

HOUSE OF ASSEMBLY

Tuesday, February 17, 1976

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

ELECTORAL ACT AMENDMENT BILL (OPTIONAL PREFERENCE)

The Hon. PETER DUNCAN (Attorney-General): I have to report that the managers for the two Houses conferred together but that no agreement was reached.

PETITION: RIVERLAND PLANNING

Mr. ARNOLD presented a petition signed by 3 368 residents of the Riverland area praying that the House would reject the proposed Riverland Planning Area Development Plan in its present form; that all questions of policy in planning and development within the Riverland Planning Area and all particular proposals be referred to local authorities within the planning area; and that the role of the State Planning Authority in planning development within the Riverland Planning Area be restricted to consultation, advice, and assistance in the proper implementation of policy.

Petition received.

PETITION: SUCCESSION DUTIES

Dr. TONKIN presented a petition signed by 131 residents of South Australia praying that the House would abolish succession duties on that part of an estate passing to a widow.

Petition received.

MARRYATVILLE CO-EDUCATIONAL HIGH SCHOOL

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Marryatville Co-educational High School Conversion (Stages I and II).

Ordered that report be printed.

QUESTIONS

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

BOLIVAR EFFLUENT

In reply to Mr. BOUNDY (February 5).

The Hon. J. D. CORCORAN: The consultant study is on schedule and the report is expected to be received by the Government at the end of February.

PORT LINCOLN WORKS

In reply to Mr. BLACKER (February 5).

The Hon. J. D. CORCORAN: Approval has recently been given for two condemned chillers at the Port Lincoln abattoir to be upgraded to meet Australian Department of Agriculture standards. This will permit an increase in the daily beef kill from 55 to 98 head and an increase in beef chilling space from 55 to 150 bodies.

SCHOOL ENROLMENTS

Dr. EASTICK (on notice):

1. What number of students have been enrolled at State schools for the current year?

2. Is it possible to identify those students who have enrolled because of lack of job opportunity?

3. What steps is the department taking to ensure that adequate staff and teaching facilities are available to cater for the additional students?

The Hon. D. J. HOPGOOD: The replies are as follows:

1. 233 890.

2. While secondary enrolments have increased by only 64 students on 1975 figures, year 10 to 12 enrolments are up 1 289. No figures are yet available as to the number who have re-enrolled following failure to obtain employment. This information will be sought when enrolments have settled down.

3. In view of the small overall increase in enrolments, it can be confidently stated that departmental schools are more adequately staffed than they have ever been previously.

NATIONAL PARKS

Mr. GUNN (on notice):

1. How many national parks are there and what is the total area held by the National Parks and Wildlife Department on Eyre Peninsula?

2. What plans has the department to purchase more land for national parks on Eyre Peninsula?

3. How many people are employed by the department on Eyre Peninsula?

The Hon. D. W. SIMMONS: The replies are as follows:

1. On mainland Eyre Peninsula, south of a line joining Port Augusta and Streaky Bay, there is, technically, only one national park, namely, Lincoln, which contains 15 971 hectares. There are, in all, 13 reserves currently constituted under the National Parks and Wildlife Act, 1972-1974, totalling about 220 283 hectares in extent.

2. Apart from some additions to Lincoln national park and Bascombe Well conservation park, for which occupiers of the land have been approached by the Director of National Parks and Wildlife, the National Parks and Wildlife Division has no current plans to purchase more land for national park purposes on Eyre Peninsula.

3. The National Parks and Wildlife Division currently employs three staff to serve the Eyre Peninsula area, namely, rangers stationed at Port Augusta, Port Lincoln and Streaky Bay. A fourth ranger will be stationed at Coffin Bay at the end of February.

Mr. WOTTON (on notice): Is it the intention of the Government to include land on the 150 link reserve adjacent to section 553, hundred of Baker, in a proposed national park and, if so:

(a) when will the Department for the Environment take control of this land;

(b) will shacks already built in the area be allowed to remain; and

(c) are full building restrictions which apply currently to remain operative?

The Hon. D. W. SIMMONS: The replies are as follows:

(a) The 150 link reserve adjacent to section 553; hundred of Baker, is expected to be dedicated as an extension to the Coorong national park in about six months.

(b) Yes.

(c) The National Parks and Wildlife Advisory Council has been requested to advise me on the conditions under which shacks should be allowed to remain on land dedicated under the National Parks and Wildlife Act. No doubt the council will take into consideration the overall Government policy on the future of shacks on Crown land.

SPENCER GULF BRIDGE

Mr. GUNN (on notice): What plans has the Highways Department to construct another bridge over Spencer Gulf?

The Hon. G. T. VIRGO: There are no plans to construct another bridge over Spencer Gulf.

WATER FILTRATION

Mr. GOLDSWORTHY (on notice):

1. What is the present estimate of the cost of the water filtration scheme for Adelaide?

2. By what percentage is it estimated that water rates will have to be raised to finance the scheme?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The estimated cost of construction of the water treatment plants to service Adelaide is \$100 000 000 at present day costs.

2. This will depend upon budgetary considerations over the next 10 years.

HOUSING TRUST

Mr. GOLDSWORTHY (on notice):

1. What were the total business interests of Mr. Liberman disclosed to the Government when he was appointed to the Housing Trust?

2. What were the business interests he had disposed of and which were retained?

3. What was the account given to the Government of the business interests retained?

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

1. A list of interests which he had relinquished and those he had retained.

2. This information is not available for full public disclosure.

3. Full information was given.

Dr. TONKIN (on notice): Has the Housing Trust let contracts to a firm called D.P.F. Modular Systems Limited, and, if so, what were the details of these contracts?

The Hon. HUGH HUDSON: The Housing Trust in accordance with its policy of trying out new housing systems, purchased the panels for 10 houses from D.P.F. Modular Systems and later arranged for one of its on-going contractors with the suppliers to erect the houses at Gawler. The houses are completed and occupied and no further negotiations have been entered into with D.P.F. Modular Systems. The negotiations were initiated by Mr. Ramsay in November, 1974, and arrangements completed prior to Mr. Liberman's appointment to the board of the trust. Mr. Liberman took no part in the negotiations.

Dr. TONKIN (on notice):

1. What parcels of land have been purchased by the Land Commission from the Housing Trust and what is the location of each of these parcels?

2. What was the location and stage of development of the land?

3. What was the purchase price paid?

4. On what dates were the purchases made?

5. Why were these sales made by the Housing Trust?

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

1. to 4.

Hundred	Section	Location	Amount paid \$	Date of acquisition
Munno Para	Part 4004	Waterloo Corner Road, Salisbury North	287 000.00	June 27, 1974
Munno Para	Part 4012, Lots 9-14	Diment Road, Salisbury North	32 756.75	June 26, 1975
Munno Para	Part 3139	Main North Road, Hillbank	210 000.00	June 30, 1975
Munno Para	Sections 3251, 4149, 4150	Craigmore and Uley Roads, Smithfield	725 250.00	June 27, 1974
Munno Para	Lots 45, 46 and 47	Adams Road, Smithfield	937 000.00	May 30, 1975
Munno Para	Sections 3161, 3166, 3173, 3174, 3167, 3160, and Lots 36 and 37	Main North Road, Smithfield	1 130 000.00	June 30, 1975
Noarlunga	Parts 651 and 664	Flaxmill Road, Morphett Vale	212 000.00	June 27, 1974
Willunga	Section 326	Commercial Road, Port Noarlunga South	200 000.00	June 26, 1974

All of the land purchased was undeveloped except for six fully developed allotments at Diment Road, Salisbury North.

5. The transfer of land by the Housing Trust to the Land Commission has made land available through the agency of the commission for urban development outside of the building programme of the trust. The transfer of such land is consistent with the financial agreements between the Commonwealth and South Australian Governments.

Dr. TONKIN (on notice):

1. How many dwellings has the Housing Trust completed so far in the financial year, 1975-76?

2. What is the present estimate for the total number of dwellings to be completed for the full financial year, 1975-76?

3. How many applications does the trust have before it at present and for what types of housing do they relate?

4. What is the latest estimate by employing the critical path method for the minimum time requirements from initial planning stages to completion of first house for new trust residential development?

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

1. 1 408.
2. 2 400.
3. 27 990 consisting of: cottage flats, 3 160; rental, 16 180; and sales, 8 650.
4. An average figure would be about 180 weeks.

STATE BANK

Mr. MILLHOUSE (on notice):

1. Who are the present members of the board of the State Bank?
2. When was each member appointed?
3. When does the term of each member expire?

The Hon. D. A. DUNSTAN: The reply is as follows:

Present Members of Board of Management of

State Bank of South Australia

Mr. G. F. Seaman (Chairman)
Mr. J. R. Dunsford (Deputy Chairman)
Mr. E. R. Howells
Mr. R. D. E. Bakewell
Mr. A. B. Thompson (Deputy Member)

Appointed

February 8, 1976 (reappointed)
June 9, 1973
September 1, 1973
November 9, 1975
May 22, 1975 (reappointed)

Term Expires

February 8, 1981
June 8, 1978
August 31, 1978
November 8, 1980
May 22, 1976

Before his appointment as a Deputy Member, Mr. A. B. Thompson was a member of the board from March 16, 1950, to March 15, 1975.

SAVINGS BANK

Mr. MILLHOUSE (on notice):

1. Who are the present trustees of the Savings Bank of South Australia?
2. When was each appointed?
3. When does the term of each expire?

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

1, 2 and 3.

Present Trustees	Appointed	Term Expires
Bakewell, R. D. E. (Chairman)	January 1, 1976	December 31, 1981
Huntley, G. H.	January 1, 1972 (reappointed)	December 31, 1977
Braddock, L. A.	January 1, 1974 (reappointed)	December 31, 1979
Seaman, G. F.	March 1, 1973	December 31, 1977
Howells, E. R.	January 1, 1974	December 31, 1979
Crimes, E. H.	January 1, 1976	December 31, 1981

Dr. TONKIN (on notice): Have representations been made by members of the staff of the Savings Bank of South Australia to the Premier or any other members of the Government or their officers during the past 12 months and if so, what was the nature of the representations which were made and the outcome of them?

The Hon. D. A. DUNSTAN: I am not aware of any representations to me or to my Ministers by individual members of the staff of the Savings Bank of South Australia. The Australian Bank Officials Association wrote on several occasions to me prior to February, 1975, seeking improved conditions including concessional interest rates on staff loans. In December, 1974, the association wrote seeking an improvement in retirement benefits and the Savings Bank Act, section 20 was subsequently amended in March, 1975, to this end. On December 16, 1975, the association again wrote drawing my attention to a resolution of the annual general meeting of the sub-branch regarding fringe benefits which the association claimed were operating in some banks, but not in the Savings Bank of South Australia. I replied in January, 1976, stating that the bank board had directed that a further examination be made for the consideration of the trustees of all matters raised. The association was informed that some aspects of their letter were incorrect and in particular advised that increases in entertainment allowances for Managers had been made and further that the newly appointed Chairman of the board, Mr. R. D. Bakewell and the General Manager would meet the association to discuss

the points raised in their letter. On April 30, 1975, the association wrote to me regarding worker participation in the Savings Bank of South Australia and also the State Bank. This matter has been referred to the Unit for Industrial Democracy to prepare a model for the Savings Bank and the State Bank.

Dr. TONKIN (on notice):

1. Was the appointment of Mr. E. H. Crimes to the Board of Trustees of the Savings Bank of South Australia for the normal term, pursuant to the provisions of the Act?
2. When does the Premier intend to replace him, and how will he do this?

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

1. Yes.

2. At the time of Mr. Crimes's appointment, I indicated that at some future date Mr. Crimes could resign to make way for a representative from the bank's staff, under the terms of the Government's industrial democracy policy. Mr. Crimes accepted appointment on that understanding.

Dr. TONKIN (on notice):

1. When is it intended the present Director-General of the Premier's Department will resign from his position now that he has been appointed Chairman of Trustees of the Savings Bank of South Australia?

2. If he does not intend to resign, why not?

3. What remuneration, if any, does he receive as Chairman of Trustees of the Savings Bank of South Australia, and as a member of the Board of Management of the State Bank?

4. Is he a member of any other boards and if so, what boards and what remuneration, if any, does he receive from them?

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

1. The position of Chairman of the Savings Bank has always been part time, taking up approximately half a day per week. Mr. Bakewell will therefore not be resigning from the Public Service.

2. As a permanent public servant, employed under the terms of the Public Service Act, there is no need for him to resign when he is appointed to boards by the Government.

3. He receives \$3 500 per annum as Chairman of Trustees of the Savings Bank. A fee of \$2 400 is applicable as a member of the State Bank Board, but this is not received by Mr. Bakewell, and is paid into revenue at his request.

4. He is not a member of any other board where a remuneration is paid, but as a senior officer in the Public Service, is a member of various inter-departmental committees and bodies.

BUILDING PURCHASE

Mr. MILLHOUSE (on notice):

1. Has the Government bought the land on the corner of King William Street and Carrington Street, Adelaide, at present occupied by the burnt out Murray Hill building and if so:

(a) at what price; and

(b) for what purpose is this land required?

2. If the land has not been purchased, is the Government negotiating to buy this land and from whom and at what price?

The Hon. J. D. CORCORAN: The replies are as follows:

1. No.

(a) *Vide* above.

(b) Future expansion of the courts complex.

2. Notice of intention to acquire the property has been served on the registered owner, Yurilla Investments Proprietary Limited. Financial negotiations have not yet begun.

NOISE POLLUTION

Mr. MILLHOUSE (on notice):

1. Is it still the intention of the Government to introduce legislation concerning noise pollution and if so:

(a) when; and

(b) upon what principles is such legislation to be based?

2. What has caused the delay in the introduction of such legislation until now?

3. If it is not proposed to introduce this legislation, why not?

The Hon. D. W. SIMMONS: The replies are as follows:

1. The Government's intention to introduce legislation concerning noise pollution remains unchanged. This will be done in the coming Budget session of Parliament.

(a) See above.

(b) Local amelioration in conjunction with noise standard regulations.

2. Problems of drafting in the light of legal opinions in relation to interstate legislation.

3. See 1.

MINISTER'S PORTFOLIO

Mr. MILLHOUSE (on notice):

1. Does the Minister of Mines and Energy and Minister for Planning still retain the title of Special Minister of State for Monarto and Redcliff and, if so, is such title still to be used?

2. If the title has not been retained, why not and when was it abandoned?

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

1. No.

2. Title discontinued from October 17, 1975, when new title Minister of Planning was adopted.

BOUNDARIES COMMISSION

Mr. MILLHOUSE (on notice):

1. Has a Chairman of the Electoral Districts Boundaries Commission yet been appointed pursuant to the Constitution Act and, if so, who?

2. If not, when is it likely that a chairman will be appointed?

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

1 and 2. Yes, the Hon. Mr. Justice Bright.

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RELIGIOUS EDUCATION

Mr. MILLHOUSE (on notice):

1. What changes, if any, are contemplated in arrangements for religious education in schools?

2. What is the reason for these changes?

3. When will they be made?

The Hon. D. J. HOPGOOD: The replies are as follows:

1. The so-called Loveday method is to be introduced on a trial basis in some schools.

2. It is the Government's belief that this method is a clearer recognition of the rights of the parents.

3. Forthwith.

Mr. MILLHOUSE (on notice): Is it proposed to adopt the Loveday method of asking parents to choose whether or not they wish their children to attend any course on religion as a uniform procedure in Government schools and if so, why and when?

The Hon. D. J. HOPGOOD: See reply to previous question.

SUCCESSION DUTIES

Mr. MILLHOUSE (on notice):

1. Has any estimate been made of the annual loss of revenue which would be incurred by the abolition of succession duties on estates passing to surviving spouses and, if so, what is that estimate?

2. If not, is such an estimate to be made, when, and will it be made public?

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

1. It is estimated that the reduction in revenue which would be occasioned by the abolition of succession duties on estates passing to surviving spouses in present circumstances would be \$4 000 000. However, the figure would probably become higher because the concession would change the pattern of bequests resulting in an increase in the proportion of estates falling within this category.

2. See above.

LAND TAX

Mr. WOTTON (on notice):

1. Has an officer from the State Taxes Department been made available to assess cases of hardship caused by payment of land tax?

2. What recognition of contingency is required for such an assessment?

3. What steps will be taken to assist those experiencing genuine hardship caused by payment of land tax?

4. Where should those concerned make application for such an assessment in regard to hardship?

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

1. Yes, in conjunction with the Rural Industries Assistance Branch of the Lands Department.

2. Inability to pay the land tax because of circumstances beyond the control of the taxpayer.

3. The tax for the particular year will be remitted in full or in part as may be determined from the assessment of the taxpayer's current financial position.

4. Land Tax Division, State Taxes Department, State Administration Centre, Victoria Square, Adelaide, postal address Box 2250 G.P.O., Adelaide, 5001. It is expected that special forms of application will be available from the department, United Farmers and Graziers of South Australia Incorporated and the Stockowners Association of South Australia, towards the end of the next week.

SCENIC ROUTE

Mr. WOTTON (on notice): What are the intentions of the Government in regard to the construction of a new road to be built in the vicinity of Montacute Road and the Corkscrew as part of the Montacute to Kangarilla scenic route?

The Hon. G. T. VIRGO: There are no proposals to construct such a road.

BALHANNAH POLLUTION

Mr. WOTTON (on notice): Did the Minister issue Mr. H. M. Noske, of Balhannah, with an order or warning in regard to the polluting of the Onkaparinga River, and, if so:

- (a) what form did the order or warning take;
- (b) when was such an order or warning given;
- (c) when was a complaint on this matter first made to the Minister;
- (d) what department did the inspector who visited the slaughterhouse represent;
- (e) did that inspector make contact with Mr. Noske; and
- (f) did the inspector find any evidence relating to claims made in the initial reporting of the incident, as suggested in an article which appeared in the *Sunday Mail* on February 8, 1976?

The Hon. J. D. CORCORAN: Yes.

- (a) An Inspector of Watersheds verbally directed Mr. Noske to remove accumulated paunch manure from the premises for disposal to an approved site.
- (b) Friday, February 6, 1976.
- (c) The department was first made aware of the complaint late on Thursday, February 5.
- (d) The Engineering and Water Supply Department.
- (e) Yes, on February 6 and again on February 9 and February 11.
- (f) No.

