was staggered at the amount of such unpaid rates that had accrued. Of course, those ratepayers who pay their rates by the right time (and, incidentally, they are obligated to do this) are, in effect, penalised.

Instead of solving this problem as the Minister is suggesting in the Bill, which I think will be a rather messy procedure as far as bookkeeping is concerned, because it involves a compounding of interest, I suggest to the Minister that we take an interest rate (it could be the bond rate, plus 1 per cent, or something like that) and perhaps add a percentage. I suggest that we do that rather than adjust it on a compounding basis for each month or part of a month for which the rates are unpaid. I say that from a bookkeeping point of view, because I realise the amount of work that will be involved for councils. I put that to the Minister seriously, because I think it would be a tidier way to work the matter out.

The Minister could take the bond rate, or he could take the current overdraft rate (and that varies, of course, and those of us in this place who pay overdrafts know what that rate is). I put that forward as a way in which this matter could be overcome, because councils have told me that the provision in the Act could be a messy way and could involve them in much bookkeeping. I should like to hear the Minister's comments on that in due course.

Mr. Nankivell: The amount must be compounded monthly.

Mr. COUMBE: Yes, even for part of a month.

Mr. Nankivell: That would contravene the Consumer Credit Act if it were applicable.

Mr. COUMBE: That is an interesting comment. In other words, the Minister would be compounding the felony, and I am not sure how far his commission goes on this matter. However, I refer now to clause 35, which deals with applications by persons or bodies providing homes for persons in necessitous circumstances or for aged persons in regard to the remission of rate payments. I suppose that I probably have in my district homes of the biggest magnitude that would be affected in this regard, and I give as one instance the Helping Hand Centre in North Adelaide. I put to the Minister that the reference to "homes for persons in necessitous circumstances, or for aged persons" needs to be altered, because we all want to help those persons, whether aged or not, who are in necessitous circumstances, but some aged persons are not in necessitous circumstances, and homes are provided, in my district for instance, for people in the category I have mentioned.

Some people are aged and necessitous: they are indigent. Other people are not in that classification, so the Minister may care to reconsider the wording used in the Bill, which may need to be tidied up. Otherwise, there may be problems, because we know that the tenants do not always pay the rates but pay, on a bulk basis, through some organisation to which they belong.

I refer now to clause 46, which is a rather interesting provision that deals with the powers of councils to authorise certain works to be done. New section 365 (2*a*) refers to permits, which may provide for the payment by the holder of the permit of an annual fee; the provision also refers to the rescission of a permit.

I have never yet been able to arrive at the reason for the provision to which I shall now refer, and the Minister may be able to enlighten me. Section 365 of the principal Act refers to a period of 42 years, a very long time, particularly in this age of soaring inflation, which seems to be completely out of control in this country. Whereas this Government said, "It's time," actually it is now past time.

The Hon. G. T. Virgo: We never said that it was time. You're getting your Governments confused.

Mr. COUMBE: The Minister should not try to wriggle out of it. It is past time: it is high time.

Mr. Gunn: The Minister is disowning his Commonwealth colleagues.

Mr. COUMBE: No matter how Labor Party members try to disown their colleagues at times like this, whenever the Labor Party comes to an election they are all of the same ilk. I suggest that the Minister should look carefully at section 365 of the principal Act. Section 365 (2) provides:

> Any such permit shall not be granted for any period exceeding 42 years; but, with the consent of the Minister, may be renewed from time to time for any further period not exceeding 42 years from the time of renewal.

That deals with the power of a council to authorise certain works, including tramways, but not many councils have tram tracks today. Perhaps the Minister can tell me why the period of 42 years is in the provision, because I have never been able to work it out.

The Hon. G. T. Virgo: Look at the explanation of the 1946 legislation.

Mr. COUMBE: Who introduced it?

The Hon. G. T. Virgo: A Liberal Government.

Mr. COUMBE: I know the ramifications regarding the Electricity Trust of South Australia and the South Australian Gas Company and others that undertake roadworks. I draw the Minister's attention to what I have always considered to be a very serious aspect of local government administration—the question of litter, refuse, waste matter, and the thorny subject of unsightly goods and chattels, I am referring now to clause 60. If I understand the Minister's explanation correctly, Part XLIA provides that, where certain litter or refuse falls from a vehicle on to any street, road, or public place, the person by or on whose behalf the vehicle is driven shall be deemed to have deposited the litter or refuse. This is analagous to a provision in the Motor Vehicles Act which provides that, if one cannot find or trace the actual driver but one can trace the number plate and therefore get the owner, the owner can be proceeded against; the onus is on him. I do not want to see both people penalised. I realise that a defence is provided in the Motor Vehicles Act, and there is a provision in this clause, but I would like the Minister to clarify this matter. The onus of proof is a reversal of the normal principle of British justice. Under the provision, it is presumed, in the absence of proof to the contrary, that the litter was so deposited by that person.

Those are the only matters that I want to touch on now that I believe to be cogent. I have dealt with some general matters regarding local government in principle. I am pleased to see that this Bill has been introduced, because

it has some valuable contributions to make to assist local government, but at the same time I believe it can be vastly improved by amendments that will be moved later. I am sure that the Minister, who is so helpful on some occasions, will give cognisance to the amendments. I hope he takes them in the spirit in which they are put forward, because they are put forward not only on behalf of councils but also on behalf of ratepayers in general.

Mr. RODDA (Victoria): The Minister is to be congratulated on retaining his portfolio intact. When one looks at this Bill in summary, one does not wonder why his portfolio is intact. We called him the Crown prince, and he is living up to that. In broad summary, the Bill sets out to confer on councils the right to do things that they are not doing now: it gives them a very wide involvement in important matters in their districts in the branch of government that is so close to the people. One wonders how they will pay for it. On further examination of the Bill we see that there will be provisions given to local government to raise revenue. It is a very good thing in local government areas where ratepayers are paying taxation to give them the right and the encouragement to have first bite at the cherry in connection with taxation.

The category of people who will be involved in the voters' roll will be considerably broadened. Clause 4 amends section 52 of the principal Act and inserts the term "an Australian citizen". New section 115 provides that no person shall vote at an election unless he is aged 18 years or more and unless he is otherwise qualified to vote pursuant to the provisions of the Act. This may appear ambiguous but, when one examines it, one finds that it broadens the general voters' roll. The member for Gouger, who is to be commended for the study he has made of the Bill, mentioned this matter. It suggests that there may be a need for this Government or future Governments to look at a poll tax on people who will have more than just a passing interest in local government.

I am not against having a local government holiday. It is good to have recreation together for a specific purpose, and it improves communication among people who work in the various phases of local government; that must be a good thing. I am pleased to see the Minister of Works sitting on the front bench, because many people in the South-East are growling about an extra holiday. Some people want it to be on Boxing Day. It may be a good suggestion for the people promoting the holiday that the local government holiday be on Boxing Day. The nitty gritty in this Bill starts with clause 14, which deals with the adoption of assessment, as does clause 15. With the high valuations that have resulted through inflation, people do not have enough capital to transfer. That type of ratepayer will look on this type of legislation with a jaundiced eye. I heard the member for Bragg getting into trouble about rates.

The SPEAKER: Order! The honourable member for Victoria will get into the same trouble if he refers to that matter.

Mr. RODDA: Clauses 21, 22, 23, 24, and 25 repeal certain sections of the existing Act. In his second reading explanation the Minister stated that it would be competent for councils to confer or declare a rate in the dollar without restriction. By looking closely at that mysterious parcel one finds that this is how the added powers being given to councils can be paid for. It will cost someone a large sum of money to provide all of the things mentioned in clause 52. The Minister refers specifically to council involvement in areas of public benefit. Amongst other things, he referred to St. John's ambulances and child-care centres. Local government in my district (and probably in the districts of most honourable members) just has not the revenue to involve itself in such undertakings.

Clause 41 specifically refers to the provision of child-care centres. Clause 42 has, I am sure, done the Leader's heart the world of good, as it gives local government the privilege of providing a salary or subsidy for a veterinary surgeon—a practising one at that. This power conferred on local government, as good as it may be, must be paid for. Earlier, in answering an interjection in this debate, the Minister said that the Australian Government was coming to the party. True, the Australian Government has come to the party by way of grants, but the grants have been insufficient to touch even the sides of all the ramifications of this Bill.