APPROVED DEALERS

Dr. EASTICK (on notice):

1. Pursuant to section 32ea of the Public Finance Act, 1936, as amended, which organisations have been used as approved dealers?

2. What was the amount held by each organisation at the close of business at the end of each month since the section has been in use?

3. What has been the financial return to the Government from this source to January 31, 1976?

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

1. Transactions have been conducted with: All-States Discount Limited; A.M.P. Discount Corporation Limited; Elders Finance and Investment Company Ltd.; First Federation Discount Company Ltd.; Trans City Discount Limited; United Discount Company of Australia Ltd.

2. Operations commenced on December 10, 1975, but no funds were on the market at December 31, 1975. On January 31, 1976, an amount of \$12 000 000 was held by various dealers. I do not believe it would be in the best interests of the Government to disclose publicly the distribution of these holdings amongst the various dealers. However, I am prepared to provide these details to Dr. Eastick on a confidential basis if requested.

3. The financial return to January 31, 1976, was just under \$97 000.

PENANG WEEK

Mr. MILLHOUSE (on notice):

1. What was the total cost to the Government of Penang Week and how is it made up?

2. How many persons went to Penang for this occasion at Government expense and who were they and why?

3. What benefits either have already or are likely to accrue to South Australia as a result of Penang Week?

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

1. An analysis of the costs incurred by the South Australian Government in relation to Adelaide Week in Penang is set out in schedule I. The statement is based on accounts that have been rendered for payment up to and including February 5, 1976, and on estimates of anticipated and contingent expenses for which no invoices have yet been received.

2. The South Australian Government was responsible (wholly or in part) for the travelling expenses incurred by 121 persons whose names and functions are set out in schedule II.

3. Response to the various segments of the programme was as follows:

1. Industrial Exhibition:

(1) Twelve of the exhibiting firms have made immediate sales with excellent chances of follow-up orders.

(2) During the exhibition members of the official party on duty received inquiries regarding the products of at least 50 South Australian firms whose products were on display. Trade inquiry forms were completed by the inquirers in Penang and these have been passed to the companies concerned for follow-up action.

(3) Three exhibitors are already negotiating licensing agreements for their products to be partly or wholly manufactured in Malaysia.

(4) Eleven firms have either appointed agents or are now negotiating agencies with interested parties.

(5) Several inquiries were received for products not on display, and likely suppliers are being contacted by staff of the Trade and Development Division of the Premier's Department.

2. Art and Craft Exhibition:

(1) Each of the opal and gem exhibition supervisors made valuable contacts for the sale of South Australian gem material. One joint venture gem marketing shop is being set up in Malaysia as a result of these negotiations. There has also been a significant sale of ceramics.

(2) Much interaction was engendered with the young people in Penang by means of:

(a) the exchange of 500 paintings, the originals having been prepared by school children in the Adelaide metropolitan area;

(b) the preparation of a large friendship banner constructed of felt cut-outs. This work was carried out by about 500 children who attended the craft exhibition.

(c) the daily demonstration of Raku pottery firing which formed part of the outdoor activities.

3. Performing Arts:

- (1) The performing arts segment of Adelaide Week in Penang was devised especially to cater for a Malaysian audience, and as such was a great success. All performances were sold out, and an extra evening performance and additional schools performance were arranged in addition to a special free admission preview performance that was organised for disadvantaged young people. This provided a total of nine performances of "Why is Adelaide the Capital of the World Show". When devising the production it was always hoped it would be possible to bring this work to Adelaide some time in 1976 to enable Adelaide people to see the production that went to Penang. It was hoped it might be possible to present it for adult and schools audiences some time later this year in the Festival Centre.
- (2) The show was successful in gaining over \$A5 000 revenue for the State Government from the sale of theatre tickets.
- (3) Whilst in Penang officers of the Premier's Department and the Federal President of the Arts Council of Australia held discussions with representatives of the Federal Ministry for Culture, Youth, and Sport. The possibility of further cultural exchange and in particular the feasibility

of a tour of Australia in 1977 by a Malaysian performing arts company which hopefully would tour with the full backing of that department and the Malaysian Government and would be entrepreneured within Australia by the Arts Council of Australia, was discussed. Also it has enabled some close personal links to be established between various officers and officials involved in arts development in South Australia with their Malaysian counterparts.

4. Outdoor Events: Large crowds of people gathered twice each day to view the programme of outdoor events. This provided demonstrations of ethnic group dancing, log chopping, sheep shearing, pottery firing and boom-erang throwing.

5. Catering: Entertainment and typical Australian meals were provided at the evening barbecues to which a wide cross section of the Malaysian people were invited. Wine and cheese tasting sessions were also included to increase local understanding and appreciation of these commodities. This has stimulated demand for South Australian wines (particularly non-alcoholic) and cheeses.

6. Film Industry: Continuous screenings of the South Australian Film Corporation's production *A Motion and a Spirit* were presented each day in the nine-screen module assembled in George Town. It was found necessary to extend the six-hourly sessions in order to cope with the large crowds.

SCHEDULE I

	Debited cost \$	Estimated additional cost \$	Total \$
Accommodation	13 469	6 000	19 469
Equipment	46 674	18 000	64 674
Fees (for example, performing arts, architects fees, and stage construction)	27 777	—	27 777
Freight	12 737	12 000	24 737
Customs and agents fees		2 000	2 000
Meals	12 516	3 000	15 516
Insurance	60	5 000	5 060
S.A. Film Corporation		3 000	3 000
Air travel	143 717	2 000	145 717
State Government dinner		1 600	1 600
Miscellaneous	767	2 000	2 767
	<u>\$257 717</u>	<u>\$54 600</u>	<u>\$312 317</u>
Less revenue/recouped charges			
Barbecue ticket sales	1 469		
Theatre ticket sales	5 210		
Travel costs	<u>107 775</u>		
			<u>114 454</u>
			<u>\$197 863</u>
Less estimated return from sale of capital items			4 000
Total estimated cost to S.A. Government			<u>\$193 863</u>

Intangible assets: The copyrights held in respect of the performing arts programme have not been taken into account though they represent a significant intangible asset.

Contingent assets: A possible further contribution from the Corporation of the City of Adelaide towards exhibition

construction costs \$4 000. This amount is subject to negotiation.

Contingent liabilities: A contingent liability of \$27 500 may arise on account of bulk air transport to Butterworth in the R.A.A.F. training programme.

SCHEDULE II

Schedule of person participating in Adelaide Week and whose expenses were met by the S.A. Government

Name	Title	Role
V.I.P. group:		
The Hon. D. A. Dunstan	Premier	
The Hon. D. H. L. Banfield	Chief Secretary and Minister of Health	
Mrs. D. M. Banfield	Wife of Chief Secretary	
The Hon. B. A. Chatterton	Minister of Agriculture	
Mrs. M. Chatterton	Wife of Minister of Agriculture	
Mr. J. J. Roche	Lord Mayor	
Mrs. V. J. Roche	Lady Mayoress	
Mr. R. W. Arland	Town Clerk, Adelaide City Council	
Mr. R. D. Bakewell	Permanent Head, Premier's Department	
Mr. G. J. Inns	Chairman, Public Service Board	
Mr. K. W. Lewis	Director and Engineer-in-Chief	
Mr. M. H. Bone	Director of Further Education	
Mr. S. Ralph	Deputy Director, Public Buildings Department	
Mr. V. M. Healy	Conservator of Forests	
Industrial development group:		
Mr. W. M. Scriven	Director of Development	Industrial promotion
Mr. K. C. Belchamber	Deputy Director of Development	Industrial promotion
Mr. I. J. Kowalick	Senior Projects Officer	Supervisor, industrial exhibition
Mr. D. H. Gage	Desk Officer, Development Division	Assistant supervisor, industrial Exhibition
Mr. J. A. Haslam	Senior Promotions Officer	Trade inquiry
Mr. R. Clarke	Trade Officer, Sydney	Trade inquiry
Mr. D. Martin	Trade Officer, Melbourne	Trade inquiry
Mr. T. O'Connell	Projects Officer	Trade inquiry
Mr. R. Fuge	Senior Poultry Adviser, Agriculture Department	Poultry industry adviser
Mr. R. Cruse	Secretary, Austral-asia Development Pty. Ltd.	Industrial promotion
Industrial group representatives nominated by the S.A. Chamber of Commerce and		
Mr. A. K. Sellick		Industry:
Mr. W. G. P. Hall		Representing food industry
		Representing building material industry
Mr. M. A. Thomson		Representing sporting goods industry
Mr. J. D. Astley		Representing fabric and textiles industries
Mr. N. A. Zerner		Representing plastics industry
Mr. B. Vine		Representing automobile industry
Secretariat group:		
Mr. M. U. Sullivan	Co-ordination Officer, Premier's Depart- ment	Project co-ordinator
Mr. K. J. Bertram	Administrative Officer, Premier's Depart- ment	Assistant project co-ordinator
Mr. K. J. Winn	Registrar, College of External Studies	Finance officer
Mr. J. Betts	Senior Personnel Officer	Public Service exchange
Mr. R. A. Harris	Secretary to the Lord Mayor	Barbecue and wine promotion co-ordinator
Mr. S. H. Tully	Clerk, Premier's Department	Materials officer
Dr. Z. Seglenieks	Medical Officer, Public Health Depart- ment	Medical officer
Dr. A. Green	Regional Director, Australian Depart- ment of Health	Medical officer
Mr. K. Crease	Media co-ordinator	Press secretary, compere outdoor events
Mr. S. Wright	Personal Secretary to the Premier	Ministerial staff
Ms. A. Koh	Premier's Research Assistant	Ministerial staff
Outdoor activity group:		
Dr. J. Fearn	Principal Veterinary Officer, Agriculture Department	Veterinary officer
Mr. A. Harris	Wool Advisory Officer	Wool adviser and handler
Mr. R. Fullgrabe		Axeman
Mr. E. Schmidt		Axeman
Mr. A. Ryan	Field Officer, Australian Wool Board	Shearer
Mr. D. Steele	Clerk, Adelaide City Council	Stage assistance—all entertainments
Mr. A. Cardnell	Clerk, Adelaide City Council	Stage assistance—all entertainments
Mr. J. Timbery		Aboriginal boomerang thrower
Catering group:		
Mr. G. Latham	Head of School of Food and Catering	Catering supervisor
Mr. D. Casey	Lecturer, School of Food and Catering	Chef
Mr. J. Dunbar	Lecturer, School of Food and Catering	Catering officer
Mr. R. G. Bratley		Senior chef
Mr. M. Hogenbirk		Head waiter
Mr. D. Leicester	Regional Officer, Australian Dairy Cor- poration	Cheese promotion

SCHEDULE II—continued

Schedule of person participating in Adelaide Week and whose expenses were met by the S.A. Government

Name	Title	Role
Catering group:—continued		
Mrs. R. Farmer		Catering hostess
Mr. R. J. Mills	Engineer, Adelaide City Council	Catering services
Mr. H. G. Anderson	Clerk, Adelaide City Council	Catering services
Mr. M. Williams	Senior Parking Inspector, Adelaide City Council	Catering services
Mr. P. Gutte	Senior Parking Inspector, Adelaide City Council	Catering services
Mr. I. Pitt	Properties Officer, Adelaide City Council	Catering services
Mr. C. J. Williams	Clerk, Adelaide City Council	Catering services
Mr. N. J. Victory	Senior Clerk, Adelaide City Council	Catering services
Miss V. Adams	Senior Stenographer, Adelaide City Council	Catering services
Mr. J. Smith	Wine consultant	Wine promotion
Tourism and publicity group:		
Mr. R. Dyer	Manager, S.A. Government Tourist Bureau	Accommodation officer
Mr. B. Major	Overseas Travel Officer, S.A. Government Tourist Bureau	Travel officer
Mr. R. Yeeles	Publicity Writer, Premier's Department	Publicity officer
Mr. W. St.C. Johnson	Government Photographer	Photographer
Mr. G. Michels	Television Producer	Film production
Mr. S. M. Jay	Assistant Director, S.A. Film Corporation	Film production and promotion
Mr. J. L. Ellson	Projectionist, S.A. Film Corporation	Super circle projectionist
Participatory arts and craft group:		
Mr. R. J. Richards	Curator of Applied Arts, S.A. Art Gallery	Supervisor
Mr. A. Bishop	Lecturer, S.A. School of Arts	Craft demonstrator
Mr. R. Lewis	Craft Teacher, Education Department	Craft demonstrator
Mrs. K. Lemerclier	Craft consultant	Crafts adviser
Mr. Cheng Ng	Potter	Pottery demonstrator
Mr. J. Eddleston	Potter	Pottery demonstrator
Performing arts group:		
Mr. L. Amadio	Arts Development Officer, Premier's Department	Supervisor
Mr. C. Winzar	Theatre Producer	Producer/director
Ms. C. Westwood	Teacher, Education Department	Stage director
Mr. D. Mills	Head Mechanic, S.A. Theatre Co.	Head mechanic
Mr. D. James	Lighting Technician, Adelaide Festival Centre Trust	Lighting technician
Mr. N. McRae	Sound Consultant	Sound technician
Mrs. D. A. Kirkland	Actress	Stage production
Mrs. B. West	Actress	Stage production
Miss B. Stephens	Actress	Stage production
Mr. L. Dayman	Actor	Stage production
Mr. E. Hodgeman	Actor	Stage production
Mr. D. Olsen	Actor	Stage production
Mr. M. Joshua	Actor/writer	Stage and script production
Mr. B. Underwood	Actor	Stage production
Mr. P. Fraley	Actor	Stage production
Miss P. O'Brien	Actress	Stage production
Mrs. C. M. T. Steele	Actress/dancer	Stage production
Mr. J. Inguanes	Actor/writer	Stage and script production
Mr. C. Bailey	Musical Director	Musician
Mr. R. Johnson	Musician	Musician
Mr. G. Davidge	Musician	Musician
Mr. P. Beagley	Musician	Musician
Mr. E. R. M. Kent	Musician	Musician
Mr. G. Sayas		Greek dancer
Mrs. J. Sayas		Greek dancer
Mr. C. Retsus		Greek dancer
Miss A. Moore		Greek dancer
Miss A. Longinidou		Greek dancer
Mr. M. Angelakis		Greek dancer
Mr. G. Jungunwanga		Aboriginal dancer
Mr. D. Laiwanga		Aboriginal dancer
Mr. D. Blanas		Aboriginal dancer
Mrs. S. Bennet	Vocalist	Australian folk singer
Mr. D. Clark	Musician	Australian folk singer
Mr. S. Knoll		Bavarian/German dancer
Mr. B. Niemiec		Bavarian/German dancer
Mr. C. Baylis		Bavarian/German dancer
Miss C. Paukner		Bavarian/German dancer
Miss C. Grobitsch		Bavarian/German dancer
Miss B. Sain		Bavarian/German dancer
Miss A. Hess		Bavarian/German dancer
Mrs. N. Lucas		Wardrobe seamstress
Mr. A. Bartz	Actor/designer	Stage production

MORIALTA FALLS

Mr. DEAN BROWN (on notice):

1. How many major accidents or rescue operations have occurred in the Morialta Falls reserve since July, 1973, and what are the details concerning each accident or rescue operation?

2. How many persons have been injured due to falls within the Morialta Falls reserve since July, 1973, and what are the details concerning each case of injury?

3. What action has been taken since July, 1973, to improve the safety of the walking paths and lookouts within the reserve?

The Hon. D. W. SIMMONS: The replies are as follows:

1. There have been four rescue operations in the Morialta Falls reserve since July, 1973, and the details of these operations are as follows:

- (a) November, 1974—A 16 year old youth, who had become "frozen" while climbing along on the rock face above the kiosk, was rescued.
- (b) February, 1975—2 youths were rescued from the same location and in similar circumstances.
- (c) January, 1976—A 24-year-old married woman, while walking with her husband and two children along the track above the falls, moved off the track to look over the falls and fell. She was recovered by the Police Rescue Squad, but died later as a result of her injuries.
- (d) January, 1976—An 18-year-old female, while walking with a party near the second waterfall, slipped and fell about 60 metres down the slope. She was rescued by the above squad.

2. Two persons have been injured due to falls within the reserve since the abovementioned date. The details of those inquiries are as follows:—

- (a) The 24-year-old married woman referred to in (c) above, suffered head injuries and was dead on arrival at hospital.
- (b) The 18-year-old female referred to in (d) above suffered abrasions and concussion.

3. No special safety measures have been installed on walking paths and lookouts in Morialta Conservation Park since 1973. It is believed impossible to install facilities which could prevent all possible types of accidents in the Morialta Conservation Park or any other parks. The problem facing the department is to balance the degree of risk against the landscape despoliation which would result from installation of fences, designed stairways and similar man-made alterations. It is considered that the risk of accident is minimal where any reasonable precautions are taken by members of the public and that no protection would be effective where a person acts without due care.

STUART HIGHWAY

Mr. GUNN (on notice): What plans has the Government to commence work on the Stuart Highway?

The Hon. G. T. VIRGO: The completion of construction and sealing between Port Augusta and Pimba is currently programmed to commence during the 1976-77 financial year, subject to availability of funds. Programming of work beyond Pimba is subject to the further availability of funds from forthcoming Australian Government legislation for national highway funds, as the current National Roads Act expires on June 30, 1977. It is also subject to acceptance by the Australian Government of a report which has been prepared relating to the route of the Highway.

STATE PLANNING AUTHORITY

Mr. GUNN (on notice): Will the Government amend the Planning and Development Act to provide for direct representation on the State Planning Authority of rural landholders and, if not, why not?

The Hon. D. W. SIMMONS: In December, 1974, Mr. Don Wilsdon was appointed as a member of the State Planning Authority in the position of someone who is experienced in local government. However, Mr. Wilsdon also has considerable rural experience and he has been an invaluable member of the Authority in representing the views of farmers and graziers.

AGRICULTURE ADMINISTRATION

Mr. GUNN (on notice):

- 1. How many Acts are administered by the Minister of Agriculture?
- 2. How many boards or committees are there that advise the Minister?

The Hon. J. D. CORCORAN: The replies are as follows:

- 1. 59.
- 2. 36 statutory boards or committees.
26 non-statutory boards or committees.

EYRE PENINSULA WATER SUPPLY

Mr. GUNN (on notice):

- 1. What is the cost of supplying water to Eyre Peninsula?
- 2. What is the total amount of revenue collected from Eyre Peninsula?
- 3. What is the profit or loss a gallon supplied?

The Hon. J. D. CORCORAN: The replies are as follows:

- 1. \$4 343 881.
- 2. \$773 771.
- 3. Loss 47·3c per kilolitre or \$2·15 per 1 000 gall.

TRUSTEE FEES

Mr. DEAN BROWN (on notice):

1. Have private trustee companies requested the Government to amend existing Acts to enable such companies to charge fees for certain services carried out in the administration of trusts?

2. Is there currently a disparity between private trustee companies and the Public Trustee, which allows the Public Trustee to charge additional fees?

3. Is the Government proposing to introduce legislation to eliminate such disparities, and if so when, and if not, why not?

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

1. Yes.

2. Currently the Public Trustee may charge certain fees for services, whereas the private trustee companies may only charge commission for the administration of estates.

3. The Government is not proposing to introduce legislation on these matters. The submission from the private trustee companies was fully investigated by the Attorney-General and it is the Government's view that there is not sufficient justification for the changes sought. The Government is prepared to take the necessary steps to allow the trustee companies to increase their commission rates over and above those provided for at the present time if such an alteration is sought by the companies.

TALIA BASIN

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Mr. GUNN (on notice):

1. What plans has the Government to develop the Talia basin?

2. What tests has the Mines Department carried out on this basin and what are the results of such tests?

The Hon. J. D. CORCORAN: The replies are as follows:

1. There are no plans at present to develop the Talia Basin for water supply purposes.

2. Ground water investigations, by means of exploratory drilling were carried out in the hundred of Talia in 1963-64, 1968 and in 1970. The drilling proved an area of low salinity ground water which, on the basis of salinity, was defined as the Talia Basin. In order to obtain a reasonably accurate assessment of the potential of the basin, testing of the aquifers was carried out in March, 1971. This involved the drilling of one pumping bore and three observation bores. A discharge test was subsequently carried out on the pumping bore. On the basis of this one test and knowledge of the characteristics of the basin, a safe yield of at least $1.2 \times 10^6 \text{ m}^3$ a year has been estimated. Before any large scale development of the basin could occur further testing would be required to determine a more accurate value for the safe yield.

TOD MAINS

Mr. GUNN (on notice): Has the Government any long-term plans to extend the Tod water mains west of Ceduna?

The Hon. J. D. CORCORAN: There are no plans for the construction of branch mains from the Tod trunk main, west of Ceduna, in the foreseeable future.

SWIMMING POOLS

Mr. GOLDSWORTHY (on notice): Does the Government intend to bring swimming pool contractors under the control of the Builders' Licensing Board to ensure minimum standards of workmanship?

The Hon. D. A. DUNSTAN: A committee was set up last year to inquire into the question of control over the construction of swimming pools. That committee has almost completed its deliberations and will shortly submit its report to the Government.

NARACOORTE CAVES

Mr. RODDA (on notice):

1. What is the programme for improvements to tourist facilities at Naracoorte caves?

2. Is it proposed to move the cave kiosk to the opposite side of the caves road and, if so, why?

The Hon. D. W. SIMMONS: The replies are as follows:

1. The programme for tourist development at Naracoorte Caves is as follows:

\$

- | | |
|--|--------|
| a. Construction of Visitor Information Centre, including 17 x 9m display area, laboratory and visitor toilets. Tenders called January, 1976, and work scheduled for completion this year | 80 000 |
| b. Development and mounting of high quality audio visual display within the Visitor Information Centre display area | 45 000 |

c. Redevelopment of visitor facilities within the Victoria fossil cave, including installation of new transformer and electrical rewiring, construction of new exit to establish "walk-through" visitor movement, construction of new walkways, redesign of protective barriers around calcite formation, redesign of visitor viewing area in fossil chamber (Proposals b. and c. were approved in principal by the former Australian Government but are subject to the confirmation of funds being made available by the Fraser Government in 1976-77.) 38 000

d. Permanent staff at the Naracoorte Caves Conservation Park have been instructed in and are carrying out, a continuing programme of minor improvements at a cost of approximately \$5 000 to \$10 000 a year. Priority is being given to:

i. Redesign of protective barriers around calcite formations in the Alexandra cave;

ii. Landscaping and improving sites within the caravan park;

iii Landscaping and development of a picnic area near the "pine grove" on the northern side of the kiosk. \$5 000 to \$10 000 per year.

e. Upgrading facilities in the caravan park amenities block will be completed by July, 1976, and will include installation of new hot water service, internal wall tiling, painting 4 500

f. Proposals are in hand to re-seal the road and seal the car park within the reserve but no scheduled completion date has been set.

2. There are no proposals to move the caves kiosk to the opposite side of the road or to any other location.

RURAL ASSISTANCE

Mr. GUNN (on notice):

1. What plans has the Government to streamline applications for rural reconstruction assistance?

2. Does the Government intend to allow sons to buy out their parents' share of farming properties under the scheme and, if not, why not?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The honourable member should be acquainted with the process of an application for rural industry assistance, namely, title search, security detail, assessment analysis, property inspection, valuation on farm budget and farm management programme, preparation and submission of assessment, valuation and budget to the Rural Industry Assistance Committee, report and recommendation of the Rural Industry Assistance Committee to the Minister of Lands, notification to applicant, settlement arrangements with agent, completion and payment. Applications without complication will normally be determined within six to eight weeks of receipt by the Rural Industry Assistance Authority. This service is at par with that of the major lending institutions.

2. The honourable member's attention should be directed to the provisions of Part III.—Farm Build Up of the States Grant (Rural Reconstruction) Act, 1971, namely, Purpose—To supplement without discouraging the normal processes under which properties which are too small to be economic are amalgamated with an adjoining holding or are subdivided and the subdivided portions are added to adjoining holdings or to assist a farmer with a property too small to be economic to purchase additional land to build up his property to at least economic size. The Government is committed to agreements dated June 4, 1971, and November 5, 1973, with the Federal Government wherein the State will administer the rural reconstruction programme in accordance with the terms of reference of the States Grants (Rural Reconstruction) Act, 1971, until determination of the present programme on June 30, 1976. The question of extension of the rural reconstruction programme beyond that date is currently the subject of a report by the Industries Assistance Commission to the Federal Government. It may be of interest to the honourable member to know that portion of the evidence of the South Australian Rural Industry Assistance Authority to the Industries Assistance Commission proposed assistance to facilitate the transfer of property from father to son.

COORABIE SCHOOLHOUSE

Mr. GUNN (on notice): When is it expected that the new schoolhouse at Coorabie will be completed?

The Hon. D. J. HOPGOOD: The Housing Trust has advised that the building of this house will commence in late April, 1976, and it is expected that the residence will be completed by early August, 1976.

ADELAIDE RAILWAY STATION

Mr. COUMBE (on notice):

1. Has any consideration been given to constructing car parking facilities over portion of the platform area at the Adelaide railway station and, if so, what are these proposals?

2. If consideration has not been given to these proposals, why not?

The Hon. G. T. VIRGO: The replies are as follows:

1 and 2. Current proposals for the development of the Adelaide station site are as set out in a report *Adelaide Station Air Rights Development* prepared by Hassell and Partners Proprietary Limited, architects and planners. The proposals envisage the extension of the plaza already established in connection with the Festival Centre, through to North Terrace and Morphett Street. Beneath the plaza a modern concept of transport interchange is proposed, and above the plaza a variety of building development is proposed, including an international hotel, general commercial and administrative buildings, a stadium, and some residential development. No car parking is proposed below plaza level, but some limited provision is proposed in conjunction with the transport interchange. The general principle has been to reduce car parking (particularly long-term car parking) to a minimum, consistent with the viable development of the site as a transport terminal and for commercial purposes. Provision of car parking for uses other than directly connected with this site, is not intended.

HACKNEY REDEVELOPMENT

Mr. COUMBE (on notice):

1. What stage has been reached in the Hackney redevelopment project?

2. What further proposals are envisaged?

3. How much money has been spent to date and by whom?

4. What further expenditure is planned?

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

1. The Hackney redevelopment project revised plan is being followed and substantially all the land that plan designates for public ownership has been purchased.

2. The proposals of the second plan will be followed except that there will be a direct link road from Torrens Avenue to Hackney Road rather than an indirect route. The trust will be calling tenders for terrace houses on part of the vacant land during the month of March in accordance with the revised plan.

3 and 4. No one authority has incurred all the expenditure; therefore, a total figure is not available. Some of the rehabilitation has been undertaken by the trust as part of its normal special rental house programme. Also the terrace houses will be part of the policy to provide accommodation in and near Adelaide. Finally, it is probable that a site will be sold to a church or charitable body for development for housing for the aged; such expenditure will, of course, be outside of the public sector.

OVERSEA VISITS

Mr. MILLHOUSE (on notice):

1. Is the Minister of Mines and Energy to be accompanied on his trip overseas from mid-June to the end of July and, if so, by whom and why?

2. How much are his normal Ministerial travel costs expected to be?

3. How are such costs made up?

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

1. By Mrs. Hudson and Mr. Mant. Mr. Mant will make necessary arrangements and where appropriate will be involved in examining planning systems.

2. Fares and normal daily expenses are expected to amount to \$15 000 approximately.

3. Air fares are likely to be 50 per cent of the cost, with daily living expenses and other travel costs making up the remainder.

Mr. MILLHOUSE (on notice): What is estimated to be the total cost to the Government of the forthcoming trip overseas to be made by the Speaker of the House of Assembly, and how is this estimate made up?

The Hon. D. A. DUNSTAN: The total cost to the Government of the forthcoming trip overseas of the honourable the Speaker of the House of Assembly will be \$6 798.70, comprising \$4 035 in accommodation allowance and \$2 763.70 in air fares.

MONARTO

Mr. MILLHOUSE (on notice): How much money was sought from the Commonwealth by the Government in the submission made late last year for funds for Monarto?

The Hon. HUGH HUDSON: About \$45 000 000 over the five years of the programme outlined in the submission.

BARRISTER'S LIABILITY

Mr. MILLHOUSE (on notice):

1. Has the Government received a letter from the Chief Justice opposing the proposal that a barrister should be liable for negligence, gross or otherwise, in the performance of his professional work to a person who suffers loss as a result of that negligence and, if so, what is the text of the letter and when was it received?

2. Has the letter been answered and if so, when and by whom?

3. What is the answer, if any?

The Hon. PETER DUNCAN: The replies are as follows:

1. The Government has received written comments from the Chief Justice on this matter. Communications between the Chief Justice and the Government are normally confidential and the Government intends to follow normal practice in this matter.

2. The Attorney-General has had discussions with the Chief Justice arising out of the comments made by him.

3. Refer 1 above.

PARKHOLME OVERPASS

Mr. MATHWIN (on notice):

1. What is the present estimated cost of the overpass at Parkholme?

2. What is the estimated time to complete this structure?

3. What was the cost of the precast concrete used on the overpass?

4. How many tonnes of filling and rock, respectively, were used in construction of the overpass?

5. Were any tenders called to have the overpass built of precast concrete and, if so, what was the cost?

6. If not, was any costing done by the department for a precast concrete overpass, and, if not, why not?

The Hon. G. T. VIRGO: The replies are as follows:

1. The total cost of constructing the two bridges over Marion Road and Daws Road is \$1 160 000. This does not include all associated roadworks, drainage, etc.

2. Both bridges are now complete.

3. Approximately \$14 000.

4. 50 000 tonnes.

5. No.

6. The design of the bridges was carried out by the railways, and alternative designs were investigated.

BANK REPORT

Dr. TONKIN (on notice):

1. What was the total cost of the first phase of the Marks/Scott report to the Government?

2. Has any further expenditure been incurred since the receipt of the first report in further investigation of the operations of the Savings Bank and the State Bank and, if so, how much?

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

1. \$14 500.

2. No.

REGIONAL BOUNDARIES

Dr. EASTICK (on notice):

1. Has the Government reached any final decision on the report of the Committee on Uniform Regional Boundaries?

2. Has a decision been reached relative to the release of this document to members, *vide* the answer by the Minister of Transport on October 29, 1975, at page 1511 of *Hansard*, and, if not, why not?

3. When can members expect a decision and/or the distribution of the document?

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

1. No.

2. No, because Cabinet has not reached any final decision on the report.

3. Hopefully, in a few weeks.

GEPPS CROSS ABATTOIR

Mr. VANDEPEER (on notice):

1. Is a blast freezing unit included in the current building programme for the Samcor abattoir at Gepps Cross and, if so, what is its capacity?

2. If this unit is not included in the building programme, why not?

3. Is there a blast freezing unit in the works now being used and, if so, what is the capacity of this unit?

The Hon. J. D. CORCORAN: The replies are as follows:

1. No.

2. A feasibility study completed in November, 1974, revealed that there was insufficient trade in carton meat at that time to warrant installation of a blast freezing unit. However, financial provision for such a unit is included in Samcor's list of proposed capital projects and subject to availability of funds, installation will be effected if and when trends in boning room production and overseas markets warrant the matter being given priority.

3. No.

LOBSTER POTS

Mr. VANDEPEER (on notice): Does the Government intend to alter the regulations controlling the number of lobster pots an amateur fisherman may set or to restrict the number of fish an amateur lobster fisherman may catch in one day?

The Hon. J. D. CORCORAN: Not at present. However, the Agriculture and Fisheries Department has received proposals for a reduction in the amateur effort in the rock lobster fishery and the views of the South Australian Recreational Fishing Advisory Council will be sought on the matter.

CENSURE MOTION: LEADER OF THE OPPOSITION

The Hon. HUGH HUDSON (Minister of Planning): I move:

That Standing Orders be so far suspended as to enable me to move the following motion, namely:

That this House condemn the misuse by the Leader of the Opposition of his position and the privileges of the House in making a defamatory and baseless attack on the personal honesty and integrity of the Chairman of the South Australian Housing Trust, and therefore censure the Leader of the Opposition.

The SPEAKER: I have counted the House and, there being present an absolute majority of the whole number of members of the House, I accept the motion. Is the motion seconded?

The Hon. G. T. VIRGO: Yes.

Motion carried.

The Hon. HUGH HUDSON: I move:

That this House condemn the misuse by the Leader of the Opposition of his position and the privileges of the House in making a defamatory and baseless attack on the personal honesty and integrity of the Chairman of the South Australian Housing Trust, and therefore censure the Leader of the Opposition.

Two weeks ago in the House, the Leader of the Opposition, on the suspension of Standing Orders, moved a vote of no confidence in the Government regarding the appointment of Mr. Max Liberman as Chairman of the South Australian Housing Trust. Any attack on an individual in this House is done under Parliamentary privilege. It is right and proper that there should be such a privilege so that, if wrongs occur in the community, members of Parliament can fearlessly expose them, but because this privilege exists

it must, we believe, be used with great care, because any individual who is criticised as a consequence of a speech in Parliament has no redress. He cannot see reports, and he can take no action outside of Parliament to rectify any wrongs or any injustice that may have occurred. It therefore behoves any member of this Parliament, in using the cloak of privilege to make an attack on an individual and to make allegations, to make trebly sure that what he says is in line with the truth. Many matters were raised by the Leader of the Opposition in his speech on that occasion, and I want to deal with those matters. I deal first of all with Mr. Liberman's association with Reid Murray. The Leader of the Opposition, on page 2012 of *Hansard*, stated:

Many people will no doubt remember him as the Manager of Reid Murray Developments in South Australia. Perhaps fewer people know of his involvement with Modern Tract Development, a company which acquired large areas of land from Reid Murray Developments at very favourable prices, just after the tragic Reid Murray crash of 1962, the crash which affected so many South Australians.

The implication in the Leader's statement relating to the Reid Murray events is that Mr. Liberman, as Manager of Reid Murray Developments, was responsible, directly or indirectly, for the loss by many South Australians of money in the Reid Murray crash. The Premier, in reply to the Leader on that occasion, pointed out that this was completely untrue and how Mr. Liberman was responsible for arrangements which secured from loss many South Australians who had paid deposits for houses. Since that date, the receiver of Reid Murray, Mr. E. H. Niemann, of Hungerfords, 44 Market Street, Melbourne, has written the following letter, dated February 6, to the Premier:

My Dear Premier,

I am receiver of Reid Murray Acceptance Limited and the liquidator of Reid Murray Holdings Limited and I am most concerned about statements alleged to have been made by Dr. Tonkin concerning Mr. Maxwell L. Liberman. For example, it is alleged that Dr. Tonkin said, "The Premier attempted to white-wash Mr. Liberman's involvement in the company that took over at a favourable price the property formerly held by Reid Murray." I certainly approved and indeed negotiated sales of Reid Murray property to companies in which Mr. Liberman was interested. In each case the price obtained was materially better than was obtainable elsewhere. By no stretch of the imagination was at that time the price "favourable" and, indeed, it was difficult to locate another party interested in making a bid.

From my observation of the operations of the land development and building companies of Reid Murray in South Australia, it was certainly not their fault that the group became insolvent. If all aspects of the Reid Murray group had operated with the same efficiency they would be thriving today. Whilst it is true that Mr. Liberman has been very successful "commercially and in other ways" in land development in South Australia, it is also true that he has contributed a great deal to the progress of the State since he first arrived there.

Yours faithfully,

(Signed) E. H. Niemann.

I table that letter. I draw the attention of members in particular to the statement in the letter that, "If all aspects of the Reid Murray group had operated with the same efficiency they would be thriving today." It should be clear that the receiver, who is in the best position to know the circumstances of the Reid Murray crash, gives the direct lie to the statement of the Leader of the Opposition.

I turn now to the question of the purchase of houses by the South Australian Housing Trust from D.P.F. Modular Systems. The purchase was initiated by Mr. Ramsay in a letter to Mr. Liberman of November 5, 1974,

seven months before Mr. Liberman's appointment to the trust. Mr. Liberman took no part in the negotiations, which were completed before Mr. Liberman joined the Housing Trust board. The sequence of events is as follows: on November 5, 1974, a letter from the trust was sent to Mr. Liberman of Development Property Finance Limited, 16 O'Connell Street, Sydney. The receipt of that letter from Mr. Ramsay was the only involvement of Mr. Liberman. In the remaining period negotiations were conducted in Adelaide, and Mr. Liberman was not involved. I will read part of the letter, and then table it, as follows:

Dear Mr. Liberman, This is to confirm the conversation we had today which conversation followed the inspection the Chairman (Mr. R. L. Roberts) and I made of your analysed building system in Sydney. The trust hopes that you are able to construct for it 10 houses on blocks to be provided at Gawler. To make this possible it is suggested we follow the following steps:

The steps suggested by Mr. Ramsay are laid out, and the letter is signed by A. M. Ramsay, General Manager.