I urge caution on the Bill's passage because, when these amendments have been embodied in the existing Act, there will be some headaches for local government at the July meeting, when balance-sheets are being drawn up. At least people in the rural scene will not get the first bite at the cherry. In the beef industry and other primary industries, incomes are down to a lowest ebb. Inflation has put a high cost on production, and the position generally is not rosy. Certainly, the Minister of Local Government will have to use all his influence and affluence to provide the extra cash that will be needed in relation to the new provisions embodied in the Bill. I support the second reading.

Mr. GUNN (Eyre): I wish to make only a brief contribution to this debate. In his second reading explanation the Minister said:

> The amendments are designed to improve local government administration and conduce to efficiency in the employment of local government resources.

Those are pious words, and they reflect an attitude that I hope we would all support. I do not know from what the member for Stuart has said whether he supports this. Perhaps he follows the concept of the Prime Minister (and I understand he has not disowned him yet) of regionalism, which we know will destroy local government as we know it today. It was really interesting to hear what the member for Torrens said. He referred to the agreements reached yesterday in Sydney regarding the treatment the States will receive at the next Premiers' Conference.

The SPEAKER: Order! Back to the Bill.

Mr. GUNN: Yes, Mr. Speaker, I certainly do not intend to get away from this Bill. I was about to refer to what the Minister said about improving the efficiency of local government. We will have a situation hoisted upon us where other Government action will directly undermine local government. I believe that if the concept of regionalism (and it is only another method of centralising control in this country) is not watched and not nipped in the bud, local government as we know it today will be destroyed. It is no good anyone trying to put up smoke screens to try to pull the wool over the eyes of the people of this State and this nation. We have a Government in power in this State that will do anything to destroy local government as we know it today, and destroy State Governments, too. I have examined closely the clauses dealing with the extension of the franchise. True, at first glance it may seem a good idea to include more people. However, one must be realistic in this situation, because some consideration must be given to the poor character who pays the rates. This government and some of its Australian Government colleagues seem to regard people who pay taxes (and in this case they pay the taxes that provide the

bulk of the revenue for local goverment to carry out its every-day activities) as having few or no rights whatever.

Mr. Keneally: You're against adult franchise.

Mr. GUNN: I do not need any assistance form the member for Stuart. If he wants to make a contribution, let him get up in this House instead of sitting like a dumb mute on the back bench making a few naive interjections. I am certainly capable of making a contribution without assistance from him.

Members interjecting:

The SPEAKER: Order! The honourable member for Eyre.

Mr. GUNN: Ratepayers are entitled to some protection. It is all very well for the member for Stuart to support a course of action by which the people providing the money to councils with worthy motives have no say about how their funds will be spent. In extending the franchise we should give serious consideration to the effect that this will have on ratepayers. I make no apology for saying that. I notice that the member for Spence is grinning: no doubt he will write in the *Herald* in his usual poison-pen fashion something about strikes, but he and others will not be willing to sign their names to the malicious attacks they make on members on this side, namely, the member for Alexandra and me.

The SPEAKER: Order! The honourable member should return to the Bill.

Mr. GUNN: I realise that many people believe that occupiers and their spouses should be entitled to vote, and I do not disagree with that concept as a matter of principle. However, we have to ensure that ratepayers are not disadvantaged and that we do not reach a situation in which we find that the only privilege they have is to pay an increasingly heavy burden of rates. I refer now to the provision concerning refuse and litter, and particularly abandoned motor vehicles. I am sorry that the Minister, in preparing this legislation, has not included an on-the-spot litter fine, because this is one suggestion that could be put into effect. As the Minister is aware, councils are facing an increasing litter problem, and this suggestion has been put into effect with much success in other parts of the world; therefore, it should be used in this State. I hope the Minister, if he is not willing to reconsider this matter in Committee, will take the necessary action in future. I am pleased that the provision concerning abandoned motor vehicles has been included. Some time ago when I was a member of a council it had several problems with abandoned vehicles. It was not possible to gain revenue by selling these vehicles, because they were not worth anything, but the sooner they were disposed of the better. I support the measure to the second reading stage and will seek further information and reserve my right to oppose specific clauses that I think should be opposed when being discussed in Committee.

Mr. EVANS (Fisher): I refer to the clause concerning urban farm land because I am concerned that under the proposal the member for Kavel no doubt has raised the problem of agricultural land gradually being eroded by urban development and being rated at a very high rate, if we are not cautious about these proposals. I have considered the proposition that the member for Kavel is trying to achieve by an amendment, but I am concerned that it does not go far enough. It would be wrong for me to amend it this evening, but I will make representations to colleagues in another place to try to widen the concept, so that an individual council, whether a municipality or a district council, has the chance to declare a different rate for land whether it be for agricultural purposes or for land in its natural state. This is the first real chance we have had to show that we are concerned with preserving land in its natural state. Forces are evident that the only choice a person has is to sell the land or cut it into smaller lots and sell it. Many people in the Hills area and the inner city areas have been placed in this category.

This clause refers to municipalities only and does not refer to district council areas. I know that the Government, the Minister of Environment, and the Premier in particular have expressed concern at the erosion of agricultural land, mainly because of the cost that has to be paid in rates and taxes that has forced this land into another land use. Much of this land is some of the best agricultural land in the State. No doubt food production will be a vital part of the world's problem in future, and this country will have to carry a greater responsibility in this regard than will many other countries of the world. We should not say to the landholders, "You shall retain it and we won't consider you." With farm land we must give these people the chance to be considered, and I think the local council should decide what concessions are to be given. If a concession is given to the primary-producing aspects of the area, persons living in the township or residential area will have to pay a higher rate in order to maintain other areas, so that councillors will then have to face electors at the poll and answer for their decision in this matter. That is the only just way to implement this system, and at the same time there is a need to do the same thing in the Hills areas.

Financial pressures are making it beyond the capacity of many people to remain in and maintain scrub lands. I quote an example: this case is well known to the Minister of Local Government and the Minister of Environment. This man took the trouble in 1969 to declare his land open space under section 62 of the Planning and Development Act. He was correctly told by the Minister and others that he would receive rate and land tax concessions. Basically, that information was correct but, subsequently the Education Department became interested in buying the 13 hectares and asked the landlord to put a value on it. A value of $60 000 was placed on the property but, subsequently, the person received an assessment from the Valuer-General's Department and the value placed on it was $131 000. That was within three months of the Land Board valuation. The person was not over-concerned because he had passed his three score years and ten and was close to four score years. He was sure that the Education Department would buy the property but, through negotiations, the department decided not to buy the property.

I do not deny the department that right, but the person did not appeal against the decision and was then faced with a land tax bill of $2 000 for 13 hectares of open-space land within the metropolitan area. We must realise that there is concern about these matters. The local council had considered the person in his ratings because it was open-space land, but if he accepts the Valuer-General's valuation and the chance is not given to appeal for a longer period than the present 60 days, there could be some real problems.

In the main, I do not have much complaint with the Bill, but I am sorry that the negotiations the member for Kavel has been attempting to carry out in the way of an amendment do not go as far as I would like. I will be doing all in my power to convince some of my colleagues in another place that this is the first real opportunity we have had to show our concern for the near-city rural areas that should be preserved as rural producing

properties to keep the open space concept as another park land area around the city, at the same time giving those who own scrub land an opportunity to retain it. Many people have made the opposite decision. I do not have a great deal of complaint about the Bill, but I think this was an opportunity we could have taken. I hope that a suitable amendment can be brought forward in another place that will be acceptable to the Minister and to the Government, settling to a greater degree the problem in the near-city areas.

The Hon. G. T. VIRGO (Minister of Local Government): Some of the clauses of the Bill have received rather a mixed reception, but I shall speak to only three of the matters mentioned. I am not permitted to reply to many of the points raised, particularly those raised by the member for Bragg, but I want to say something about urban farmland. It was a pity that the member for Eyre stayed at the batting crease saying nothing so that the member for Fisher could get back to the Chamber to say his piece, because all he achieved in doing that was to have two serves of urban farm land, one from the member for Fisher and one from the member for Kavel, showing they are at variance on the matter. Some of the crying I have heard tonight reminds me of what happened in the early 1950's when a land value poll was conducted in Marion. Suddenly, the market gardeners of Marion told the Parliament of the day that all the vegetable prices would treble when land values were introduced in the area. They asked for assistance, so the Government of the day brought in the urban farm land provisions. Honourable members should look at the legislation, which was introduced in 1954.

Mr. Coumbe: I think you were in favour of it.