Mr. Rodda: What's the date of that letter?

The Hon. HUGH HUDSON: November 5, 1974, and I table that letter. Before March 6, 1975, I have various statements of reports and details of who were present at meetings that took place within D.P.F. and, if those are of interest to members, they are available, and I table them. They indicate that the officers of D.P.F. involved did not include Mr. Liberman. On March 6, 1975, an offer was submitted to the South Australian Housing Trust by D.P.F. (S.A.) Proprietary Limited, to erect 10 houses. This letter was from Mr. V. G. Burrow, State Manager of D.P.F. (S.A.) Proprietary Limited. I table that letter. A contract was concluded on April 16, 1975, in a contractual letter from the Housing Trust, signed by Mr. W. A. Phillips, Principal Architect. That letter, which is also available, sets out the price for a house. It may be interesting for members to know the prices that were to be paid by the Housing Trust for these houses. There were two of type 1 at \$16 884.30; four of type 2 at \$17 021.07; and four of type 3 at \$17 857.92. I am sure honourable members will appreciate that those are very favourable terms. I table that letter as well. That contract was completed as a consequence of the letter of Mr. Phillips on April 16, 1975.

On May 1, 1975, Mr. Liberman was appointed to the Housing Trust board, but the trust itself would have had no knowledge of that pending appointment. Before that appointment, Mr. Liberman had resigned from Township Developments Proprietary Limited, Tudor Developments Proprietary Limited, and D.P.F. (S.A.) Proprietary Limited, the company with which the Housing Trust was contracting. On May 13, 1975, following Mr. Liberman's return from Malaysia on May 10, 1975, he resigned from D.P.F. Modular Systems Proprietary Limited. In order to correct another statement of the Leader of the Opposition, I add that D.P.F. Modular Systems does not use the name Panelex for its modular housing. The name has been registered but is not used.

Other companies from which Mr. Liberman has resigned, as a consequence of his appointment to the South Australian Housing Trust, are as follows: Overland Limited, Coorilla Developments Proprietary Limited, Towrapoint Developments Proprietary Limited, Delpport Developments Proprietary Limited, McArthur Centre Proprietary Limited, Belle Helene Proprietary Limited, and Good Elf Fruit Juices Proprietary Limited. I emphasise that the 10 houses provided to the Housing Trust were provided at

very favourable prices and resulted from normal contractual arrangements of the trust, initiated by the trust. The event took place before Mr. Liberman's appointment, and Mr. Liberman, before that appointment, severed his connections with the relevant company. Much was made by the Leader of events at West Lakes. On investigation, these allegations have no more substance than any other claim of the Leader. As was pointed out in the original debate, acquisition by the Housing Trust of West Lakes land was finalised before Mr. Liberman's appointment as Chairman, and the land was purchased at cost. There was no gain to West Lakes from any land sold by West Lakes to the South Australian Housing Trust. On page 2012 of *Hansard*, the Leader is reported as having stated:

However, when land changes hands more than once in a very short time, when large profits are involved, and when the same person has an interest in each of the companies involved, then it is not improper to raise the matter and seek some explanation.

There are so many mis-statements in the Leader's account of land transactions in Cormorant Court that it is difficult to track down all of them. First, at no time has Mr. Liberman had an interest in all of the companies concerned in the transfer of land at West Lakes. Mr. Liberman resigned from the board of Harvey Adams Proprietary Limited at least six years ago. Furthermore, Carolita Investments Proprietary Limited has never owned or controlled a one-third interest in J. J. McDonnell Proprietary Limited. Carolita Investments held one ordinary share in J. J. McDonnell in trust for Mr. John J. McDonnell of Manhattan, New York. I quote from the relevant Declaration of Trust dated May 11, 1972, as follows:

Whereas Carolita Investments Pty. Ltd. a body corporate which has its registered office at 95 Hutt Street, Adelaide, South Australia (hereinafter referred to as the "trustees") does hereby declare and covenant that:

- (a) on May 11, 1972, the trustee did execute as transferee, a share transfer for one ordinary share numbered 1 in J. J. McDonnell Investments Pty. Ltd. (hereinafter referred to as the "company").
- (b) at the time of executing the transfer and is now the intention of the trustee to hold that one share in the company in trust for and on behalf of Mr. John J. McDonnell whose address is New York Athletic Club, 7th Avenue at 59th Street, Manhattan, New York State, U.S.A.
- (c) the trustee will exercise any lawful or equitable rights, powers, duties, discretions and liabilities arising from the share in the company registered in its name in accordance with the properly notified wish of the said Mr. J. J. McDonnell, or any other person or persons duly authorised to act on his behalf.

The common seal of Carolita Investments Pty. Ltd. was hereunto affixed on this 11th day of May, 1972, in the presence of:

(Signed) Director
(Signed) Secretary

Mr. Dean Brown: So what!

The Hon. HUGH HUDSON: I think the member for Davenport ought to wait until the full information has been revealed. I table the share transfer concerning Carolita Investments Proprietary Limited and the declaration of trust. While Mr. J. J. McDonnell was in Sydney recently (the address on this letter is the Wentworth Hotel, Phillip Street, Sydney), on February 5, 1976, he wrote the following letter to Mr. Liberman:

Dear Max,

I have been extremely concerned over newspaper reports of proceedings this week in the South Australian Parliament. In the belief that it might be of assistance to you, I am enclosing a Statutory Declaration covering your part in the Company I set up in Adelaide. As you

know it was because of your enthusiasm about the potential of Adelaide for investment that I was initially persuaded to go there. I would like to place on record my sincere appreciation for the assistance you have given me over the years in these matters.

With regards,

J. J. McDonnell

The contract of sale of land at Cormorant Court, West Lakes to Charles Norton Pty. Limited was executed on April 13, 1973, some 10 months prior to the actual transfer registered on the title. The actual transfer took place on February 7, 1974, and the delay occurred entirely because of a delay in the issue of titles. Mr. McDonnell has now provided evidence of this sale and the trustee relationship by way of a statutory declaration. The statutory declaration is as follows:

I, John James McDonnell of Sydney in the State of New South Wales do solemnly and sincerely declare that

Following debate in the South Australian Parliament this week, I wish to declare as follows:

1. At no time was Mr. Max Leon Liberman an owner of any part of a company styled J. J. McDonnell Investments Proprietary Limited. He was the company's real estate adviser and he held one share in trust for me.
2. J. J. McDonnell Investments purchased land at West Lakes for the purpose of undertaking a high-rise housing development at a cost of up to \$10 000 000. The plan was abandoned because of my own ill health and a drastic change in attitude by the Australian Government towards overseas investment.

No doubt members opposite will agree with that. The declaration continues:

3. It was decided to sell the land and try to recover the money invested. Mr. Liberman agreed to buy part of the land at a price in excess of what he could have bought it himself initially from West Lakes. The remainder of the land was sold to other purchasers in South Australia.

I do suggest that honourable members opposite listen. If they are prepared to abuse Parliamentary privilege, they should at least have the courtesy of listening and try to absorb what I am saying in relation to these matters. I table that statutory declaration. In case any member of the Opposition wishes to question the genuineness of Mr. McDonnell's intentions or ability to invest large sums in South Australia, I table a letter from the Bank of New York dated April 22, 1975, to Mr. Shanahan of Touche Ross and Company, Grenfell Street, Adelaide, which is as follows:

Dear Mr. Shanahan, I have today had a conversation with Mr. J. J. McDonnell with respect to your letter to him of February 7, 1975. This conversation pertained to the development of West Lakes land in a period encompassing 1972 and 1973 and referred to the capacity for investment of funds in the project. I am aware of various account relationships that Mr. McDonnell has maintained with our bank for a number of years. I can certainly say that Mr. McDonnell definitely had sufficient resources to consider the investment of \$5 000 000 or an amount in excess of that sum necessary for the completion of the project. (signed) Harvey V. Delapena Jr.

As Mr. McDonnell's statutory declaration indicated, the portion of the land at Cormorant Court was bought by Mr. Liberman through Charles Norton Proprietary Limited. The next step was the sale by Charles Norton Proprietary Limited of the four lots at Cormorant Court to Harvey Adams Proprietary Limited, a subsidiary of R.D.C. Holdings Proprietary Limited. As I mentioned recently, Mr. Liberman resigned from Harvey Adams Proprietary Limited at least six years ago, and Mr. M. T. Hansen (Chairman of R.D.C.) has provided the following statutory declaration of his and R.D.C.'s knowledge of the various transactions:

I, Merlin Theodore Hansen, of 25 Dorset Road, Northbridge, in the State of New South Wales do solemnly and sincerely declare that:

1. I am the Chairman of R.D.C. Holdings Limited, and can recall that, on one of my visits to South Australia, Mr. Liberman suggested that the piece of land (which J. J. McDonnell Investments Pty. Limited subsequently bought) be purchased by R.D.C. Holdings Limited, but we were unable to acquire the land at that time because of other commitments in Adelaide.

The Chairman of R.D.C. is saying that he knew of the availability of the land from Mr. Liberman before the land was sold by West Lakes to J. J. McDonnell. The statutory declaration continues:

2. I was aware that:
 - a. J. J. McDonnell Investments Pty. Limited subsequently purchased the land.
 - b. Following a decision by J. J. McDonnell Investments Pty. Limited to liquidate the company, one of Mr. Liberman's companies purchased portion of the land.
 - c. R.D.C., with my full knowledge, approached Mr. Liberman with a request that it be given first right of refusal to purchase the land if Charles Norton Pty. Limited decided not to proceed with the erection of home units.
 - d. Subsequently, Mr. Liberman felt it unwise for Charles Norton Pty. Limited to get further involved in the construction of additional home units, and negotiations to purchase proceeded.
 - e. The land was then valued by an independent licensed valuer, Richard Ellis Sallman and Seward, and R.D.C. agreed to the purchase of the land in question, which they considered to be at market-price.

I will come back to that in a moment. The declaration continues:

- f. The purchase was ratified at the board meeting of R.D.C. on October 4, 1974, at which meeting Mr. Liberman was not in attendance.

I can provide evidence of that fact, if necessary. The statutory declaration continues:

- g. The land in question comprises certificates of title Volume 4008 folios 443, 444, 447 and 448.

3. I have known Mr. Max Liberman for over 13 years, and although he is a member of the board of several companies, I have never known him to take advantage, in any shape or form, of any situation directly affecting the interests of any of these companies.

Mr. Liberman is, furthermore, a man of honour and integrity. He, unquestionably, possesses considerable knowledge in property development, which he has always put to the best possible use in the different States, and particularly in South Australia.

His knowledge of property development would in my opinion be of great value to the South Australian Housing Trust.

I table that statutory declaration. I will emphasise some points from that statutory declaration. In Mr. Hansen's statement, he says that he had never known Mr. Liberman to take advantage in any shape or form of his position on several boards when the interests of his own companies were affected. Secondly, R.D.C. knew of the various transactions at each stage and knew of the possibility of purchasing the land when it was originally purchased by J. J. McDonnell.

I also point out the time table that was involved in this matter. The land was originally sold to J. J. McDonnell. It was purchased by Charles Norton in April, 1973, and was purchased by R.D.C. in February, 1974. Furthermore, that was a period of considerable inflation in land prices. The four blocks in question were sold for \$200 000, although the valuation by Richard Ellis Sallmann and Seward Incorporated was for \$232 000. In other words, the blocks in question were sold below valuation, and I have a copy of the valuation that was made by that company, but I cannot find it at the moment. As soon as I have it

available, I will table it. I assure honourable members that I do have the statement. Only two of the blocks were sold at any profit but the land in question was not subject to the Urban Land Price Control Act.

There are several other matters that I should deal with. Mr. Liberman has never had anything to do with the manufacture or supply of materials marketed by the companies named by the Leader of the Opposition and, as the Premier pointed out in the reply to the Leader, the involvement of the Housing Trust in the purchase of building materials is either zero or minimal. I recall (and this is an interesting piece of evidence) that, during the three-week period in 1968 when I was Minister in charge of housing, I was responsible for issuing a Cabinet direction to the South Australian Housing Trust that its specifications for all contracts should specify Woods and Forests Department radiata pine. That was the only occasion that I can recall when such a direction was given. The reason why it was given was that the Woods and Forests Department at that time was having certain difficulties, and the profitability of that department directly affected the Revenue Account and Loan Account of this State, so it directly affected the Budget position of this State.

I can repeat that the Chairman (Mr. Dridan) and the General Manager (Mr. Ramsay) of the trust vigorously opposed that direction, stating that it was contrary to the entire practice of the South Australian Housing Trust and that they did not believe that it should be given. It was nevertheless given, and I think that about a year later it was withdrawn by the then Minister in charge of housing (Sir Glen Pearson), and Opposition members who were members of the Cabinet at that time perhaps can recall those events. My understanding of the situation is that not only does the Housing Trust leave entirely to its contract builders the question of what building materials to purchase but it does not specify in any way what the source of any materials should be. Apart from that, as I have said, Mr. Liberman has no association with any building supply company.

The Leader tried to make much play of the fact that an associate of Mr. Liberman, Sir John Marks, did have some association with building supply companies. I point out to the Leader that it is not legitimate anywhere, even in this House, to damn a person by innuendo and alleged association. If one is going to do that, why not attack Mr. Liberman because he is associated with the Chairman of West Lakes (Mr. Ray Turner), who happens to be a member of the board of John Martins and of the board of the Bank of Adelaide? I suppose, if one followed the Leader's logic, John Martins and the Bank of Adelaide should therefore also expect to get favourable treatment from Mr. Liberman, as Chairman of the trust. The facts are quite contrary to the position the Leader is trying to take.

The new Director who replaced Mr. Liberman on the boards of several companies with which Mr. Liberman was associated and from which he subsequently resigned has been associated with Mr. Liberman in business in only an employer-employee relationship. There is no other association. Mr. Liberman has never presided over a board at which the South Australian Housing Trust has considered a contract for Panelex houses, either at one end or the other. He has not been associated in any way with the purchase of such houses.

Mr. Liberman spends as much, if not more, time in Adelaide than in Sydney and owns a town house in North Adelaide. In turn, his family owns a property at Clare. He regards himself as a South Australian and is very

strongly identified with the development of this State. He meticulously refrains from voting at any board, whether it be that of the South Australian Housing Trust or any other, if he is even remotely involved in, or has been involved in, the transactions under consideration. In the previous debate, I gave evidence of how that had occurred in relation to the Housing Trust when it decided to purchase some land at Modbury that was owned by a company with which Mr. Liberman had been associated previously, Mr. Liberman disqualified himself from taking part in the matter, and I gave the House an account of Mr. Ramsay's report to me and to the Premier on that matter.

Mr. Liberman complies fully with the relevant provisions of the South Australian Housing Trust Act and the State Companies Act. The only fee Mr. Liberman receives from the trust is his fee as Chairman, and he has made no claim on the trust for entertainment, air fares, or car expenses. Indeed, at Mr. Liberman's request, the Chairman's private dining room at the trust has been made over to the staff. I have said enough to indicate that the attack by the Leader of the Opposition on the character and probity of Mr. Liberman is disgraceful. I turn for a moment, before summarising certain matters, to the Leader's claim about the advice that the Premier was given. This is at page 2013 of *Hansard*, where the Leader of the Opposition is reported as follows:

The fault lies entirely with the Premier. It is well known that he pursued his decision to make this appointment despite the strongest advice given him by his advisers that he should not do so.

We have signed statements from the relevant advisers of the Premier.

The Hon. J. D. Corcoran: Who would those relevant advisers be?

The Hon. HUGH HUDSON: I could give their positions. Their statement is as follows:

In reference to the statement in Parliament by the Leader of the Opposition, Dr. Tonkin, that the Premier had insisted on appointing Mr. M. L. Liberman as Chairman of the S.A. Housing Trust "against the advice of all his advisers", the following officers, who constitute those officers of the Public Service and the Housing Trust who would have been in a position to tender advice to the Premier on such an issue, state categorically that no advice whatever was given by us to the Premier against the appointment of Mr. Liberman.

The letter is signed by Messrs. R. D. Bakewell, W. Voysey, and A. M. Ramsay, the General Manager.

The Hon. J. D. Corcoran: They didn't laugh at Mr. Ramsay.

The Hon. HUGH HUDSON: I have the following signed statement from the then Minister of Development and Mines and Minister in charge of housing, as follows:

At the time of the appointment of Mr. M. L. Liberman to the South Australian Housing Trust, I was the Minister of housing. I did not tender advice to the Premier against the appointment of Mr. Liberman as Chairman of the Housing Trust, nor did any member of Cabinet.

I have dealt with the principal advisers to the Premier, and I will table those statements, which give the direct lie to the statement that has been made.

The Hon. G. T. Virgo: The whole thing was one big lie.

The Hon. J. D. Corcoran: That's right: playing it up under privilege.

The Hon. HUGH HUDSON: I have dealt with various matters, the main one being the question of Cormorant Court, where the Leader claimed that Mr. Liberman was involved in each of the three companies, where it has been demonstrated that he had a direct interest and participated

only as regards Charles Norton Proprietary Limited and acted for J. J. McDonnell as a trustee. I have provided by statutory declaration the evidence of R.D.C. Holdings involvement in the matter and have pointed out that the timing involved a separation of time, and not the one day as claimed by the Leader of the Opposition. I have demonstrated so far as Reid Murray Developments are concerned from a statement of the person to be in a position to know best the subject, namely, the official receiver of the company, what the position was, how he regarded Mr. Liberman and how he considered that, if the other parts of Reid Murray Developments had been run as well as those sections which were Mr. Liberman's responsibility, the company would be thriving today. I have also dealt with the question of the purchase of the modular system houses by the trust and have demonstrated how those matters were all completed prior to Mr. Liberman's appointment as Chairman.

I believe that I have said enough already to indicate that the attack by the Leader on the character and probity of Mr. Liberman is disgraceful. It is clear that he has abused the privileges that are afforded to him by this House. While Parliamentary privilege is necessary to ensure that wrongs that do take place in the community at large can be fearlessly exposed, it is something which must be used always with great care by any member of this House. I venture to suggest that, if the previous member for Alexandra (Hon. D. N. Brookman) had been a member of the Opposition, this disgraceful attack would never have taken place, because it was exactly the kind of thing about which he was so concerned. I remember that, on one occasion on which I might have been said to have gone over the line without adequate proof, I was called to task immediately by him for so doing, and I think it is a pity that the kind of standards set by him are not followed by the Leader of the Opposition today. An individual attacked under the cloak of privilege has no comeback and, inevitably, when mud is thrown some of it sticks and some permanent damage is done, at least in the minds of certain people. Inevitably, therefore, a person's reputation can be damaged seriously without any kind of remedy being offered.

This has occurred in this case purely because the Leader thought that he saw an opportunity for political gain. Instances of this occur throughout the Leader's speech, particularly where he attempts to damn Mr. Liberman by innuendoes through his association with individuals such as Sir John Marks. Sir John, in Mr. Liberman's opinion, happens to be a distinguished Australian—so distinguished that his regard was recognised by either the previous Liberal Commonwealth Government or the State Government in New South Wales (I do not know which). Certainly he is a man who is considered by interstate colleagues of the Leader, members of his own Party, to have a very distinguished record sufficient to justify a knighthood.

The Hon. D. A. Dunstan: Like Sir Charles Court, for instance.

The Hon. HUGH HUDSON: Yet the suggestion is made in the House that Mr. Liberman is to be damned because of his association with Sir John Marks. Why did the Leader not mention other associations of Mr. Liberman in the business community of Adelaide—no doubt all of them fully respectable? He did not do so because it did not suit his case. I refer particularly to the association with Mr. Ray Turner, the Chairman of West Lakes, a very distinguished and highly respected member of the Adelaide community and, no doubt, he is not a supporter of the Government. Mr. Turner is a member

of the Adelaide community and, as well as being associated with Mr. Liberman, he is also associated with other companies in Adelaide which are of the highest repute, even in the portals of the Liberal Party. I remind members again of the memorandum I received from the General Manager of the Housing Trust on the day following the previous debate. As I mentioned previously, that memorandum was presented to me on the initiative of the General Manager, and not at my request. I repeat that memorandum here, because I think it ought to appear in *Hansard* for a second time. It states:

Following the debate in Parliament yesterday, I believe it is desirable that I should, from the management point of view, make some observations.

1. When Mr. Liberman was appointed to the board of the trust, and subsequently to the chairmanship, I was made aware by the Premier's Department that he had made a full and frank disclosure of his total business interests to the Government, and subsequently a similar full disclosure was made in writing to the trust. This was reported to the board, and the document is, of course, within the trust's records.

So, the officers and the trust know fully Mr. Liberman's interest. The memorandum continues:

Subsequently, Mr. Liberman resigned from certain companies. This, too, he conveyed to me by letter, and this information also is within the trust's records. Such a course of procedure has been followed by other board members who have had business or private interests.

That includes existing members of the board, some of whose interests are as long as that of Mr. Liberman's, or even longer. The memorandum continues:

I would like to say that I personally took a principal part in the negotiations to purchase the 100-odd acres in that area, possibly because I had been associated with the development of the Upper Port Reach since the late 1950's. The price I recommended to the trust was arrived at after most careful checking with experienced valuers within the Government, and I believe the recommendation which I made to the board to purchase the land was a good one from the point of view of the trust.

The fact that the trust itself (and, of course, Mr. Liberman was not a member of the trust at that time) decided to build a certain type of housing on it which, in the initial stages, is more expensive than orthodox housing is quite a separate and distinct decision from the decision to buy the land. This purchase of the land thus followed through all the normal staff and board channels.

Since he has been on the board and chairman, my senior colleagues and I, who naturally work closely with the Chairman of the board, have found Mr. Liberman knowledgeable, approachable and pleasant to deal with. We believe that in no way has he sought to influence our decisions in any of the recommendations we might make to the board or in matters which are normally the province of management before board recommendations are made or other action taken. In conclusion, I think I can say that I have known Mr. Liberman virtually since he came to South Australia, and our personal relationship has always been cordial.

Many people who work for the South Australian Government in varying capacities have extensive business interests but, nevertheless, make a very valuable contribution to the Government of this State. If the probity of individuals can be so recklessly attacked, not only will those individuals suffer but ultimately also the South Australian community will suffer, because the Government will not be able to attract the business man into jobs associated with Government. Why should business men expose themselves to the risk of the kind of attack that has been made on Mr. Liberman? Perhaps they did not come from Egypt. Perhaps the Leader will tell us whether he will attack others who were not migrants but were born in South Australia or elsewhere in Australia. Perhaps we will find out whether people who were born here have some additional protection from the Leader of the Opposition that

Mr. Liberman does not have, because he happened to come from Egypt many years ago.

The Hon. J. D. Corcoran: The Leader mentioned he came from Egypt: the Leader made a point of stating it.

The Hon. HUGH HUDSON: That is right. I believe that, if Mr. Liberman had not come from Egypt and had not been a migrant, the likelihood of his being attacked in this place by the Leader would have been substantially reduced. Members may make what they like of that statement. Why should any businessman risk his whole reputation by taking a position on a board or trust associated with the Government, if, as a consequence, he can be so carelessly and recklessly attacked under the cloak of Parliamentary privilege? Who will suffer if the ability of business and Government in this State to get on with one another is reduced because of the disgraceful activities of the Opposition?

The Hon. J. D. Corcoran: The people of South Australia.

The Hon. HUGH HUDSON: Of course it will ultimately be the people of South Australia, because the job will not be as well done. That is what we are in the business of government for: to ensure that the job is well done in the interests of the people of this State. I ask all members to consider this matter very carefully and those points raised by the Leader of the Opposition, and all the details that have been given. If, in their heart of hearts, they see that the Leader was careless and reckless in his use of Parliamentary privilege, they will support the motion.

Dr. TONKIN (Leader of the Opposition): It is apparent from the farrago and whitewashing attempts we have heard this afternoon that the Government has been sorely hurt by the no-confidence motion moved in this House two weeks ago. If there were any need to question it at all and any need to question the fact that these matters should have been brought forward, that need has been exemplified by the Government's reaction today. At the outset I will deal with one or two relatively major points (although to me, they are minor), and the Minister of Planning made much of them when they were not of great consequence. No attack was made on Sir John Marks at any time: indeed, if members would read the document properly, they would find it was specifically said that reference to other individuals was kept out as far as possible, and the only individual named, because he came into the whole situation by association, was Sir John Marks.

First, I did not make any attack on Mr. Liberman as Chairman of the Housing Trust, although this motion refers to the honesty and integrity of the Chairman. During the course of the attack on the Premier and Government, it was said more than once that there was no suggestion that Mr. Liberman had used improperly his position as Chairman of the trust. I repeat that statement: there was no suggestion at any time that Mr. Liberman had used improperly his position as Chairman of the trust. Yet, the Minister has spent most of his speech defending some sort of attack (imagined) against the Chairman of the trust or against Mr. Liberman as Chairman. The Minister is totally and absolutely wrong.

Members interjecting:

The SPEAKER: Order!

The Hon. G. T. Virgo: It's a pity your conscience didn't worry you last week while you were doing this.

Dr. TONKIN: Opposition members were courteous enough to listen to the Minister in relative silence for most of his speech but, if Government members do not like to

hear the rebuttal, they are acting as I would expect them to act. Mine was a motion of no confidence in the Government and the Premier for appointing as Chairman of the trust an individual who had extensive associations with the development business, with real estate, with the manufacture of building materials, and with the D.F.C. group. Let us consider the various points the Minister made so much of. He says that I implied that Mr. Liberman was responsible for the loss incurred by many South Australians during the Reid Murray affair. I did not say that, I did not imply it, and it is not contained in my speech. Mr. Liberman was closely associated with Reid Murray before the crash (and that point was made), and that is a point worth noting, because it demonstrates that his interest in real estate development went back as far as that, and his interest in Modern Tract Development is also an entirely proper association. There is no question about that.

If the Premier and the Minister wish in some way to emphasise any innuendo that may have crept in, the Minister has done it, and thoroughly, too. I agree with the remarks made by the receiver in his letter from which the Minister quoted, because Mr. Liberman has been very successful in land development, and his contribution to South Australian development shows still more how a conflict of interest may arise now, because he is Chairman of the trust. Both the Premier and the Minister for Planning know that. The Minister made some capital out of the fact that the trust had purchased 10 Panelex houses, and went into great detail about its happening before Mr. Liberman became Chairman. That situation is not, and has never been, in question. It was not implied or suggested: there had not been the faintest suggestion that the transaction had anything to do with any financial gain by Mr. Liberman.

However, the point was made (and I make it again) that it is not proper for someone who is associated with a building technique or a building company to hold a position in which he can be seen now to have had some association with that firm or business. That is the entire thrust of our argument. Indeed, statements made by people and quoted by the Minister entirely bear out the case that we made: that is, that Mr. Liberman has a conflict of interest in all these spheres that cannot possibly be compatible with his position as Chairman of the trust now. I repeat that there is no suggestion that he made any financial gain from the trust's purchase of the 10 Panelex houses. The Minister began to split hairs to some extent by saying that there was a difference between the company using the name Panelex and the company registering such a name. Why the company would want to register the name if it did not intend to use it in some way, I do not know.

I accept that the transactions occurred before Mr. Liberman became Chairman and had nothing to do with it, and I repeat that that allegation was not made in any way. I suggest that the Minister should read the speech more thoroughly. The conflict of interest is also brought forward in the matter of the acquisition of land by the trust. There was no suggestion, in the matter that was brought forward in the attack on the Premier and the Government (and that is where the attack lay), that the acquisition of land by the Housing Trust at that time in any way benefited Mr. Liberman. I defy the Premier or the Minister to find anywhere in my speech where that was said.

The Hon. G. T. Virgo: It was implied.

Dr. TONKIN: It was not said, nor implied, because we were not at that time talking about Mr. Liberman as Chairman of the Housing Trust. We specifically stated

that there was no criticism of Mr. Liberman's having made any improper use of his position.

Mr. Wells: You implied that he would.

The Hon. Hugh Hudson: Tell us why you mentioned Reid Murray Development.

The SPEAKER: Order!

Dr. TONKIN: We come now to Carolita Investments Pty. Ltd. and J. J. McDonnell Investments. I am told Mr. Liberman has no interest in J. J. McDonnell.

The Hon. Hugh Hudson: Had no interests.

Dr. TONKIN: Has he now?

The Hon. Hugh Hudson: No.

Dr. TONKIN: I do not know why the Minister corrected me. I am told that Mr. Liberman had, or has, no interest in J. J. McDonnell except he held one of the three issued shares. We have seen a declaration of trust being brought forward. Did that appear in company records? Was it available for search? No, it was not. Declarations of trust, by and large, are not, because they are designed and widely used to circumvent certain provisions of the Companies Act. If Mr. Liberman had one of the three shares, even though he had no financial interest, I cannot see that he cannot be said to have an interest in the company. Of course he has an interest in the company, and by the declaration of trust itself he declares he has an interest in the company, that he is going to look after its interests. He has specifically said so, and the document that the Minister has read out this afternoon specifically says he has undertaken to do that. How can the Minister now say he does not have an interest in the company? He means a financial interest; I mean an interest.

Mr. Wells: You mean a financial interest.

Dr. TONKIN: I mean an interest, whether it be financial or anything else.

Members interjecting:

The SPEAKER: Order!

Dr. TONKIN: We are splitting hairs; obviously members opposite do not like what I am saying. Let us look at the things that occurred in relation to Cormorant Court. It is interesting to hear that the sale occurred on April 13, 1973: the records clearly show that the transfer took place on February 7—

The Hon. Hugh Hudson: That was explained to you. Do you not accept the explanation?

Dr. TONKIN: I cannot accept the explanation of why this state of affairs occurred. I understand perfectly well, and I talk about urban land price control and the exemption that the West Lakes people had from paying rate and taxes: as long as the land stayed in that name, it was free of those charges. The transfer was made only one day before the land was transferred to Charles Norton, simply to avoid those charges. The Minister has now raised another point: why did this happen? Why was it allowed to happen? Why has no action been taken?

The Hon. Hugh Hudson: And you say you are not attacking Mr. Liberman?

Dr. TONKIN: I am attacking the Government for its appointment: apparently the Minister now sees some need to attack Mr. Liberman.

The Hon. Hugh Hudson: That is a lie; I did not say that.

The SPEAKER: Order!

Dr. TONKIN: If we cannot trust official documents, and if the official records do not represent the true state of affairs, the Government is just as much to blame for that, because that is exactly what the Minister has now outlined: a transaction took place, certain responsibilities dependent on that action were not complied with, and the transfer took place one day before the next transfer, specifically to avoid charges. I agree that Mr. Liberman agreed to buy at a figure greater than that at which he could have bought from West Lakes. That is shown quite clearly in the figures. West Lakes sold to J. J. McDonnell Investments, taking as an example allotment 18, Cormorant Court, on February 7, for \$51 000, and it shows on the record of February 8 for \$54 000—a very modest increase, I agree. Let us look at how much was paid for that block on September 25, 1974, when, suddenly, from \$54 000 the figure goes to \$120 000. Regardless of what the Minister has said about valuations, that is a considerable increase in that time, and there is a discrepancy in the figures, which are not consistent, and which become even less consistent now that we have heard from the Minister that the transaction took place some considerable time before it was registered. I should like to hear the Minister talk his way out of that one. We were told that the purchase was made with the full knowledge of R.D.C. Holdings Proprietary Limited.

We were told the board ratified the purchase at a meeting at which Mr. Liberman was not present. Why bring that in? Mr. Liberman was obviously associated closely with R.D.C. Holdings Proprietary Limited. He was not present at that meeting, and that was very right and proper. I would say that he was well aware at that stage of his conflict of interests. That concern for conflict of interests should be carried further, to the extent that he, I believe, was most unwise in accepting appointment to the Chairmanship of the Housing Trust.

The Hon. J. D. Corcoran: Why?

Dr. TONKIN: The Premier and the Government were most unwise in making the appointment. The price of the blocks was not important, the valuation was not important, but that shows how concerned the Government is when it goes into so much detail on this matter, which had already been documented. I am grateful to the Government, because it has in many ways pointed up and strengthened the case that was made in this House two weeks ago. The enormity of the statement that Mr. Liberman has nothing to do with the manufacture of materials made by the companies I have mentioned is absolute. I have never heard anything so ridiculous. Does the Minister believe that every shareholder or every director of every company making bricks—

The Hon. Hugh Hudson: What company is he a director of?

Dr. TONKIN: —should go into the factory and be associated with making bricks.

The Hon. Hugh Hudson: What company has Mr. Liberman been a director of?

Dr. TONKIN: He has been closely associated with D.F.P. and, therefore, D.F.C.; it is a subsidiary company. I refer the Minister to the original speech for the list of building materials—

The Hon. Hugh Hudson: They were mostly companies Sir John Marks was involved with.

Dr. TONKIN: —that those companies manufacture and with which, therefore, Mr. Liberman must be associated. The Minister cannot possibly deny Mr. Liberman's association with those companies of the Marks group. The

Minister referred to the past practice of the Housing Trust, saying that it has not been open to direction and that the choice of materials has been left to contract builders. I am all in favour of that: that is how the position should stay and appear to stay. There must be no conflict of interest, and I repeat that Mr. Liberman can be accused of having a conflict of interest by way of his past associations.

Mr. Keneally: It is the Government you're attacking, and not Mr. Liberman?

Dr. TONKIN: I thank the honourable member because he has gathered the point that many of his colleagues have not: Mr. Liberman has been put in a most unpleasant situation because of the actions of the Government. The new director, who we hear has replaced Mr. Liberman on various boards, was associated with him only on an employer-employee basis. How much closer can you get?

The Hon. J. D. Corcoran: There's another innuendo.

Dr. TONKIN: We are told Mr. Liberman was never associated with the decision by the Housing Trust to use Panelex, and I agree with that. As Chairman of the Housing Trust, he has not in any way been associated with the decision to use Panelex. We know that, we freely admit it, and we have said so. The conflict of interest which was shown and on which the whole tenor of the attack on the Government and on the Premier was based is summarised in section 9 of the Act and the paragraph leading up to it. Clearly, this appointment contravenes the spirit, if not the actual letter, of the law as expressed in section 9. I previously read that provision.

The Hon. Hugh Hudson: Why didn't you attack the previous Chairman?

Dr. TONKIN: I think that matter was covered in my previous speech. I suggest the Minister should read it, because he would then know that I mentioned the previous Chairman and the fact that he had no interests. He was an architect, but he had no direct financial interest, nor could he be seen to have any direct financial interest.

The Hon. J. D. Corcoran: And Liberman has?

The SPEAKER: I must remind honourable members that they must not interject when away from their seats.

Dr. TONKIN: Regarding the advice that the Premier received not to make that appointment, this was common knowledge around Government departments at the time; it was spoken of widely. The Premier can quote three names, but this was generally spoken of around the Premier's Department and around all Government departments, and I suggest many people on this side of the House heard this comment made many times.

The Hon. D. A. Dunstan: Who was it?

The Hon. J. D. Corcoran: Spell it out.

The SPEAKER: Order!

Dr. TONKIN: The Minister said that people aspiring to high office in the Government of this State must be people of probity and that, if they come here, they risk their reputation. By and large the people we appoint to high office in this State must be people of probity; they must be people of high reputation; and they must be prepared to put that reputation on the line, and they do that. Everyone appointed to such positions puts his reputation on the line. I believe that is necessary, being inherent in the holding of public office.

I repeat that the objects of the attack in this case were the Government and the Premier, for making the appointment that he did. The appointment is subject to misinterpretation by the public because of the gross conflict

of interest which has existed and which presumably still exists, although no accusation is made against Mr. Liberman as Chairman at this time. It is entirely proper when making such appointments to ascertain whether a conflict of interest may still exist and, in doing so, to ventilate close and deep interests that have occurred previously. The Premier has carefully turned criticism of himself and his Government away from himself and his Government and turned it on to the man he is supposed to be defending, and he does this sort of thing with monotonous regularity. Our attack was based only on conflict of interest and, if it were necessary to investigate the interests of the man involved, that investigation and airing had to be made. That is exactly what has happened. For the Minister in charge of housing to bring racism into this debate is absolutely deplorable—

The Hon. J. D. Corcoran: You raised it.