The Hon. G. T. VIRGO: I am certainly in favour of land values. I was the man who ran the campaign down there. The provision in the Bill is simply to prevent a recurrence of what happened there at that time and later, and what is still occurring in many places where people are paying cheap rates at the expense of the rest of the community and then cashing in on the inflated value of the real estate. This Bill seeks to rectify that anomaly, and I hope it will be carried without any of the—

Mr. Goldsworthy: How does it seek to do that?

The Hon. G. T. VIRGO: Obviously the honourable member has not read it, although he has proposed an amendment which we will be discussing later. He would not have asked such a silly question if he had read the Bill. I do not want to go over it again in Committee and I am quite sure the honourable member will raise it later.

Mr. Goldsworthy: You have made a statement and you are not backing it up.

The Hon. G. T. VIRGO: If the honourable member will take the trouble to read the Bill he will know what is involved. He has had the Bill for three months, but from the way he has been running around tonight with amendments one would have thought he had had it for only three minutes. If those amendments were so important I would have expected them to be on file.

Mr. Goldsworthy: With which amendment do you hope to achieve what you are saying will happen?

The Hon. G. T. VIRGO: With the Bill.

The SPEAKER: Order! There are no amendments before the House.

Mr. Goldsworthy: Which clause or part of a clause will do what you are saying it will do?

The Hon. G. T. VIRGO: If the honourable member will look at clause 29 he will see the complete answer to the stupid question he is asking.

Mr. Goldsworthy: You read the bit you are talking about.

The Hon. G. T. VIRGO: I refer to clause 29 and I suggest the honourable member should read it.

Mr. Goldsworthy: I have read it.

The Hon. G. T. VIRGO: Unfortunately, some members have not thoroughly read the Bill. For instance, we have heard a lot of gobbledegook about differential rates.

Mr. Gunn: Ha, ha!

The Hon. G. T. VIRGO: The honourable member can laugh. He did not talk about this subject. He had enough brains to keep off it because he did not know what it was all about. The Bill before the House contains an amendment brought in as a result of a legal opinion which suggests that it might not be legal to spend the additional amount of a differential rate in an area other than the area in which it is raised. Many members did not speak of this tonight. They did not speak in that way at all, but let us hope they now understand what this is.

The final matter is one that hurts members opposite, but I commend the member for Eyre who at least came out and said he was opposed to adult franchise. The member for Alexandra admits that the only people in his opinion who should vote for local government elections are the shareholders in local government, and yet we have the hypocrisy of people on the other side saying local government is closest to the people. Over the past 50 years they have consistently denied the people the right to vote. What we are attempting to do is not adult franchise, I am sorry to say, but at least it is a step in that direction. It will provide for the spouse of a voter to have the right to vote also, even although the member for Alexandra bitterly opposes it. It will provide that people who occupy blocks of flats will have a right to vote which currently they are being denied. I cannot hold up my head and justify a stand this Parliament has previously consistently taken of creating second-class citizens just because some people do not own a bit of dirt. We believe that local government and State Governments, like Commonwealth Governments, are governments of people and should be elected of people and by people. When we reach that stage we will be on the road to democracy. The Bill goes part of the way; regrettably, it cannot go all the way because last time the adult franchise legislation was before this Parliament it was rejected by the hostile Liberal Party Opposition in the Upper House.

Bill read a second time.

The Hon. G. T. VIRGO (Minister of Local Government) moved:

That it be an instruction to the Committee of the Whole House on the Bill that it have power to consider new clauses relating to the repeal of the Garden Suburb Act, 1919-1973.

Motion carried.

In Committee.

Clause 1—"Short titles."

Mr. COUMBE: Will the Minister say when it is intended that this Bill will be proclaimed? Although I realise that this may be some time off, I should like an assurance that the Bill will not come into operation before June 30, 1975, because, as certain council nominations have already closed, some provisions of the Bill will not be able to come into operation in this financial year.

The Hon. G. T. VIRGO (Minister of Local Government): I am pleased the honourable member has raised this question. I must express surprise that it was not raised in the second reading debate, as it is an extremely important point. The Bill will not be proclaimed until after the current council elections have been held.

Clause passed.

New clause 1a—"Commencement."

The Hon. G. T. VIRGO: I move to insert the following new clause:

1a. (1) This Act shall come into operation on a day to be fixed by proclamation.

(2) Notwithstanding the provisions of subsection (1) of this section, the Governor may, by the proclamation made for the purposes of that subsection, suspend the operation of specified provisions of this Act until a subsequent day fixed in the proclamation, or until a day to be fixed by subsequent proclamation.

This is simply one of the clauses designed to repeal the Garden Suburb Act. I presume all members would be aware that the merger has been completed, and that the area formerly covered by the Garden Suburb Act has now been divided and attached to the then existing wards of Mitcham. Therefore, all those things necessary to be done have been done, with the exception of the repeal of the legislation. I have taken the unusual course of including it in this Bill as a contingent provision (and I thank honourable members for the courtesy of allowing me to do so) simply for the purpose of accommodating the requirements of the Mitcham council in that, had the legislation not been repealed, it would have been necessary for the council still to have levied a rate under the Garden Suburb Act and to keep separate accounts for that part which was formerly the Garden Suburb, even though the Garden Suburb area had become part and parcel of Mitcham. By the repeal of this legislation, the rates for the coming year will be able to be levied within the terms of the Local Government Act in exactly the same way as the rest of the rates for Mitcham will be levied. In other words, it will become a normal operation.

Mr. MILLHOUSE: I support the new clause. However, I do not think things are quite as easy and clear-cut as the Minister would have us believe. I was delighted when eventually the step was taken to amalgamate the Garden Suburb with Mitcham, although I felt, as I have for many years, that Mitcham should have received some financial recompense for doing it, but it was a matter of how much.

The Hon. G. T. Virgo: You wouldn't give them any.

Mr. MILLHOUSE: The Government of which I was a member would have given them something, although not as much as they wanted. But now they have got nothing out of it, and I think that is a pity. However, that is a battle that we fought and lost, and nothing more can be said about it.

What happened, of course, is that, once the proclamation under the Garden Suburb Act amalgamating the Garden Suburb with Mitcham had been passed, a number of difficulties arose that I do not believe had been foreseen. I certainly had not foreseen them and, although that is by no means conclusive, as the Minister and the member for Mitchell would hasten to assure everyone (if they needed any assurance of it), they had not been foreseen by anyone. I wrote to the Minister about this matter some weeks ago and got back a letter stating that no difficulties had arisen that had not been seen beforehand. That is what he wrote but, anyway, now we have this amendment poked into a Bill that had already been introduced. It will overcome the problems of administration that have arisen: keeping on the machinery of the Garden Suburb pursuant to the Act, because that is, in fact, what had happened, and the question of rating to which the Minister has now referred.

The only way to achieve fully and effectively the amalgamation of Colonel Light Gardens with Mitcham is to repeal the Garden Suburb Act altogether, and that is what we are now doing. The sooner it is done, the better it will be and, of course, it must be done before the end of this month unless we are to get into quite a mess. Then, that will be the end of the Garden Suburb as an entity, and I will be able to put away the last of the successive files that I have kept for 20 years on this suburb, and the various parts of the Garden Suburb will simply form parts of the particular wards. I also accept that this had to happen, too, and that Colonel Light Gardens could not be a separate ward of the city of Mitcham.

Mr. RUSSACK: The Liberal Party supports the repeal of the Garden Suburb Act. I took the liberty of contacting some people who were involved in the matter, and all agreed with this provision.

New clause inserted.

Clause 2 passed.

Clause 3—"Interpretation."

The Hon. G. T. VIRGO: I move to insert the following new paragraph:

(*ba*) by inserting after the definition of "ratepayer" the following definition:

"refuse" includes rubbish and "rubbish" includes refuse:

This may sound a rather pointless sort of amendment but again, like many of the matters in the Bill, it has been raised in representations by various councils. I refer the Committee to section 534 of the Act, which refers to a council employing or contracting for the removal of refuse, cleansing of streets, removal of refuse from houses, and so on. It refers to refuse, but section 542 of the Act provides that the ashes, filth and rubbish from dwelling-houses and other buildings are to be carted away. So, there is the task of doing both. I am giving the reason why there is an amendment in the definitions to include "refuse". I cannot give any legal reason why refuse does not mean rubbish. The lawyers say that it does not, so I move accordingly.

Amendment carried.