Dr. TONKIN: —and it is worthy only of contempt. We still maintain that the appointment was improper and unwise. We have shown clearly that the conflict of interest because of Mr. Liberman's previous associations is so great that it contravenes in spirit, if not in law, section 9 of the Housing Trust Act, and we stand by that.

The Hon. D. A. DUNSTAN (Premier and Treasurer): This afternoon we have seen one of the most disgraceful compoundings of a great wrong done to a South Australian citizen that has ever disgraced this Chamber. First, the Leader of the Opposition got up and blustered, saying that the motion was an attempt to whitewash what had been said in this House two weeks ago. He then said that he was not attacking Mr. Liberman. No-one in the community and not one of Mr. Liberman's many and loyal business associates, not any of those people who hold him in such high regard in the business community in this State, believe that there is anything other than a situation in which Mr. Liberman's personal character and probity have been put under the most grievous attack in this House.

The documents which were given to the Government for this debate today did not, except for two, come at Government request. They came because Mr. Liberman's associates were determined that his name should be properly cleared before the public against the most disgraceful allegations the Leader has made. The Leader started off by saying that his mention of Reid Murray and the harm that came to South Australian people through the directorship of Reid Murray was in no way an attack on Mr. Liberman who was, as he mentioned, a director of Reid Murray Development. Who can believe that? He then said that the Minister had replied to any innuendo that might have crept in. It did not creep in—it was there from the outset. If he had not intended to show that there was something wrong in relation to Reid Murray Development he would never have mentioned it. Otherwise, what was the purpose?

The Leader said that he acknowledged that the sale of Panelex houses was before Mr. Liberman became a member of the trust, but somehow or other Mr. Liberman's divorcing himself from that company nevertheless leads to some conflict of interest. How does it? Let us take the position of members of this Parliament. It is the tradition in British Parliaments (not followed, I know, in Queensland but in most other areas) that when members become Ministers of the Crown they dispose of business assets which could in any way conflict with their duties as Ministers. That has been the clear tradition and requirement of British Parliaments. Is it to be said that having disposed of those interests such people are therefore subsequently acting in conflict in being Ministers of the Crown and having to deal with the very interests with which they had previously

had some business association? That is a nonsense. The purpose of divorcing oneself from those business interests is to see that there is no conflict of interest; that was the proper course taken by Mr. Liberman. The Leader suggests that somehow or other there is now an association (but he cannot say what that association is), despite Mr. Liberman's having no interest in the company. The Leader then says that it is true that the sale of land from West Lakes took place before Mr. Liberman was ever associated in any way with the Housing Trust, but he said that there must be a conflict of interest. He went on to say that he was not attacking Sir John Marks, that he was not saying anything unpleasant about him: he was just saying that Sir John was an associate of Mr. Liberman. I should like to read what the Leader did say:

The particular Sydney circle of which Mr. Liberman became a part is dominated by Sir John Marks. Sir John had put the weight of his Development Finance Corporation (D.F.C.) behind R.D.C. in the early days. Sir John and his associates control a vast business empire that includes being a leading national supplier of building materials and products associated with the building trade. For example, companies of which Sir John is a director include F. & T. Industries and Dickson Primer (Consolidated), companies which together have about 7300 employees, over 40 factories across Australia and about 27 subsidiary companies. Collectively, these two companies are manufacturers and marketers of residential and architectural builders' hardware, light hardware, wallboards, clay bricks and blocks, roof, floor and wall tiles, pipes, aluminium and timber windows, doors and screens, glass and glazing, P.V.C. coated fabrics, moulded housewares and kitchen ware, electrical gear, etc. The Premier is well aware of Sir John's close association with Mr. Liberman, and of their mutual interests.

The Hon. J. D. Corcoran: What does "mutual interest" mean?

The Hon. D. A. DUNSTAN: That they happen to sit together on the boards of some companies. However, none of the companies on which Mr. Liberman is a board member or in which he has share holdings has an interest in building materials. What the Leader is saying is that, because they sit on the same board, somehow or other there is a mutual interest. The innuendo is that Mr. Liberman, as a result, has a conflict of interest and that he has improperly accepted an appointment to public office. Of course, that is not an attack on Mr. Liberman! The Leader continued:

The Opposition cannot accept the propriety of the action that the Premier has taken in appointing Mr. Liberman, a close associate of Sir John Marks, as Chairman of the biggest single wholesale consumer of building materials in the history of the State.

That was untrue. It is not a wholesale consumer of building supplies, and today the Leader acknowledges that it is not and says that he is glad it is not. However, that was the statement he made, a statement that he issued widely, that Mr. Liberman was interested in building material supplies and that there was a clear conflict of interest in his being a member of the Housing Trust board because the trust was a wholesale consumer of building supplies. That has been denied by the General Manager of the trust. The basis of the Leader's innuendo was the leading point taken up in the *Advertiser's* editorial.

The Hon. J. D. Corcoran: The Leader smiles, because that is the point he wanted to make.

The Hon. D. A. DUNSTAN: He continued:

He—

Mr. Liberman—

is still on the board of West Lakes Limited, Development Property Finance Limited, and R.D.C. Holdings Limited, all companies in the Marks network. The Marks organisation has a firm foothold in South Australia, in West

Lakes. Of the six present directors, four are or have been recently associated with Marks firms. These are Messrs. Alledyce, Curtis, Liberman and Sir John Marks. Not least of them is Mr. Liberman—

of course, he did not mention Mr. Turner—

who apparently feels that there is no conflict of interest between his position as Chairman of the South Australian Housing Trust and as a director of West Lakes. Mr. Liberman remains on the board of West Lakes Limited. Where is the conflict of interest between the board of the trust and West Lakes Limited? The purchase of land for the Housing Trust was a purchase at cost before Mr. Liberman was associated with the trust. There was no further transaction between the two organisations. Where is the conflict of interest? The Leader says there is a conflict of interest in order to damn Mr. Liberman publicly. The Leader went on to say (he was not attacking Mr. Liberman), "What about this business of transactions at Cormorant Court?" He said those transactions were improper. He reiterated that statement today in a most disgraceful fashion.

The Hon. J. D. Corcoran: He doesn't understand it.

The Hon. D. A. DUNSTAN: I know, but that is no excuse for making a grossly defamatory attack on a man of probity and integrity in this community. If the Leader did not bother to ascertain what is the law in relation to this matter, he should have got the advice before he came in the House to make the allegations he made. The Leader says there is somehow a fault on the part of the Government and that somehow charges have been avoided because of the dates on which the transactions were registered in the Lands Titles office. The Leader should have consulted the member for Mitcham about this matter, because he could have told the Leader that it is a perfectly normal and proper transaction at law to sign an agreement for the sale and purchase of land and not to register it immediately. That transaction creates an equitable title and is a perfectly normal transaction. There is nothing wrong with it, and it does not avoid charges.

Dr. Tonkin: What about taxes?

The Hon. D. A. DUNSTAN: It does not avoid any taxes. It is a perfectly normal transaction, especially when it is necessary to get a new title from the Lands Titles Office. Anyone dealing with that office knows that applications for new title for new subdivisions, or trying to get a new title in cases of resubdivision, can often take a considerable time. The reason why all the transactions were registered at the time was that it took until that time to get new title.

In the meantime, the transactions were valid and had taken place to create an equitable title until such time as documents under the Real Property Act could be lodged and registered. Not a single charge would be avoided by such a process. No impropriety of any kind would take place. The Leader suggested that somehow there is still some impropriety, and he repeated it in the House today. In addition, he says in relation to J. J. McDonnell Proprietary Limited somehow or other Mr. Liberman had done something improper by being a member of a company that sold land at a price to Charles Norton Proprietary Limited, his own company. The Leader then said that the land was resold later (about 10 or 18 months afterwards) at a higher price. Who would be the person concerned about that transaction? The owner of J. J. McDonnell Proprietary Limited (J. J. McDonnell), and he has made it perfectly clear that there was no doing down of him. In fact, he said that Mr. Liberman had done him a favour by taking the land from him at a better price than he could have got anywhere else. There

was no breach of trust, in any way: there was full disclosure. It was a perfectly proper and normal business transaction. In relation to the sale of land to West Lakes Limited, because Mr. Liberman had an interest in the sale to R.D.C., he did not take part in the meeting of the purchasing company of which he was a director. There was a full disclosure of his interests. The purchasing company wanted that land, and got it at less than independent valuation.

When the Leader was making these allegations about dealings at Cormorant Court, we wanted to know what he was saying about Mr. Liberman. We asked whether he was saying that there had been a company fraud. He would not go that far. He said the transactions raised doubts and questions that should be brought up in this House. There was a clear innuendo of impropriety, which he has compounded with his allegation that it was deliberately done to avoid charges. The Leader could not justify that. How dare a member of this House simply go to real property transaction searches at the Lands Titles Office and then, on the face of those documents, make an allegation of fraud or worse (because that is the innuendo), without inquiry of the people concerned! That is what he has done, and he has repeated it in this House today.

I do not make any apology for being angry on this occasion. I would be angry in relation to anyone. I am naturally angry also because I have known Mr. Liberman for many years, and I regard him as one of the most upstanding citizens of this State, a man for whose probity, integrity and propriety I have the highest regard. He is a great servant of the State, and is devoted to it. It horrifies me to find the processes of this Parliament so gravely abused as the Leader has seen fit to abuse them today.

The Leader has gone on about conflicts of interest. Does he suggest that all members of Government advisory boards and committees who may have some superficial conflict of interest should resign? For instance, are all farmers on those boards to resign because they have an interest in farming? Let us take as an example two former Chairmen of the trust. The early Chairman was Mr. Cartledge. His brother was a leading builder in this State. Does the Leader suggest that there was a conflict of interest between Mr. Cartledge and his duty because his closest relative was a leading builder in the State?

The Hon. G. R. Broomhill: There was an association.

The Hon. D. A. DUNSTAN: Yes, mutual interest. Mr. Roberts was a fine Chairman of the trust. I was responsible for his appointment. He did an extremely good job. If the Leader suggests that he had no interest whatever in land or building planning in South Australia outside the trust, he is wrong. Mr. Roberts did have it, but it was not a conflict of interest, and neither is any of Mr. Liberman's activities a conflict of interest.

The Leader has brought in here a pastiche of innuendo, of snide sneers, of thrown-off remarks, to try to show that, somehow or other, Mr. Liberman has been guilty of wrongdoing in some way and that there is some conflict of interest that the Leader cannot identify. There is no conflict of interest with West Lakes, with Panelex, or with any building company. Where is the conflict of interest? There is none. The Leader did not scruple shamelessly to traduce a decent honest citizen because he thought it would give him some cheap political advantage. That is gravely deserving of the censure of this House, and I ask honourable members to carry the motion.

Mr. GOLDSWORTHY (Kavel): Of course, one would expect the Premier and the Minister in charge of housing, after adequate communication with people who they

think support their cause, to spring to the defence of their appointment, because in fact the earlier motion was moved against the Government for what we considered (and we still consider) to be a most unwise appointment. Let me give the House a reply to a question that I have received today. In seeking further information about Mr. Liberman's business connections, I put a Question on Notice during the week before last, and the reply was given today. I asked:

1. What were the total business interests of Mr. Liberman disclosed to the Government when he was appointed to the Housing Trust?

I interpose to say that the Premier and the Minister in charge of housing made much of Mr. Liberman's disclosures to the Government at the time of his appointment. The fact that the present Minister had never met Mr. Liberman up to that time was no bar to his concurrence in the appointment. Obviously, he was willing to accept the Premier's recommendation. A major point that the Premier and the Minister made was that Mr. Liberman had disclosed to the Government those business interests that he was relinquishing and had given a full account of those interests in which he was involved. They took the editorial writer of the *Advertiser* to task for saying that there were still some unanswered questions, so I put a Question on Notice to get the answer. The other parts of the question I asked were:

2. What were the business interests he had disposed of and which were retained?

3. What was the account given to the Government of the business interests retained?

In defence of Mr. Liberman, the Premier or the Minister trotted out the following reply, which I got today:

1. A list of interests he had relinquished and those he had retained.

This is the list that the Government would supply! In reply to my second question, about what the interests were, the Premier stated:

This information is not available for full public disclosure.

The answer to my third question was as follows:

Full information was given.

That is probably the most evasive reply I have had when I have sought information on a matter of public importance in this State and a matter on which editorialists suggest that further information is needed. When I ask the Premier what are those business interests, what interests have been relinquished, and what account was given to the Government of those business interests, the Premier and the Minister are not willing to make the information public.

Mr. Keneally: What are you suggesting?

Mr. GOLDSWORTHY: If there is any other explanation, let me hear it. When information is sought, the Government has a responsibility to this Parliament and to the people to prove that its appointments are proper. If the Government trots this out as a reason for the propriety of its appointments, let us have the information. That reply is the most evasive that I have received in five years.

One would expect much heat and fire from the Premier, because we know the Leader of the Opposition touched him on the raw, but to suggest in terms of this motion that the Opposition will desist from questioning appointments by the Government is sheer nonsense, and the people will see it as such. The Leader of the Opposition has pointed to the numerous involved business interests held by Mr. Liberman. No-one has suggested at any stage that he broke the law.

The Hon. J. D. Corcoran: Then why point to the business interests?

Mr. GOLDSWORTHY: I ask the Government why it removed two developers from the Planning Appeal Board. That was done because of a conflict of interest, real estate interest. Why did the Government consciously take them off the board? They were two highly respected citizens whose probity (to use the colourful word used by the Premier) was beyond question. They were removed because the Government saw some possible conflict of interest, and we suggest that the evidence of conflict of interest is far stronger here, in view of Mr. Liberman's association with those companies, than in the case of the two gentlemen who were removed from office.

We are not suggesting that Mr. Liberman has broken the law. The Premier stated in an earlier debate that Mr. Liberman had been a highly successful entrepreneur. There is no doubt about that, and the point to be taken from the Cormorant Court activity, in reply to what the Premier said a short time ago, is that, owing to the tremendous increase in the sale price of the land at Cormorant Court, in the long term the people suffer: What about the big deal the Government has made about its land price control activities? When we outline the activities at Cormorant Court and regarding the Planning Appeal Board, the Premier makes a big deal about the fact that Mr. Liberman is not involved, that he just holds a share on behalf of his principal, Mr. McDonnell. Obviously he is acting in the interest of Mr. McDonnell.

Mr. Liberman's own company is then involved in the purchase, and I think the price went from \$89 000 to \$120 000 and then to \$200 000, an increase in about 10 months of more than 100 per cent, and the Premier asks who suffers! Obviously, the people suffer for the vast escalation in land prices in the West Lakes area. No-one is suggesting that Mr. Liberman broke the law. Mr. Liberman is, in the Premier's terms, a highly successful entrepreneur either on his own behalf or on Mr. McDonnell's behalf. This is the kind of activity that we believe would preclude Mr. Liberman from appointment to the position of Chairman of the Housing Trust, because it is precisely the kind of activity which indicates that there could be a conflict of interest. I submit that it is the kind of conflict which is more apparent to me than that which applied in the case of the two gentlemen who were removed from the State Planning Board because of conflict of interest. I will refer again to some of the things the Leader said, as follows:

It is not necessarily suggested that Mr. Liberman has taken any business advantage of his high office, nor that he would intentionally use the position improperly, but the Premier should never have put him in a position where it could appear that he could have done so. . . . The complexity of Mr. Liberman's involvement with the building industry generally and the closeness and conflicting nature of his business interests with the interests of the Housing Trust make his appointment subject to considerable question.

We are questioning just that, and I sought further information, but received none. The Leader also said:

The fault lies entirely with the Premier.

We believe that it was most unwise of the Premier. The Leader also said:

His business activities and long associations with real estate going back to Reid Murray prior to his departure for Sydney are not our primary concern. It is the fact that the Premier has insisted on appointing him, in spite of his conflict of interests, which causes grave concern.

I believe that that position still obtains. The Leader also said:

The position is not made any clearer by the multiplicity of companies with which Mr. Liberman is involved, either directly or indirectly but, regardless of this, his position as Chairman is untenable. The Premier has also contravened the Act in appointing some members of the

Housing Trust (as outlined in the Premier's answer to a Question on Notice on September 30, 1975, *Hansard*, page 911) for far less than the statutory four years required by the Act. . . . The Opposition takes no pleasure in ventilating matters such as these relating to a person appointed by the Premier to a high and influential position in the administration of South Australia, but has done so as a matter of public duty.

The Opposition will continue to raise these matters in the House where grave doubts exist regarding the wisdom of Government appointments. The Government is bound to spring to the defence of a man it has appointed to preside over one of the State's major instrumentalities, charged with the responsibility of administering more than \$300 000 000 of South Australia's funds. It is all very well for the Minister in charge of housing to produce a voluminous sheaf of letters and statutory declarations from Mr. Liberman's former business associates. I have a copy of a letter the Minister tabled today, the final paragraph of which states:

While it is true that Mr. Liberman has been very successful (commercially and in other ways) in land development in South Australia, it is also true that he has contributed a great deal to the progress of the State since he first arrived here.

I do not know what Mr. Niemann's knowledge is of Mr. Liberman's contribution to South Australia's progress, but no-one challenges that Mr. Liberman has been successful commercially and in other ways. Certainly he was successful, on Mr. McDonnell's behalf, at West Lakes. No-one denies that, or suggests that he has broken the law. However, we suggest and believe that Mr. Liberman's business involvements, his activities such as I have outlined, and his activities with Reid Murray (we are not suggesting that they are illegal) make him an unsuitable appointment to the trust. If the Government thinks that this motion will in any way deter the Opposition from questioning its activities and its appointments to senior public positions in South Australia, it is sadly mistaken. I do not believe that the Premier would for a moment think that he would gain majority support for the motion. I oppose the motion.

Mr. MILLHOUSE (Mitcham): Once again, my colleague the member for Goyder and I knew nothing of the motion until it was moved this afternoon, although, this being the third Tuesday of the sittings, I suspected that one side or the other would pull some little stunt, and I was prepared for that. I believe that the moving of the motion by the Government this afternoon was clever tactics on its part, because it capitalised on what I regard as a very bad mistake of tactics by the Leader of the Opposition, supported by all of his members, a fortnight ago, and now the Government is having its revenge. I believe it was a mistake a fortnight ago for the Leader to move as he did. That mistake sprang from inexperience and lack of judgment of what is proper and what is not proper to bring forward in the House. The cleverness of the tactics of the Government can be shown no better than by the way in which the House has received the motion. There has been throughout, as there often is when a motion of gravity comes into it, almost total silence, and everyone is wondering what to do about it.

The motion has put us all on this side of the House in our different ways in a dilemma about what to do. I hope that that shows the Leader and his Party that what they did a fortnight ago was very foolish and an unwise thing to do. On that occasion, as I have implied, I knew nothing of what the Liberal Party proposed until a few minutes before the Leader moved the motion. Although he told me something of it during the adjourn-

ment we had because of the death of two former members, I had no opportunity to express a judgment on the motion before it was moved or to give him any advice or to express any opinion about it. I certainly wish I had had that opportunity. The fact that I did not is another indication of the lack of co-operation between our Parties. The Leader was willing to give me a copy of his speech after he had read it to the House and I was able therefore to go through it carefully before I spoke. I had to go and tell him frankly before I spoke that, despite the fact that I did not want to have to vote against the Liberal Party, I had discussed the matter with the member for Goyder and neither of us could bring himself to vote for the motion, because it contained an attack on an individual, which attack was not supported by any evidence and which referred to the appointment of the Chairman of the trust many months ago.

If that matter were to be attacked, the time to attack it was when it was made, not now. I do not know whether the Leader regrets having moved the motion that he moved a fortnight ago: certainly when he spoke this afternoon he seemed quite unrepentant about it, and that disappointed me. I am sure that he now realises that by doing what he did last Tuesday week he left himself wide open to the motion of censure which has been moved by the Government today and to the things that have been said in condemnation of him. I also know how bitterly upset Mr. Liberman was by the attack made on him in the House. Let us face it: there can be no denying that the whole gist of the no-confidence motion a fortnight ago was an attack on the Government through one man. One can try to make distinctions, but the impression of that debate was of criticism of Mr. Liberman and therefore of the Government for appointing him as Chairman of the trust. Mr. Liberman was bitterly upset about that, I am told. I do not know him and I do not think I have met him, but he sent to me a message, through a mutual friend, whom I know not professionally or through business connections, appreciating the fact that my colleague and I would not support the attack on him. I appreciate Mr. Liberman's doing that. The Leader at the time received a good press for what he said, but it was a press that, in my opinion, he did not deserve.

As a result of that, my colleague from Goyder and I have been questioned frequently as to why we supported the Government and not the Opposition on the no-confidence motion. The reply I have given every time is that we did not believe that the attack that was launched on Mr. Liberman, and through him on the Government, was justified. There were plenty of other things on which the Government could have been kicked to death, but not that one. I repeat today that I would rather go out of politics than do something in this place which I did not believe was justified and which I believed was an unwise and dishonest tactic. If I go out of politics because of this, so be it. I am not willing to support an attack through an individual on the Government when that attack is not justified. Where, then, do we find ourselves today? The Leader of the Opposition, in speaking against the motion, has shown himself to be entirely unrepentant, and his Deputy who supported him has gone even further and, I think, tried to reinforce the attack. The whole thrust of what they said a fortnight ago (and the same two members are the only members of the Liberal Party who have spoken in the debate so far) is the same today: an attack on Mr. Liberman.

I hope that the debate today, even if nothing that preceded it has, has shown the Leader of the Opposition,

his Deputy, and their supporters the futility and injustice of trying to debate matters like this in this place. If any charges are to be made against a man, we have a system of courts in which those charges should be preferred. This is not the forum for attacks and counter-attacks on the actions, reputations, and integrity of individuals. Today, we have heard a defence from the Minister and the Premier of Mr. Liberman. The attempt by the Deputy Leader particularly to rebut that defence shows, I believe, the absolute futility of a debate like this, quite apart from its entire distastefulness.

What should we do? I doubt whether the Leader deserves so harsh a motion as this in reply to his attack, which was made, I suggest, because of lack of experience and judgment. Certainly, the matter has been raised again and cannot go without some comment by the House. Therefore, I move:

Leave out all words after "House" and insert in lieu thereof the following words: "regrets the tactics of the Leader of the Opposition, supported by members of his Party, in moving on February 3 a motion of no confidence in the Government based on an attack on the personal integrity of the Chairman of the South Australian Housing Trust without adducing any evidence of impropriety on the part of the gentleman concerned, and further expresses the opinion that criticism, if any were justified of the appointment of Mr. Liberman as Chairman of the Housing Trust, should, in the absence of allegations of impropriety since, have been made at the time of the appointment and not be made as it was many months later".

The SPEAKER: Is the motion seconded?

Mr. BOUNDY: Yes.

Mr. MILLHOUSE: I hope the amendment will be supported by all members, because it reflects what I said a fortnight ago, that the attack the Leader of the Opposition made on Mr. Liberman was not proven in his speech, and has now been refuted by the Minister and by the Premier. A fortnight ago the Leader in his speech twice said that he did not suggest any impropriety since Mr. Liberman's appointment and, therefore, the only thing he could complain of was the appointment. That matter should have been raised at the time. A fortnight ago I committed myself to a criticism of the Leader for what he said, and I cannot resile from that and do not intend to. I only wish that I had had the chance to counsel him beforehand on what he intended to do. Whether to take a different course of action would have been for him to decide, but I would have had the chance to tell him what I thought and perhaps suggest another course of action. I cannot resile from what I said a fortnight ago, and neither my colleague nor I intend to do so. Apart from the cleverness of the tactics of the Government in trying to give the Leader the hardest boot it can, I suggest that my amendment is sufficient to meet all the circumstances of the case.

The Hon. HUGH HUDSON (Minister of Planning): There has been little to which to reply in this debate, largely because the Leader and Deputy Leader have repeated exactly the same offence they committed two weeks ago. As the member for Mitcham said, this is not the place in which to indulge in attacks on an individual, because it is not the place in which evidence can be effectively brought forward in defence of an individual. The situation is created in which a man is assumed to be guilty, whereas the whole tradition of our British system of justice is that a man is innocent until he is proven guilty. Furthermore, an attack made on an individual in this House is subject to privilege and cannot lead to any remedy for the individual concerned. That individual has no right of redress at all.

The Leader and Deputy Leader tried to say that what had been said was not an attack on Mr. Liberman. If that is the case, why have not any of the statements that were made by the Leader or Deputy Leader, either two weeks ago or this afternoon, been repeated outside the protection of Parliamentary privilege? We all know why that is the case. If they had been repeated, redress would have been available to Mr. Liberman and it could well have been a very costly proposition for the Leader and Deputy Leader. Clearly an attack has been made, despite the Leader's disgraceful attempt to say otherwise. Members should ask anybody in the street whether or not what was said was an attack on the personal probity of Mr. Liberman, or ask any of the people who know Mr. Liberman and see what they think about it. They should ask Mr. Liberman what he thinks about it.

Everyone to whom I have spoken regards this as a personal attack on Mr. Liberman. Quite apart from what else it was, the Leader's motion was an attempt to get at the Government through this individual, and everybody regards it as an attack on his personal probity and integrity; there is no getting away from that. The Leader and the Deputy Leader cannot resile from that fact. I was appalled by the Leader's attempt to turn Mr. Liberman's association with J. J. McDonnell (his acting as a trustee) into something that was improper. I was reminded of the occasion, during the 1946 election campaign, on which Mr. Jack Lang made an attack on Ben Chifley when he was Prime Minister. He said Mr. Chifley had been guilty of usury during the depression in lending money at 9 per cent or 10 per cent. I attended the open air public meeting in Auburn, Jack Lang's electorate, when Chifley explained that the sums he lent during the depression were lent while he was acting as a trustee for other people. The majority of the Australian people accepted Mr. Chifley's explanation. Mr. Jack Lang did not; he tried to do the same thing as the Leader of the Opposition has tried to do in this case, and I suggest that the Leader and the Deputy Leader belong in the same gutter as Mr. Jack Lang.

Mr. Goldsworthy: It's a bit higher than the one you get into.

The Hon. HUGH HUDSON: I can assure the Deputy Leader that the tactics of Mr. Jack Lang put anything we ever do in this State into the category of small beer; let us be clear on that point. I turn to the Deputy Leader's claim about the list of Mr. Liberman's interests and why they have not been given. The list of companies from which Mr. Liberman has resigned was given by me this afternoon in my opening remarks. The matter to which the Leader referred was discussed in Cabinet yesterday. I am willing to give information about this discussion in Cabinet because I do not think I am breaching any trust. Yesterday, we discussed whether we could show to the Leader of the Opposition, in confidence, the documents Mr. Liberman has supplied the Government. It was decided in Cabinet that, in view of the Leader's actions, he could not be trusted, and that, in view of the damage he had already attempted to do to Mr. Liberman, and had done, we could not trust him not to break such a confidence.

Mr. Goldsworthy: Pathetic.

The SPEAKER: Order!

The Hon. HUGH HUDSON: Cabinet decided that the list of interests Mr. Liberman still has (which are known to the Housing Trust, the Government, and to the Auditor-General) should not be made available to the Leader of the Opposition, because he might attempt to do further damage to Mr. Liberman, if aware of those interests, by making further baseless innuendoes. That is why full

information was not given and cannot be made public: we have people in this community who do the kinds of things that the Leader and the Deputy Leader have done.

Mr. Goldsworthy: That's a pathetic argument.

The Hon. HUGH HUDSON: It is not. The Leader and Deputy Leader simply do not understand the meaning of words. They think they can make a speech and say those words do not represent an attack on an individual, when everybody else who has read or listened to those words knows they are such an attack. The member for Mitcham said that the Leader got a good press two weeks ago: he received a very good press indeed. The replies given in this House, were largely not published. The *Financial Review* published no reply whatsoever; the *Australian* almost nothing; the *Advertiser* very little; and the *News*, because of the time of day that debate occurred, published one or two remarks from the Premier's reply. So far as the public is concerned virtually all that has been published in the press has been the Leader's attack; that was a further consequence of the Leader's actions.

If the Leader believes that he has not by his actions damaged severely, in a way that no redress can ever be effectively provided, the reputation of Mr. Liberman, I suggest he talk to anyone outside. He might even talk to some of those other people who work for the S.A. Government and who are in business (some are members of his own Party) and ask them what they think of his attack, and whether it would not be possible to string together the same kinds of association and make an attack on someone else of the same kind of innuendo as he made on Mr. Liberman. I suggest that that would be possible, and that it would have been possible to do exactly the same thing so far as the previous Chairman was concerned; although that was not done to the previous Chairman.

I did not deal with all the matters that I have concerning Mr. Liberman, but I want to raise one matter because it was dealt with again by the Leader this afternoon. Having indulged in the calumnies that he indulged in two weeks ago, he repeated it all and committed the same offence this afternoon. The Leader mentioned certain industries in the Sir John Marks empire, as he called it: F. & T. Industries and Dickson Primer. Mr. Liberman has never been involved in the operations of either of those companies. One would have thought that it would be good Liberal philosophy that, where private enterprise ventures had been successful in bringing employment, wealth and expertise to the country, this would be something to be applauded. However, in the case of Sir John Marks (probably because of his name and the fact that he was associated with Mr. Liberman), there is something sinister. Mr. Liberman has no association with either of those companies, and I ask other members, if the Leader will not accept it, to accept that point.

The member for Mitcham moved an amendment along lines that I might possibly have considered before this afternoon's debate. In the circumstances where the Leader and Deputy Leader have repeated the same grizzly mistakes they made two weeks ago, I do not know how they can escape censure.

Mr. Millhouse: I don't think you would ever accept an amendment of mine on a thing like this.

The SPEAKER: Order!

The Hon. HUGH HUDSON: We have accepted amendments from the honourable member for Mitcham; if he looks up *Hansard* he will find occasions on which we have reached agreement. I point out to the member for Mitcham that the amendment he moved simply does not

clear Mr. Liberman. It does not involve an expression of opinion by this House that Mr. Liberman's name stands above reproach, and that is the least we owe that gentleman at this stage because, as the member for Mitcham says, nothing has been proved. As the member for Mitcham also says, this House is entirely an improper place to make this kind of attack on an individual.

Mr. Millhouse: Your original motion doesn't do what you suggest any more than mine does.

The Hon. HUGH HUDSON: It does by clearly censuring the person who made the attack, and I ask the member for Mitcham to withdraw the amendment because I do not believe that it goes far enough in these circumstances. I believe we have a duty to try to some extent to redress the balance that has been so much against Mr. Liberman in any public record that has taken place so far of the debates of this Parliament. I believe we have a duty to this gentleman, and the motion moved by me this afternoon is the only effective way in which that duty can be expressed. I hope that the press in its reporting of this debate this afternoon will give the same weight in the reverse direction in support of Mr. Liberman as it did previously against Mr. Liberman, because the way in which the press reported the debate of two weeks ago was one of the ways in which serious damage was done to that man's good reputation.

For a man who is a migrant, and who probably sets more store by his reputation and good name than someone born in the local community and more used to its ways in respect of criticism, I think this is vitally important. Mr. Liberman is not the first migrant to this country who has put great value on the good name and reputation he has been able to build up for himself through hard work and endeavour during his years here. We should recognise that this is a common characteristic and that people who have been in this position are often far more sensitive when their good name is traduced and dragged into the gutter than other people might normally be. As I believe we should pass the motion, I ask members to reject the amendment moved by the member for Mitcham.

The House divided on the amendment:

Ayes (2)—Messrs. Boundy and Millhouse (teller).

Noes (43)—Messrs. Abbott, Allen, Allison, Arnold, Becker, Blacker, Broomhill, Dean Brown, Max Brown, Chapman, Corcoran, Coumbe, Duncan, Dunstan, Eastick, Evans, Goldsworthy, Groth, Gunn, Harrison, Hopgood, Hudson (teller), Jennings, Keneally, Langley, Mathwin, McRae, Nankivell, Olson, Payne, Rodda, Russack, Simmons, Slater, Tonkin, Vandepeer, Venning, Virgo, Wardle, Wells, Whitten, Wotton, and Wright.

Majority of 41 for the Noes.

Amendment thus negated.

The House divided on the motion:

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

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

Pair—Aye—Mrs. Byrne. No—Mr. Wardle.

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

Motion thus carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (GENERAL)

Returned from the Legislative Council with the following amendments:

No. 1. Page 2—After line 46 insert new clause 4a as follows:

4a. The following section is enacted and inserted in the principal Act immediately after section 6 thereof:

6a. (1) The Local Government Association of South Australia Incorporated shall continue in existence under the name: "Local Government Association of South Australia".

(2) The Association shall be a body corporate with perpetual succession and a common seal and shall—

- (a) be capable of holding, acquiring, dealing with and disposing of real and personal property;
- (b) be capable of acquiring or incurring any other rights or liabilities; and
- (c) be capable of suing or being sued in its corporate name.

(3) The Association shall have the objects and powers prescribed by its constitution and rules.

(4) The constitution and rules of the Association, as in force immediately before the commencement of the Local Government Act Amendment Act (No. 2), 1975, shall, subject to any amendments made by the Association and approved by the Minister, continue as the constitution and rules of the Association.

(5) The incorporation of the Association under the Associations Incorporation Act, 1956-1965, is hereby dissolved."

No. 2. Page 8, line 13 (clause 34)—Leave out "sixty" and insert "ninety".

No. 3. Page 8, line 20 (clause 35)—Leave out "sixty" and insert "ninety".

No. 4. Page 9, line 18 (clause 37)—Leave out "sixty" and insert "ninety".

No. 5. Page 9, lines 19 to 22 (clause 37)—Leave out all words in these lines and insert:

(2) Where the council, upon an application made by a ratepayer within thirty days of the date of the notice addressed to the ratepayer under this Division, decides to permit the ratepayer to pay the rates by instalment, those rates shall be paid as follows:

No. 6. Page 9, line 25 (clause 37)—Leave out "sixty" and insert "ninety".

No. 7. Page 14—After line 7 insert new clause 52a as follows:

52a. Section 373 of the principal Act is amended—

- (a) by striking out from subsection (1) the passage "street or road" wherever it occurs and inserting in lieu thereof, in each case, the word "place";
- (b) by striking out from subsection (2) the passage "street or road" and inserting in lieu thereof the word "place"; and
- (c) by striking out from subsection (4) the passage "street or road" and inserting in lieu thereof the word "place".

No. 8. Page 14—After line 38 insert new clause 57a as follows:

57a. Section 475g of the principal Act is amended by striking out from subsection (2) the passage "shall be deemed a permanent work or undertaking for the purpose of this Act" and inserting in lieu thereof the passage—"shall, for the purposes of this Act, be deemed to be—

- (a) a public place; and
- (b) a permanent work and undertaking."

Consideration in Committee.

Amendment No. 1:

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

That the Legislative Council's amendment No. 1 be agreed to.

The Local Government Association of South Australia has been in discussion with me for a considerable period but it has not been possible to meet its request to be a corporate body and, to enjoy the benefits to be derived therefrom. It became possible to meet the request, and

as a result I arranged for my colleague in the Upper House to have this amendment inserted.

Motion carried.

Amendments Nos. 2 to 4:

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

That the Legislative Council's amendments Nos. 2 to 4 be disagreed to.

These amendments are all on the same subject matter. If I address my remarks to the first, that may suffice, because what I will say has equal application to all three. The Bill as drafted, provides that rates are payable within 60 days of the date of the rate notice. The amendment extends that period to 90 days. If this amendment were agreed to, local government, certainly within municipalities, would be far worse off than at present. I do not know why this amendment was moved, the Local Government Association contacted me today asking me not to accept it. I said that there was no risk that we would do that. Indeed, the whole purpose of the Bill would be destroyed if that were accepted. I think the Legislative Council has passed the amendment with the best of motives, but unfortunately it has not been well advised.

Mr. Wardle: A compromise?

The Hon. G. T. VIRGO: There is no compromise at all. The compromise is in the Bill. I have reason to think that, when the Bill goes back to the Legislative Council, the amendments will not be insisted on.

Dr. EASTICK: I think the Minister's attitude is completely commendable. Members on this side have previously said that for too long there has been a denial of funds available to local government, with the result that councils have had to enter into overdraft agreements and to chase their money. The aim of the legislation is to give to local government access to its funds with the minimum of delay. Whilst the amendments may well have been motivated having regard to country councils, which have quite a legitimate argument, the attitude being expressed in this Chamber is the correct one. I support the motion.