Mr. GOLDSWORTHY: I move:

To strike out the definition of "urban farm land" and insert the following new definition:

"urban farm land" in relation to levying rates means any parcel of land in a municipality or township—

(*a*) that is wholly or mainly used by the occupier for carrying on any one or more of the following businesses:

(i) grazing;
(ii) dairying;
(iii) pig farming;
(iv) poultry farming;
(v) viticulture;
(vi) fruit growing;
(vii) bee keeping;
(viii) horticulture;
(ix) vegetable growing

or

(x) the growing of crops of any kind;

and

(*b*) in relation to which the ratepayer has lodged a statutory declaration with the council to the effect that he intends to use the land for one or more of those businesses for a period of at least five years beyond the date of declaration of the rate.

The Minister did not answer any of the points I raised regarding the definition of "urban farm land" in the area with which I am familiar, but made uncharitable remarks about the fact that the amendments had been drawn up

today. Approaches were made to me weeks ago that the definition of "urban farm land" was unsatisfactory. I rang the Minister's office and got a good hearing from the man to whom I spoke, who suggested to me that, if I wrote to the Minister, the matter would be studied. I was encouraged in believing that I could hope for some amendment to the legislation sponsored by the Minister. Later, I received an acknowledgment of my letter, the Minister pointing out to me that his officers would look into the question I had raised.

In these circumstances, I should have known whether the Minister intended to act in this matter. I was surprised today that he was not intending to act in this matter, so I went about drawing up suitable amendments to cover the the situation I have outlined to the Minister. Certain farm lands will remain farm lands because the Government has seen fit to put restrictions on that land; I think of the watershed requirements. In effect, the definition as it stands in the Act places a means test on the rates to be levied on land that must remain in rural production because of Government action. The Minister blustered about what had happened regarding land in the Marion area that had been subdivided.

The Hon. G. T. Virgo: And they got a fortune out of doing it.

Mr. GOLDSWORTHY: Yes, but that could not occur in the areas to which I am referring because the land is strictly controlled by Government regulation and cannot be subdivided. The land must remain as farm land, but a means test is being placed on the land, under the terms of the definition as it stands. It is the definition, as follows, which is causing the difficulty:

> "urban farm land" means any parcel of land in a municipality which is more than two acres in area and which is wholly or mainly used for the time being by the occupier for carrying on one or more of the businesses or industries of grazing, dairying, pig-farming, poultry-farming, viticulture, fruit growing, bee-keeping, horticulture, or vegetable growing or the growing of crops of any kind and from which businesses or industries the occupier derives the whole or a substantial part of his livelihood:

One could have two adjacent properties. One man could work the property full or part time and, if he earned the substantial part of his income from the property, he would get the urban farm land rate. The man next door with an identical property might have a better job on the side and the income he earned away from the property could be more than half his total earnings; he would not get the urban farm land rate. Where is the fairness in that situation? I have tried to draw up an amendment to overcome this anomaly. The people the Minister wants to get are those who will carve up their properties for profit. My amendment follows closely the first part of the definition in the Act, but it seeks to remove the anomaly whereby a means test is based on the income of the person owning the rural property. If a primary producer who intended to continue in the business of primary production was willing to make such a statutory declaration, I cannot see that the Minister could argue against this provision. In Tanunda, there are vineyard properties within the township area, and over the road there are similiar properties just without the township, and they enjoy a level of rating one-half that of the neighbouring properties in the defined township area.

The Act does not at present include district council areas: it applies only to municipalities. I have received representations from ratepayers and the council itself seeking an amendment in this regard. If a ratepayer is willing to make a statutory declaration that he intends to carry on his business five years from the date on which the rate is levied, surely that safeguards the situation that the Minister says exists. If the land is subdivided the other provisions of the Act apply; retrospectivity under the Act also applies, and back rates are collected. However, the amendment will provide protection for people who genuinely wish to continue on their vineyards in the Tanunda area, for example, and who do not wish to carve it up after working it for some years; it puts them on equal footing with people across the road who may wish to carry on in the same way. I hope the Minister will see the logic of what I am saying and will accpt the amendment. The Minister has not advanced any argument against the amendment but has abused me for having amendments drawn up today. However, I believe I have covered the point.

The Hon. G. T. VIRGO: The member for Kavel has his wires crossed as regards statements made during my second reading reply and in the Committee stage. It was not competent for me in the second reading reply to deal in detail with his amendment, because it was not then before the Chamber. The honourable member admitted that he had great difficulty in drafting what was required. From what I have seen and from advice I have received, I do not believe he has achieved what he wants to achieve. I am not unsympathetic to the point he has made; I have not at any stage said that I am unsympathetic, so it is quite improper for him to suggest that I am. I said that the amendment sought to alter a provision that has been in the Act for 21 years and that he trotted up his amendment an hour before the matter was to be debated. Frankly, the matter is far too important to be dealt with in that way. When the honourable member wrote to me about this matter I replied that the matter would be considered seriously. That still applies, but I am unwilling to put into legislation a measure that I do not believe will work.

Mr. Goldsworthy: What's wrong with it?

The Hon. G. T. VIRGO: Can the honourable member really ask for a statutory declaration in relation to an activity that someone is going to pursue for the next five years? How can anyone give a guarantee that he will even be alive then? Surely that sort of provision is not desired in the Act. Before deleting the provision, I would want to consider seriously the question that the person occupying the land should not be deriving the whole or a substantial part of his living from the land. What the honourable member seeks to delete is an important provision, but I do not reject the amendment out of hand, because I believe it has sufficient merit to be considered seriously. In due course I hope that I can tell him that the next time this legislation is considered an amendment will be moved to provide for what he seeks to do. We are now seeking to provide a concession to those primary producers not presently catered for by the Act: primary producers with fewer than ·8 hectares. They may be nursery men, or they may pursue other activities. For that reason they are entitled to a concession in the same way as is a person with 80 ha or 800 ha. That is what we are seeking to do. The other matter raised by the honourable member is being studied by officers of my department but, until I receive proper advice from them, it would be improper to accept a proposition that in all probability will not work.

Mr. CHAPMAN: How does the Minister intend to protect the interests of people who have no other choice but to continue rural practices in urban farm land areas? I support the amendment and point out that there is a group of people in the buffer zones around towns who farm in

excess ·8 ha and therefore do not attract the concession to which the Minister refers. They are people who carry on their ordinary rural practices and who, in some cases, cannot expand their activities, cannot sell their properties, and have little chance while zoned in this category to use their land for any other purpose. Some people, especially in watershed areas, are controlled by the direction of the Engineering and Water Supply Department for the period they hold the land. Although those people may be earning the greater part of their income from that land they have no guarantee as to how long they will be on the land. Surely people in that category should be protected. The amendment moved by the member for Kavel would have the effect of protecting people whose practice is limited and who do not enjoy the benefits of this clause. Those people will be out on a limb until action is taken on their behalf. I see no harm in the Minister's adopting the amendment. In fact, if an anomaly exists let the Minister take steps later to remove that anomaly, but at least cover the broad spectrum.

The Hon. G. T. Virgo: What happens in the meantime?

Mr. CHAPMAN: In the meantime it is only fair and proper that we should protect those people who are involved and affected. It will not affect anyone else: it does not alter that part of the Minister's Bill that seeks to clamp down on those looking for a quick fortune. I will be extremely disappointed if the Minister does not take appropriate action and reconsider his attitude to the amendment.

Mr. EVANS: I know that the Minister believed, when winding up the second reading debate, that there was a vast area of difference between the opinions of the member for Kavel and me on this matter, but that is untrue.

The Hon. G. T. Virgo: Read *Hansard* and you'll find out there was.

Mr. EVANS: We will find that that is not the case. Regarding open areas, I should like to go further in the matter than the proposed amendment goes. However, I am willing to support the amendment because it goes some way towards achieving the objective that I have in mind. As difficult as it may be for someone to sign a declaration covering five years hence, such a concession does not pass on, if he should die, to the next person who comes on to that land. The new occupant must agree to sign up for five years or he faces having to pay the full rate. I should like the amendment moved by the member for Kavel to be broadened so as to cover the Hills area, including the catchment area. The Engineering and Water Supply Department has defined the townships within the water catchment area, as the department considered that they should be townships, and most councils have accepted the department's boundaries as being the township boundaries. That means that much farm land and bush land is outside those township areas, and could not be covered under the amendment.

I would have preferred a reference to municipalities and district councils, and I would have preferred that the decision be based on the council's interpretation. The important hills face zone area has been overlooked. If we are to protect that area we either buy it or give owners a substantial rate benefit, with a total exemption from land tax. I know that it is difficult to draft an appropriate amendment and I had accepted that the negotiations carried out by the member for Kavel, through the Minister and the department, would result in an amendment suitable to us this evening. However, the Minister has said that he is still considering the matter.

I know the situation that the member for Kavel was placed in when the Minister did not put an amendment on the file. I accept, to a certain extent, the Minister's statement that he will consider the matter more fully, but that is no reason why this cannot be accepted. We should try to find out whether it will operate satisfactorily. If it does not, it will be no worse than other legislation which we have passed recently but which has had to be amended within a short time, and I refer to the stamp duties legislation.

I think of a police officer who owns a property in the Hills area. He keeps some stud sheep there and travels to the city from the property. He can gain an income of a few hundred dollars a year from the property, but it is not the substantial part of his living. If he is not given a concession to use the land as such, pressures will be on him to use it for other purposes. This man is not a rich man, and prominent people have said that we should preserve these areas near the city so that people can visit them. Not many areas such as the one to which I have referred will be in municipalities, and that is why the provision should be widened to cover council areas.

The Minister will not be helping the many people who have properties of small and medium size and who cannot obtain a complete living from those properties. To say that people must obtain a substantial part of their income from a property damages the concept we are trying to achieve. I know that the Minister and his departmental officers are aware of the problems but, if we allow this Bill to pass without achieving the desired result, it may be a long time before we consider the matter again. We should be able to sit down and cover the total situation. I know the doubts that the Minister has had, but I am willing to support the amendment. If it seems likely that the amendment will not operate satisfactorily that will be a good reason for changing it later.

The Hon. G. T. VIRGO: I am pleased that the member for Fisher has said one thing with which I agree: that if we sit down we can draft something that will meet what is required. I have said that we will do that, but I am not willing to put into legislation something that could not only react against us but also make us look ridiculous.

Mr. Goldsworthy: How will the amendment do that?

The Hon. G. T. VIRGO: Because only last session this Parliament agreed to put into the Land Tax Act a provision regarding income. Now an attempt is being made to do the reverse in the Local Government Act. In other words, the Land Tax Act was brought into line with the Local Government Act, and now it is desired to change the Local Government Act. Please let us get a little bit of consistency.

Mr. GOLDSWORTHY: I am glad that the Minister back-pedalled on the abusive remarks he made earlier, when he said that we were crying in connection with urban farm land rating. In fact, we were not crying: we were pointing out a serious anomaly and injustice. The Minister admits that the situation needs tidying up but he claims that it is beyond the wit of this Parliament during the passage of this Bill to devise a suitable amendment to fit the situation; that claim is just not plausible. This matter is urgent.

The representations that prompted me to contact the Local Government Office came from ratepayers in the Hills ward of the Tea Tree Gully council area, because that council is at present engaged in determining who shall continue to receive an urban farm land rate. A letter was sent out about six weeks ago, when I first contacted the Minister's office, stating that the urban farm

land situation was being reviewed. A circular was sent out demanding certain information from ratepayers. I do not have a copy of the circular here, but I point out to the Minister that it caused a great deal of ill feeling among ratepayers in the Hills ward. It demanded to know all details of income from all sources (from farm land and otherwise) so that the council could, I take it, interpret strictly the provisions of the Local Government Act which state that a substantial part of the income (I understand that the courts rule that "a substantial part" is one-half) must come from the rural operation. The matter was of pressing urgency then, and I would have thought that it was not beyond the wit of the Minister or those responsible to come up with amendments in this time. I am certainly not convinced that it is beyond the competence of this Parliament to come up with an amendment that fits the situation better than do the present provisions of the legislation.

I am sure that my amendment is a considerable improvement on the current situation. If there is some minor flaw, that does not matter; I believe it is a major improvement. I hope that a suitable amendment will be drawn up before the Bill is finally passed through this Parliament. The Minister has said that he is sympathetic with what we are trying to do, and I am glad that we have made progress in that regard. If a primary producer is willing to make a statutory declaration that land will be used for primary production for five years, this should satisfy a council that it should grant him urban farm land rating. If the man dies, someone will have to be responsible for the rates. If that person decides to do something else with the land, the retrospective clauses will apply. At present there is a means test regarding rates, and it is this part of the provision to which we violently object. It means that there is a means test regarding rates on land used for primary production. It is churlish of the Minister to reject the amendment on the grounds he has put forward. The amendment is a considerable improvement on the present situation, which creates two classes of ratepayer on adjoining properties who are engaged in precisely the same type of rural production. I hope that the Minister will reconsider the attitude he has adopted and that he will accept the amendment.

Mr. RUSSACK: As there are anomalies in this situation this amendment will, if not fully, at least partially improve the situation. I support the amendment.

The Committee divided on the amendment:

Ayes (16)—Messrs. Allen, Arnold, Blacker, Boundy, Chapman, Coumbe, Eastick, Evans, Goldsworthy (teller), Gunn, Mathwin, Nankivell, Russack, Tonkin, Venning, and Wardle.

Noes (20)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Jennings, Keneally, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Pairs—Ayes—Messrs. Becker, Dean Brown, McAnaney, and Rodda. Noes—Messrs. Hopgood, Hudson, King, and McRae.

Majority of 4 for the Noes.

Amendment thus negatived; clause as amended passed.

Clause 4—"Qualification of aldermen and councillors."

Mr. MATHWIN: I oppose this clause. I referred to this matter in the second reading debate and gave the specific example of my son who fought as a soldier with the Australian armed forces. On his return to Australia he eventually nominated for election to the Brighton council. This provision would preclude him from taking office or from even nominating.

The Hon. G. T. VIRGO: The comments I am about to make relate to clauses 4, 5, and 7, so I hope there will be no need for me to repeat what I am about to say. We were asked by a local governing body to amend the Act to provide for Australian citizenship, because this is the order of the day in Australia. We are no longer a colony of Britain: we are a country on our own; we are Australians; we have Australian citizenship. We sought advice on this from the Australian Government Department of Immigration and, as a result of that advice, this provision was brought down as it appears in the Bill. However, subsequent advice we have received indicates that the effect of this provision alone would deprive those people, who have come from Britain and who have not taken out Australian citizenship, from exercising their right to vote in local government elections. As the whole purpose of this Bill is to extend the franchise (certainly, it is not to reduce the franchise), I ask the Committee to reject clause 4, and to reject clauses 5 and 7 when we reach them.

Mr. MATHWIN: I am pleased that the Minister has seen fit to do this, because the problem here did not only relate to people from the British Isles but also to people from other countries. It also relates to the wife of a man who might have been naturalised here and who obtained citizenship, and she might live in Italy. She would, in preference to people who have lived here all their lives, be eligible to vote in a local election. This also relates to the children of people who might or might not have been naturalised, and to the children of aliens (people who could be regarded as aliens when they arrived here) who take over the citizenship of their parents. So the matter goes much deeper than the Minister outlined, and I am pleased that he has seen the light on this matter. He need not blame it all on the decolonising of Australia, as that was dealt with many years ago. Few people regard Australia as a colony now.

Clause negatived.

Clause 5 negatived.

Clause 6—"Rights of voting."

Mr. RUSSACK: I move:

In new section 115 (2) to strike out "to exercise one vote at an election" and insert "to vote at an election as follows:

(*a*) in respect of the election of councillors—
  (i) Where the area is not divided into wards —he may exercise one vote;
  or
  (ii) Where the area is divided into wards— he may exercise one vote in each ward in respect of the property therein for which he is assessed, or nominated to vote;
(*b*) in respect of the election of aldermen— he may exercise one vote;
  and
(*c*) in respect of the election of a mayor—he may exercise one vote."

This amendment clarifies what is intended by the Act, and I believe that where there is an election for a representative each person on the voters' roll has the right to vote for each representative. The amending legislation could be interpreted as meaning that a voter could have one vote only in an election, and the interpretation of "election" would be important in deciding whether an election means the whole municipal election or the election for each councillor for a ward.

The Hon. G. T. VIRGO: I do not oppose the amendment. I do not think it is necessary because, on legal advice I have received, it will do what the legislation is now doing. However, it may be comforting to the member for Gouger if I accept the amendment.

Mr. RUSSACK: It will make me more comfortable, because it will be self-explanatory, and I thank the Minister for accepting the amendment.

Amendment carried; clause as amended passed.

Clause 7 negatived.

Clauses 8 to 12 passed.

New clause 12a—"Definition."

The Hon. G. T. VIRGO: I move to insert the following new clause:

12a. Section 163ja of the principal Act is amended by striking out the definition of "officer" and inserting in lieu thereof the following definition:

"officer" means any person employed by a council as a clerical, administrative or professional officer, but does not include any person remunerated only by fees, allowances or commission:.

This is another part of the repeal of the Garden Suburb Act that defines "officer", and is self-explanatory.

New clause inserted.

Clause 13 passed.

Clause 14—"Adoption of Government assessment."

Mr. EVANS: The present assessment notice contains a statement that the value may be used for ratable purposes and, generally, it will be used. It would not be unreasonable to show on the assessment notice the previous assessment, because this information would save many complaints being received from the ordinary house owner who works to a very close budget. Will the Minister consider this alteration?

The Hon. G. T. VIRGO: I will refer the matter to the Treasurer, who is the responsible Minister, and ask him to consider it.

Clause passed.

Clauses 15 to 21 passed.

Clause 22—"Amount and purposes of general rate."

Mr. RUSSACK: I move:

To strike out all words after "amended" and insert "by striking out from subsection (1) the passage 'twenty-five cents' and inserting in lieu thereof the passage 'thirty cents' ".

I have on file other amendments of a similar nature and with your concurrence, Mr. Chairman, I shall take this as a test amendment. The Bill provides for no maximum in cents in the dollar of the rate that can be applied by a council. I accept that, in the main, councils are responsible and generally do what is right but, with the extension of the franchise and with the increased number of organisations and works that can be provided for by rates from the council (child-minding centres, for example), it would be possible, if the council was biased in favour of certain organisations, for money to be used unwisely and for rates to be levied to meet those expenses. Voting aside, it is reasonable for those who pay the rates to exercise some control over the way in which they are spent. Giving an open cheque to a council possibly is going too far. I shall read a paragraph from one of the communications I have received from several councils. It states:

It may be argued with sound justification that councils would use the new power responsibly, but in view of the prevailing financial conditions some could be tempted to declare excessive rates to the disadvantage of their ratepayers. Also, another point which arises is that the Australian Government could well adopt the view that councils are not rating realistically in an attempt to evade its financial responsibilities to local government. It is felt that this could particularly apply when councils approach the Grants Commission.

I have also received a letter from a group of councils with a similar attitude to this and other clauses. The amendment will give greater control of the financial situation.

The Hon. G. T. VIRGO: I am surprised to hear the comment of the member for Gouger. We usually hear from the Opposition that we are trying to restrict local government, yet when we propose to amend an Act to provide full autonomy for local government the Opposition takes the reverse attitude. Of course there will be no maximum that may be imposed in accordance with the terms of the Act if this proposal becomes part of the legislation, but the electors exert a far more effective restriction on local councils that show bias or act unwisely. The electors comprise the most restrictive and sobering influence any council could possibly have. I do not know the local government bodies to which the member for Gouger referred, but many councils which have been in touch with our office are in dire financial straits because they are on the maximum rate and cannot do anything about it. It would be quite improper for this Parliament to perpetuate the problem of a maximum rate. Either we have confidence in local government or we have not. I have confidence in local government and I believe local government bodies will act responsibly. With that in mind the Government has brought forward this proposal to enable local government to raise the funds which it considers it needs and which it believes the ratepayers in its area can afford.

Mr. CHAPMAN: I was surprised to hear the Minister say that some councils had directed information to his office indicating that they were embarrassed about their ability to raise finance because of the prevailing rate in the dollar. It is not unreasonable to ask the Minister to cite the councils and circumstances that have led up to his remark, because to my knowledge that situation does not apply in the outer areas, nor is it ever likely to apply there. Recently most of the State has been faced with such significent land value increases, both unimproved land value increases and annual value increases, that councils automatically have tremendous scope. I should like the Minister to bring to the notice of the Committee real examples to substantiate his remarks.

Mr. RUSSACK: Although councils and councillors generally are responsible, councils could be affected and subjected to persuasion by outside influences to increase rates. The amendment therefore is perhaps more to protect councils from what would be imposed upon them from outside by compulsory subsidies, and so on. Perhaps those councils at the maximum rate are councils which have not recently had new valuations. I am assured that, if the valuations are adopted, they will be more than adequate to conform to the maximum rate in the dollar provided for in these amendments.

The Committee divided on the amendment:

Ayes (16)—Messrs. Allen, Arnold, Blacker, Boundy, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Mathwin, Nankivell, Rodda, Russack (teller), Tonkin, Venning, and Wardle.

Noes (20)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Jennings, Keneally, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Pairs—Ayes—Messrs. Becker, Dean Brown, Gunn, and McAnaney. Noes—Messrs. Hopgood, Hudson, King, and McRae.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed.

Clauses 23 to 28 passed.

Clause 29—"Urban farm land."

Mr. GOLDSWORTHY: I move:

In new section 244a to strike out subsection (2) and insert the following subsection:

(2) The amount of the remission shall be an amount, determined by the council, of not less than one-half of the amount of the rates that would, apart from this section, be payable.

I referred to this clause in the earlier debate, and I should like now to reiterate and reinforce one or two of the points I made then. I had some doubt when I spoke previously regarding the level of rating in the Tea Tree Gully council area. However, the figures I cited then were, in fact, correct. The urban farm land rate is ·68c and the general rate 4·2c in the dollar. The Minister suggests that that is too wide a discrepancy. However, on the unimproved land values operating in that council area, there is no discrepancy.

I understand that a revaluation in that council area is due during the next 12 months, and values will change markedly. The impact of this amendment is to change the options open to a council, and to change the direction, as it were, in which this relief is given. The Act as it stands provides that the maximum amount in the dollar of the general rate declared in respect of urban farm land shall not exceed one-half of the amount in the dollar of the general rate declared in respect of other land in the municipality. This amendment refers not to the rate that will be struck but to the exemption that will be granted. So, the thrust is in the opposite direction. Nevertheless, I seek by the amendment to put the option back with councils so that they can declare an urban farm land rate at a level that they consider appropriate.

The Minister said earlier that he had faith in the judgment of local government, but by this clause he is removing an option from local government. I do not care whether it is stated that a council can declare a rate up to a level not exceeding one-half or that the council can declare remissions in connection with rates. However, the way in which this clause is drafted will cause severe hardship immediately to ratepayers in the Hills ward of the Tea Tree Gully council area. I have inquired about the level of rates that obtain in the Hills ward and other wards of the Tea Tree Gully council area and I hope the Minister will pick these up. I referred to the case of a dairy farmer who has a property of about 41 hectares and who, on a rate of ·68c in the dollar, pays over $200 in district council rates. As I have pointed out, the present rural rate is one-sixth of the general rate, whereas this clause will declare that it must be at least one-half of the general rate; this will mean over a threefold increase immediately. If the clause is passed, an orchardist on a 15-hectare property will be faced with rates that will climb from about $104 to $340. I have inquired what the level of rates is with the general rate of 4·2c in council areas and they do not seem to be particularly untoward. It seems to be anomalous that someone can live in a suburban house in, say, Tea Tree Gully and go off to work and earn far in excess of what a primary producer is earning from his dairy or orchard, and pay about $100 a year in council rates, yet the removal of the option will immediately cause a threefold increase in rates to these two genuine primary producers, and there are many others in the same category.

The dairy farmer will be paying over $6 an acre (·4 ha) in council rates and the orchardist will be paying about $9 an acre, and their incomes are not assured. Even in a good year I doubt whether what they would obtain from their properties would reach anything like the incomes of people who work in the metropolitan area. If this is what the Minister wishes to inflict on these people, the clause will be passed. There are neighbouring properties in the Gumeracha District Council area on which the level of rating is similar to what obtains now. If the clause is passed, a serious anomaly will result between neighbouring orchardists, all of whom belong to the same co-operative. Some will pay, because they are unfortunate enough to live on one side of the road in the Tea Tree Gully area, an amount that is unreal and out of touch with what should be a fair rate on land used for this purpose and out of touch with neighbouring land that happens to fall in another council area. It is no good the Minister saying, "They pay only one-sixth. What are you crying about?" But what does the one-sixth represent, compared to rates in other areas and compared to what is fair in other wards in the same council area?

No doubt the member for Tea Tree Gully knows that what I am saying is so. If the Minister believes there should be an option, he will support my amendment, the general thrust of which is to strike a rate up to one-half. However, I like the reverse thrust, or the intent of the original Bill, but the simplest way to achieve what I want to achieve is to amend the clause so that the amount of the remission shall be an amount determined by the council of not less than one-half of the rates which, apart from this provision, would be payable. It will mean that the option will return to the council, so that it will be able to grant a remission to genuine primary producers involved in full-time primary production, thus overcoming a serious anomaly.

The Hon. G. T. VIRGO: As I have said, the whole question is being and will be properly looked at and in due course appropriate action, if required, will be taken. This is part of it. However, in the meantime I am willing to accept the amendment which I do not think it is well worded and I am sure that it will need revision soon. As it will at least maintain the *status quo*, I accept the amendment.

Mr. EVANS: I hope that, in the negotiations, the Minister and his officers will consider broadening the definition of "urban land" to include bush land.

The Hon. G. T. Virgo: That has nothing to do with this amendment.

Mr. EVANS: Clause 29 refers to "urban farm land", and the overall consideration is much the same thing. We need to include bush land in the definition.

Mr. GOLDSWORTHY: I thank the Minister for accepting my amendment, but I do not think that any great tidying up will be needed. Obviously the Minister was not aware of the difficulties that would immediately obtain if the clause was passed, so I do not apologise for the time I spent explaining the amendment.

Amendment carried.

Mr. RUSSACK: I move:

In new subsection 244a (3) to strike out "ten" and insert "five".

The Minister said in his second reading explanation that the provisions in this respect were analogous to the existing provisions of the Land Tax Act. However, section 12c (16) of that Act provides:

"differential land tax" in respect of land means an amount of land tax being the difference between the amount of land tax that would, but for the provisions of subsection (5) of this section, have been payable in respect of the land and the amount of land tax actually paid in respect of the land for—

(*a*) the financial year in which the relevant date occurs and the preceding financial years in respect of which the taxpayer was liable for

the payment of land tax upon the land after the date of the declaration under this section and before the relevant date;

or

(*b*) the financial year in which the relevant date occurs and the preceding four financial years,

whichever is the lesser:

I understand from that definition that the maximum will be five years.

The Hon. G. T. VIRGO: I am delighted to hear that the honourable member will adopt an attitude of consistency; therefore, so will I. I am not aware of the provision in the Land Tax Act to which the honourable member refers, so I will have it checked and, if what the honourable member says is correct, I will have my colleague in another place move the appropriate amendment. In the meantime I suggest that we adopt the Bill as it now stands, but with that understanding.

Mr. RUSSACK: I understand that if what I have said is confirmed—

The Hon. G. T. VIRGO: The Parliamentary Counsel will then draft an amendment to be moved in another place.

Amendment negatived; clause as amended passed.

Clauses 30 and 31 passed.

Clause 32—"Contents of notice of rate."

Mr. RUSSACK: I understand that this clause will make it necessary where a council adopts the valuation of the Valuer-General that such valuation must be stated on the rate notice. I again support what the member for Fisher said, because it is when rate notices are received that the ratepayer receives the shock of what his rates are to be. Ratepayers and taxpayers should have afforded to them some means of being told of the procedure so that this difficulty can be overcome.

Clause passed.

Clause 33—"Fine added to rate in default of payment."

Mr. CHAPMAN: I firmly believe that fines should be realistic and should at all times be equal to if not more than current bank interest rates. The Minister referred to the way he intends to publish by notice in the *Government Gazette* what fine will be imposed in this regard. Why does not the Minister insert in this Bill that the fine will be equal to or, if he desires, 1 per cent more than current bank overdraft interest rates? Clause 33 provides that section 259 of the principal Act will be amended:

(*a*) by striking out from subsection (1) the passage "a fine equal to five per centum thereof" and inserting in lieu thereof the passage "a fine fixed by the Minister by notice published in the *Gazette*";

Paragraph (*b*) deals with the arrears that will accrue after the first day of December or the first day of March, as the case may require. I seriously ask the Minister why he does not come straight out and say that, in lieu of 5 per cent, a fine will be imposed.

The Hon. G. T. VIRGO: The simple fact is that bank interest rates change from time to time. In the second reading speech I used the term "current bank overdraft rates". I do not know whether the honourable member can define what are current bank overdraft interest rates. I suppose it would depend on the bank with which one dealt, how long was the term of the overdraft and what were the conditions of the overdraft.

Mr. Chapman: Come now, you're—

The CHAIRMAN: Order!

The Hon. G. T. VIRGO: The Deputy Leader's statement was fair when he said that such rates are fairly uniform but that they are not uniform in all regards. What we intend to do is to make a simple provision that, after due consultation with Treasury, the Minister will make a declaration that those people currently using local government as a cheap means of providing money will no longer have that source available to them.

Mr. COUMBE: I raised this matter earlier but the Minister has given only a partial reply. Can the Minister say whether he will be in a position where, by regulation, he will annually adjust the rate?

The Hon. G. T. Virgo: On July 1 each year.

Mr. COUMBE: What has the Minister to say about the compounding effect that I read into this matter? For councils to handle this matter properly they will be involved in what could be a rather messy book-keeping procedure that could lead to much work in council offices, especially large municipal councils such as the Adelaide City Council, which probably has the greatest rate income of any council in South Australia and which is now facing rather severe financial problems. We are considering interest rates that will apply to arrears each month or part of a month. I agree with the Minister when he says that people should pay their rates, otherwise it becomes an impost on other people who meet their obligations. Does the Minister therefore believe that the administrative problems involving such compounding effects of the adjustment of arrears could involve several major facets of administration, and that this problem could be overcome by imposing a straight-out fine?

The Hon. G. T. VIRGO: No, I do not, and, more importantly, neither does local government. I think that at present the 5 per cent is added as a fine, and that amount is unaltered regardless of whether payment is made on say, December 3 or on June 30. We are trying to do two things. First, we are trying to prevent people from using the funds of local government as a bank and, secondly, we are putting the heaviest burden on those who want to use the money for the longest time.

Mr. Coumbe: I agree with that facet. I am talking about the internal work of compounding.

The Hon. G. T. VIRGO: I think it is a question of which is the lesser of the two evils. Is it better to have a flat amount and say that people must pay that interest, in the case of municipalities, calculated at seven-twelfths of a year if it is not paid by December 1, even though the amount is paid on December 3 or December 4, or is it better to have it on a monthly basis? I think the principle is the same as applies with an overdraft. I think an overdraft is calculated on a daily basis and banks are equipped to do that. I also think that most councils are equipped to meet this provision on a monthly basis, but hopefully, with this increased interest, ratepayers will find other ways to finance their activities and local government will have its accounts paid.

Mr. RUSSACK: Will there be a 1 per cent charge above the ruling overdraft interest rate, and will this be calculated monthly? If the account was not paid by December 1 and 2½ months passed, would the interest be applied for the 2½ months, or will there be a calculation each month, with the interest compounding on interest as well as on the amount owing?

The Hon. G. T. VIRGO: I have not the complete answer about simple interest or compound interest, but I will get the information for the honourable member.

Mr. WARDLE: Is it expected that the fines will be sent to the ratepayer each month, upon calculation, showing his rates and the calculated interest for that month, the following month, and so on, or, if rates have been outstanding for four months, will the calculation be made

monthly but only at the end of the four months will the ratepayer know the total amount of interest that has been levied?

The Hon. G. T. VIRGO: The clause provides that the fine fixed by the Minister shall be expressed as a percentage of the amounts of rates in arrear for each month or part of a month. The rates remain in arrear after December 1. The provision does not refer to the rates and interest being in arrear at the end of each month, so it seems to me that the amount of interest is a straight amount. Presumably, if the interest rate was set at 10 per cent, seven-twelfths of that amount would be payable each month or part thereof that the rates remained unpaid.

Mr. GOLDSWORTHY: The Tanunda council is not enthusiastic about the clause because obviously the fines will be variable and, if rates are outstanding after March 1 and for four months, the fine would be less than that under the current charge of 5 per cent. If the interest is calculated on an annual basis, at the ruling bank rate of about 10 per cent for four months the fine obviously will be less than the current fine, which is 5 per cent. If someone delays payment of rates for up to four months or longer, the fine will be less severe than it is at present. A letter that I have received from the Tanunda council states:

I don't really think the proposed amendment to section 259 is going to be too successful. Under existing provisions a 5 per cent fine is added on March 1 each year—under the proposed legislation an interest rate per annum will apply. The problem with annual interest is that ratepayers by with holding payment of arrears for some four months are still not paying as much as the 5 per cent fine. The fine should be 10 per cent, which is a heavy slug and which will encourage most to pay prior to March 1.

Perhaps the Local Government Association has had a meeting on the matter, but I do not know what grounds the Minister has for asserting that this provision has come from local government. It has not come from one council that has written to me.

Clause passed.

Clauses 34 to 37 passed.

Clause 38—"Application of purchase moneys."

Mr. RUSSACK: In view of the fact that clause 37 repeals section 277 of the principal Act, can the Minister say whether clause 38(b) should remain as it is?

The Hon. G. T. VIRGO: I thank the honourable member for the point he has raised, and I shall ascertain whether an error has been made.

Clause passed.

Clauses 39 to 45 passed.

Clause 46—"Power of council to authorise certain works."

Mr. COUMBE: Can the Minister say why a period of 42 years is specified in section 365(2) of the principal Act?

The Hon. G. T. VIRGO: I can only refer the honourable member to one of his own Party colleagues who was responsible for legislation in either 1938 or 1946. Undoubtedly there was a Liberal and Country League Government at the time. Perhaps Sir Thomas Playford can help the honourable member.

Clause passed.

Clause 47—"Erection of certain structures on roadsides."

Mr. ALLEN: I move:

In new section 365b(1) to insert the following new paragraph:

(*aa*) a shelter for children;

Some councils were embarrassed for many years because from time to time they received applications for the erection of shelter sheds for schoolchildren, and the councils had no authority to permit the erection of those sheds. My amendment provides for such authority.

The Hon. G. T. VIRGO: If the reason given by the honourable member was correct, I would be only too happy to accept his amendment. Section 357 of the principal Act provides:

A council may . . .

(*d*) construct or erect or permit to be constructed or erected in or on any public street, road or place within the area any seats or similar erections.

This provision would certainly cover bus stop shelters.

Mr. ALLEN: A shelter shed for children does not have seats.

The Hon. G. T. VIRGO: It is a similar structure.

Mr. EVANS: The provision quoted by the Minister stated that a council may erect certain things. Does it mean that a council can give permission for other people to erect certain things?

The Hon. G. T. VIRGO: Lions Clubs erect shelter sheds. It is pointless to accept the amendment, because a suitable provision is already in the legislation.

Amendment negatived; clause passed.

Clauses 48 to 59 passed.

Clause 60—"Depositing of rubbish, etc."

Mr. COUMBE: Can the Minister assure the Committee that only one person will be charged with an offence in connection with depositing litter or waste material on a road or in a public place? In connection with drivers who deposit litter, one cannot always find out who was guilty; sometimes it may be the owner of the vehicle and sometimes it may be the driver of the vehicle. In this Bill we find a reversal of the normal onus of proof; probably it is the only way of operating the provision. Has the Minister received any representations on the subject of unsightly goods and chattels, and does he intend in the future to amend the legislation in connection with this matter?

The Hon. G. T. VIRGO: Regarding convictions, I understand that the same provisions will apply under this Bill as apply under the Road Traffic Act. The owner of the vehicle is deemed to be the guilty party. However, if he is able to satisfy the court that he was not at the time in charge of the vehicle, the onus is on the driver. Regarding the matter of chattels, I readily appreciate the problem and why the member for Torrens has raised it: he had a problem which, thankfully, has been solved. I would need to check through the Act, but I understand that we previously enacted a provision giving the power to local government to act in this matter. I am not aware that that power is inadequate, but perhaps I will treat it as a Question on Notice and bring down a reply.

Mr. COUMBE: Does the Minister believe that the 14 days provided in new section 784b (4) is sufficient notice? A motor vehicle could represent a substantial cash asset to the person concerned. Does the Minister believe that 14 days is sufficient, or should the period be extended? Has he received representations on this matter?

The Hon. G. T. VIRGO: I understand no representations have been made to my office, although I do not know whether I personally have received any. However, if we read the whole of new section 784b and not just new subsection (4), we see that a procedure is to be followed and that 14 days from the service of the advertisement of the notice, etc., becomes a different time-table. Every council of which I am aware has acted responsibly in this matter. True, there may come the time when a council will not act responsibly and that will be the time when we will have to

reconsider the period of 14 days. However, whilst councils are acting responsibly, doing all they can to find the owner of a vehicle, we shall do all we can so that councils should not be required to hold vehicles in a space that is involving them in unnecessary expense.

Mr. EVANS: I support the Minister's argument that 14 days is sufficient. Doubtless, with the great increase in the number of vehicles on the roads, we will have before long a situation similar to that existing in America. Some people are nomadic in their way of life: they dump a vehicle and move on to another State. I believe there will be difficulty for councils in recouping the costs of removing dumped vehicles, which are complete wrecks and which are not saleable, especially with scrap values as they are today. I have advocated previously, as I still do, the inclusion of a built-in penalty on the first sale of a motor vehicle to cover the cost of disposing of a vehicle at the wrecking stage. Whether that should be $20 or $30, I am not sure, but certainly it needs to be a figure of that order, to be added to the initial price of a car, perhaps through legislation enacted by the Australian Government. This clause is acceptable. Although I did not speak on it in the second reading debate, I do not like the onus of proof being reversed. However, as councils have so much difficulty in prosecuting people now, especially councils near the city, where people dump waste materials and rubbish on the weekends or at night because it is more convenient for them than to go to a dump when it is open (and these people are a real curse to the operations of councils), this clause will do much to eliminate the problem. There will still be difficulties in initiating prosecutions and apprenhending offenders, but I believe the Minister and the Government have done much towards eliminating one of the problems we have in our society. I support the whole clause.

The CHAIRMAN: I point out to the honourable member for Gouger that he has on file a series of similiar amendments to new section 748b. I suggest that he move the first amendment, using it as a test case, but speak generally on all amendments.

Mr. RUSSACK: I move:

In new section 748b (1), after "vehicle" first occurring, to insert "or farm implement".

I thank you for your guidance, Mr. Chairman. The definition of "vehicle" includes a motor cycle and a bicycle. Does this definition include farm implements? I understand that in some country areas councils experience the same problem with farm implements, as do other councils with other vehicles.

The Hon. G. T. VIRGO: If the honourable member has found a loophole in the definitions, we should consider the definition of "vehicle" which I think includes a motor cycle and bicycle. If that does not cover a farm implement, we should look at the whole definition and not at the provision in this clause. The definition should be made sufficiently wide to cover a horse and cart, a trailer, a steam engine, a carriage, or anything else. Therefore, if there is a weakness, it should be looked at elsewhere, and I ask the honourable member not to pursue the matter at this stage. Instead, I will have my officers look at the situation and, if it is found necessary to expand the definition of "vehicle", that can be done when the Bill reaches another place.

Mr. RUSSACK: I understand that this matter will be examined and dealt with when the Bill reaches another place.

The Hon. G. T. Virgo: I am not sure that it is needed yet.

Mrs. BYRNE: In new section 748a (5) the definition of "litter" includes "bottles, cans, cartons, packages, paper, glass and foodstuffs"; I cannot see a definition specifically including refuse and waste matter. Are vine cuttings, tree limbs, bushes, timber from fences, and off-cuts from household jobs covered by the definition? They do not appear to be covered by the definition of "litter". I do not want to see people who dump such material (it does not accidentally fall off their vehicles; it is definitely dumped) escaping prosecution under this legislation.

The Hon. G. T. VIRGO: There is no doubt that this is refuse. I remind members that we earlier extended the meaning of "refuse" to mean "rubbish" and "rubbish" to mean "refuse", so it is pretty well covered.

Amendment negatived; clause passed.

Clauses 61 to 64 passed.

New clause 65—"Repeal."

The Hon. G. T. VIRGO moved to insert the following new clause:

65. The following Acts and portions of Acts are repealed:
the Garden Suburb Act, 1919-1973;
the Garden Suburb Act, 1919;
the Garden Suburb Act Amendment Act, 1921;
the Garden Suburb Act, 1925;
so much of the second schedule to the Statute Law Revision Act, 1936, as relates to the Garden Suburb Act, 1919-1925;
the Garden Suburb Act Amendment Act, 1960;
so much of the second schedule to the Statute Law Revision Act, 1973, as relates to the Garden Suburb Act, 1919-1960, or the Garden Suburb Act Amendment Act, 1960.

New clause inserted.

Title.

The Hon. G. T. VIRGO moved:

After "1934-1974", to insert "; and to repeal the Garden Suburb Act, 1919-1973".

Amendment carried; title as amended passed.

Bill read a third time and passed.

ADJOURNMENT

At 11.33 p.m. the House adjourned until Wednesday, June 11, at 2 p.m.