Mr. RUSSACK: Under the Act, for municipal councils in the metropolitan area November 28 is the final day before interest is charged for late payment. In the country the date is February 28. Possibly the reason for the amendment is to retain that situation in country areas. However, things have changed. When the Act was originally written, the income of the rural community was received at one time of the year. That income is now spread over the whole year, so I consider that the ratepayers are more able to meet their commitment at times other than the period immediately after harvest. Secondly, city or country councils, particularly because of the prevailing financial situation, like to receive their rates as soon as possible. Lastly, this Bill provides that, where there is hardship, the council can consider giving an extended time for a person to pay his rates. For these reasons, I believe that 60 days is adequate.

Mr. COUMBE: I support the motion. I am considering the future well-being of local government, and I am referring mainly to metropolitan councils. The Adelaide City Council would be in a rather parlous position if these amendments were to pass. Metropolitan councils would be in the same position. If the period is extended, councils will lose the use of revenue that they should really have. The time for the closure of rate payments and extensions are set out in the measure, and the matter of hardship is also considered. The Legislative Council's amendments take the matter too far. If the amendments are carried, councils will suffer and, through them, so will the ratepayers.

Mr. RODDA: In the South-East, rate notices are issued in October, and payment is due 21 days later. No fine is attached to the non-payment of rates until February 28 the following year, however. Councils run overdrafts (as has been pointed out by other members), so it might be just as well for councils to put their house in order in that respect. I am sure that, if council rates fell due and payable in October and the Legislature demanded payment, people in my district would pay their rates. Most people in the South-East, if they are not in credit, make arrangements to settle council rates. Only last weekend I was talking to people who said that, now the due date was approaching, they would make settlement.

The Hon. G. T. VIRGO: It is 60 days from the date of the council notice.

The CHAIRMAN: Order!

Mr. RODDA: The 90-day provision would suit country areas. I would be letting down country people if I did not make that point.

Mr. ALLEN: I support the motion. It is about 14 years since I had a notice of motion on the Far Northern Councils Conference suggesting that rates be made due and payable in November. However, I was sick on that occasion and could not attend the conference. This matter has been in the minds of councillors for many years now. About 30 years ago, people on the land received their harvest cheques and paid their council rates in February. That is not so today, because the man on the land has wheat and barley payments and wool cheques scattered throughout the year; he now has a varied income.

Many people are now of comfortable means and do not pay their rates until February but invest their money at a high rate of interest. We must look at that situation. When I was a member of council a district clerk estimated that, if rates were payable within about two months of becoming due, the council could have reduced the rate by one penny in the pound by not having to pay interest on its overdraft. It has been said by members on this side that, if rates were paid promptly, councils could invest rate money and receive interest on that money.

Mr. VENNING: If the *status quo* could be held for councils, I would not accept the amendments; however I am concerned about what councils might be required to do in future. If councils are required to raise money for various purposes such as libraries and old folks homes, ratepayers will be required to help pay for them. In the rural areas I represent there is some significance about the time when rates should be payable. Many people in my district pay their insurance premiums on about March 10 because the bulk of their income from grain has been received by that date. When the Legislative Council extended the period from 60 days to 90 days, it probably had the Government's attitude towards councils in mind. However, I suppose we will face that matter when we come to it.

Mr. MATHWIN: This is one of the rare occasions on which the Minister and I are thinking on the same lines. I therefore support the motion. Councils have suffered because people have not had to pay their rates immediately. It is cheap finance for some people. Fundamentally, such an attitude is to the detriment of ratepayers. Issuing of rate notices is entirely in the hands of each council.

Motion carried.

Amendment No. 5:

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

That the Legislative Council's amendment No. 5 be agreed to.

It has arisen from representations made to me. The Bill, as it left this place, required a council to extend to any ratepayer the concession of paying rates on, if I may use the crude expression, time payment. The purpose and intent behind the Government's move was to take care of the position where resident ratepayers were faced with large accounts and hardship was involved. It is pointed out, however, that the Bill as it left this place provided that the council would compulsorily be required to provide this time payment concession to all ratepayers, which would include not only residents but also commercial and industrial interests, and the like. Representations were made to me and I conceded that it was not in the best interests of some councils that this should apply, and the amendment the Legislative Council has inserted is the one to which I agreed as a result of the deputation. It gives a council the right to disagree or agree to an application.

Mr. Mathwin: You were naughty to do that, weren't you?

The Hon. G. T. VIRGO: I am not sure that I was. I think the honourable member would appreciate that the opposite is the case.

Mr. RUSSACK: I agree that a council should be autonomous and have the right to decide. Otherwise, there would be a uniform application for the rates to be paid at various times in four equal payments. The book work involved would be a big task. A council will have the power to agree, but I ask whether the council will be able to pass on that authority to an officer of the council.

The Hon. G. T. VIRGO: Yes.

Mr. COUMBE: I, too, had representations made to me on this point. The original clause in the Bill not only was ambiguous but also gave the wrong impression. The operative words in the amendment are "where the council decides to permit". In the case of hardship or any other special provision, the council will decide. Under the Bill, the council was obligated in many cases to give time to pay in cases that did not come under the hardship clause. This perturbed councils in my district, and the amendment clarifies the position.

Motion carried.

Amendment No. 6:

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

That the Legislative Council's amendment No. 6 be disagreed to.

This involves the same principle as was involved in amendments Nos. 2, 3 and 4. There is no need to pursue the matter.

Motion carried.

Amendments Nos. 7 and 8:

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

That the Legislative Council's amendments Nos. 7 and 8 be agreed to.

They were moved by the Government and provide for the Adelaide City Council to exercise authority in relation to parking and associated matters, principally in relation to the festival theatre and the railways.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 2, 3, 4 and 6 was adopted:

Because the amendments as proposed by the Legislative Council are contrary to the financial interests of local government.

Later:

The Legislative Council intimated that it insisted on its amendments to which the House of Assembly had disagreed.

APPROPRIATION BILL (No. 1) (1976)

Returned from the Legislative Council without amendment.

POLICE PENSIONS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

PUBLIC FINANCE (SPECIAL PROVISIONS) ACT
AMENDMENT BILL (EXTENSION)

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

That Standing Orders be so far suspended as to enable the introduction of a Bill forthwith and its passage through all stages without delay.

Motion carried.

The Hon. D. A. DUNSTAN obtained leave and introduced a Bill for an Act to amend the Public Finance (Special Provisions) Act, 1975. Read a first time.

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

That this Bill be now read a second time.

The purpose of this Bill is to extend the operation of the Public Finance (Special Provisions) Act, 1975. Late last year, when payment of a number of grants from the Australian Government was held up by the failure of the national Parliament to pass the Budget, the South Australian Government introduced the Public Finance (Special Provisions) Bill, 1975. This Bill, which was subsequently passed, was designed to ensure that work could continue on approved projects where it was known that, whatever the final outcome of the impasse in Canberra, the Federal Government would have to obtain appropriation authority to meet its obligations.

To the end of January the power to issue money from the Treasurer's advance for these purposes had been used only in respect of the Crystal Brook rail standardisation project (\$1 200 000) and the Regional Employment Development scheme (\$97 037). The funds advanced for the R.E.D. scheme have been reimbursed following the passing of the Federal Budget, but further complications have arisen with the rail standardisation project. The Commonwealth Government has appropriated money for the Crystal Brook project under an Australian National Railways Commission line, but subsequently has received legal advice that, because the Bill to effect the transfer agreement was amended by the South Australian Government so that consent for the construction of railways in the State by the Commonwealth did not operate until the declared date, it cannot charge the cost of work on this project to the A.N.R.C. appropriation.

To get around this problem it has been necessary for the Federal Government to use the Crystal Brook legislation as the authority to proceed with the work and the Federal Treasurer's advance as the appropriation authority for payments. The Federal Treasurer has instituted very tight controls on expenditure from the Treasurer's advance, and it is by no means certain that funds for the project will be received in time to ensure that obligations are met as and when they fall due.

This Bill therefore extends the operation of the Act from February 29 to June 30, 1976. By that time the Federal Government will have had time either to amend the Railways Transfer Agreement or to obtain normal appropriation authority for payments under the legislation dealing with the Crystal Brook project. Clause 1 is formal. Clause 2 amends section 3 of the Act to extend its operation to June 30 of this year.

Dr. TONKIN (Leader of the Opposition): This short Bill is necessary because of the need to proceed with the Crystal Brook rail standardisation project. Members will no doubt recall that, last year, at a time of a constitutional crisis in the Federal Parliament, the Public Finance (Special Provisions) Bill was put through the House mainly to ensure that, if there were any breakdown in the financing of essential services that were normally funded from the Commonwealth, those services would be maintained with the use of State moneys. Fortunately, that constitutional crisis has been resolved, and since then there has been an election. I think that everyone would agree that the outcome of the election has been most successful to the whole exercise.

Mr. Mathwin: There was a sigh of relief.

Dr. TONKIN: Yes, and I am sure nearly all of us breathed a sigh of relief. If the Premier were only man enough to admit it, he probably breathed a sigh of relief, too. Nevertheless, that Bill contained a clause which limited its time of application, and that time has now elapsed. However, because of the need to carry on with the Crystal Brook rail standardisation project—

Mr. Venning: Hear, hear!

Dr. TONKIN: —(the member for Rocky River will undoubtedly have something to say about this project), it is necessary that this most essential project continue and not be delayed in any way. For this reason, the Bill before us extends the provisions of the Public Finance (Special Provisions) Act to cover that project until the end of June. The Opposition has no quarrel with the Bill. As we believe it wise and proper to have the legislation, we support the Bill.

Mr. VENNING (Rocky River): I support the Bill. For the reasons my Leader has outlined, there must be no delay in finance for the project, which began in 1949. Surveys have been conducted throughout the area, and I believe that, if the Bill were not passed, it would throw a spanner in works that are already in existence. I have much pleasure in supporting the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Prescribed day."

Dr. EASTICK: In his second reading explanation earlier today, the Premier said that further complications had arisen regarding the rail standardisation programme. Will the Premier give more details of the complications, and say whether they are likely to exist after June 30, thus requiring further amendment?

The Hon. D. A. DUNSTAN (Premier and Treasurer): The complication is referred to in the second reading explanation. Because of the events in Canberra and the provision in this State that the agreement came into force after the declaration, which had not taken place by the time of passing the line in respect of the Australian National Railways, it has been held that that line and the Commonwealth appropriation cannot be used. Therefore, the project can be financed only out of the Governor-General's Advance, but as that is being held tightly we may have to carry some expenditure until appropriation is passed. There is no reason why the matter will not be finalised by June 30, and I expect that we will not have further need for this provision.

Clause passed.

Title passed.

Bill read a third time and passed.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 11. Page 2255.)

The Hon. J. D. CORCORAN (Minister of Works) moved:

That Order of the Day, Government Business, No. 1 be made an Order of the Day for Thursday next.

The House divided on the motion:

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

Noes (21)—Messrs. Allison, Arnold, Becker, Blacker, Boundy, Dean Brown (teller), Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Millhouse, Nankivell, Russack, Tonkin, Vandepeer, Venning, Wardle, and Wotton.

Pair—Aye—Mrs. Byrne. No—Mr. Allen.

Majority of 1 for the Ayes.

Motion thus carried.

PAY-ROLL TAX ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 12. Page 2338.)

Dr. TONKIN (Leader of the Opposition): It is extremely difficult to know what exactly to do with this Bill, because it looks the same from whatever angle one looks at it. It has the effect of virtually returning us to where we were. There are some slight modifications, certainly, but, when we passed the previous amending Bill last year, we thought (and stated it strongly) that there should be an adherence to the Queensland system of pay-roll tax, whereby there was a rebate for every person paying the tax. That subject has been debated thoroughly in this House recently in the debate on the Supplementary Estimates and in grievance debates. There is no question but that, with the major matters of workmen's compensation premiums and land tax, pay-roll tax is having a severe inhibiting effect on industrial development in this State. People are just not coming to South Australia, because of the increased costs of labour involved. The Government is capable of doing something about those costs, and it is quite possible for it to modify pay-roll tax. I remember that last year we advocated a scheme of pay-roll tax concessions to allow for industrial development and decentralisation, and after that time, the Treasurer took up the suggestion and announced that there would be concessions.

Mr. Venning: He talked about the iron triangle.

Dr. TONKIN: Yes, the iron triangle, the green triangle, and Monarto, and these are necessary developments. No-one will quarrel about the iron triangle and the green triangle but, certainly, one wonders whether the total abolition of pay-roll tax at Monarto would have any effect. I doubt that it would. Some remarkable incentives would have to be held out for industry to establish there. Pay-roll tax is a significant part of our income, and it is pleasing that the legislation is being amended again to achieve little except to put us back to where we were previously. When this Bill is passed, no tax will be payable on pay-rolls up to \$41 600. There will be a reducing rebate of \$2 for every \$3 of tax payable until an amount of \$72 000 is reached. That is not a particularly large sum in relation to pay-rolls at present.

Mr. Nankivell: And with the new 6.4 per cent going on.

Dr. TONKIN: When that goes on, the reduction will be far less significant. Above the amount of \$72 000, everyone who pays pay-roll tax will be given an exemption of \$20 800. At least that is something: the position is better than it was previously.

Mr. Nankivell: No, that's in the original Act.

Dr. TONKIN: It is better than the provision in the last Act, but it goes back to what was in the original Act, which was what we had previously, so the Premier has really said that he has changed his mind again. We have gone back to where we were previously. I can see only one difference, and I do not intend to take up much of the time of the House. The basic and fundamental difference is that the Bill that we passed previously allowed for aggregation. If the Premier imagines that any benefit is to be obtained from bringing in this provision, I will agree with him that there may be a very slight benefit for small businesses but, when it comes to the aggregation clause, any benefit that may have come from this legislation can no longer apply.

Most of those businesses that have been obliged to put together their entire work force for assessing their pay-roll tax will get no benefit from it at all. We are no better off than we were before the Bill was passed last year. We have returned to that situation. I repeat my opening remark: how can we possibly support or oppose this situation? I am obliged to support it, because it gives at least some benefit, but I do so with the grave reservation that this Bill could have contained many provisions, using pay-roll tax as an active incentive to encourage industrial development in this State. The Bill does not do that, and that is no credit to the Government. I look forward to the time when reason will prevail and we have sound and reasonable Workmen's Compensation Act provisions and land tax provisions, and when pay-roll tax can be used as it should be to put South Australia back on its feet again in industrial development.

Mr. DEAN BROWN (Davenport): I support the Bill, which results, after all, from a Liberal Party request made last year. I think that it is because we made repeated requests for this concession that the Government eventually decided to introduce the Bill and to adopt the policy we enunciated on that occasion. I support the Leader's comments and point out that South Australian industries are having a particularly bad time in trying to compete against their interstate counterparts. I could produce figures to show that, in workmen's compensation premiums, South Australian industries are paying at least 50 per cent more than their interstate competitors, and in the field of pay-roll tax South Australian companies are having to pay more than their competitors in Queensland and Victoria. It is, therefore, pleasing to see that the Government has at last, after considerable pressure, decided to introduce this amendment to the original Act.

I take this opportunity to point out the way in which I believe that pay-roll tax has become a growth tax for State Governments and how unfortunate this is, because I consider it to be a tax which is a disincentive to employers to employ more staff. During a time of high unemployment, it is most unfortunate to have any Government tax or fee deliberately directed towards discouraging employers from taking on more workers. In 1971-72, the Government received \$23 400 000 from pay-roll tax, whereas in 1975-76 it expects to collect \$126 000 000, or a five-fold increase in four years: I think that that indicates the extent to which State Governments have used pay-roll tax as a growth tax. That is unfortunate, because

it discourages employers from taking on more workers. I hope that the Government will at some time go beyond the small exemption it is offering in the Bill, because the Premier has simply offered a \$2 500 000 deduction overall. When one compares that \$2 500 000 to the \$126 000 000 to be collected during this financial year, one sees the extent to which this measure is simply a token gesture to South Australian companies. I hope that the Government will quickly see its way clear to reduce the rate in the dollar from 5 per cent, so that South Australian companies may compete on a national basis.

Mr. Jennings: What about the position in New South Wales?

Mr. DEAN BROWN: If the honourable member will examine the financial structure of companies there, he will find that they are not required to pay the high costs in certain areas that South Australian companies have to pay. New South Wales companies likewise pay only about two-thirds of what South Australian companies have to pay in workmen's compensation premiums.

The DEPUTY SPEAKER: Order! I point out to the honourable member that the Bill contains nothing about workmen's compensation.

Mr. DEAN BROWN: I only wanted to reply to the interjection. I support the measure, but only as a temporary move. If the Liberal Party were in Government, I am sure that it would carefully reassess the whole future of pay-roll tax, particularly now that a new Commonwealth-State Financial Agreement is being drafted. I think that that agreement will at least allow the States some major concession on and relief from pay-roll tax. I look forward to the day when the agreement is fully implemented so that South Australia may abolish pay-roll tax as quickly as possible. I support the Bill, with those reservations.

Mr. MILLHOUSE (Mitcham): I support the Bill, for what it is worth; it is worth something, but not too much. Even since the Bill was introduced, we have had the decision of the Commonwealth Arbitration Court granting a 6.4 per cent increase, which will reduce the value of the concessions being made. This is merely an example of what has been going on all the time, and what will continue to go on, so that any concession made is whittled away quickly. I hope that, ultimately, we will be able to get rid of pay-roll tax. If the proposals of the present Federal Government on federalism come to anything (and I hope that they do, but I doubt that they will), we may be able to abolish pay-roll tax, because the State will have some degree of income-taxing powers again, and that would be a more desirable way of collecting money than by imposing pay-roll tax.

I well remember many years ago, when I was a member of the Liberal and Country League, year after year resolutions used to be passed at annual conferences of the league condemning pay-roll tax altogether as a terrible tax, and one which should go, etc. Because it was offered (I think by Mr. Gorton, when Prime Minister) to the States as a growth tax, we all thought that it was wonderful for the States to get anything to give them some taxing independence. But we have had the bitter experience of the pay-roll tax legislation since and, although we cannot do it now, I hope that, if the present Federal Government's plans come to anything, we will be able to do something in future.

The legislation contains one ironical point. Earlier this session the Government stoutly resisted my proposals that we should abandon what was called uniformity with the

other States and go further than the Government was willing to go in making concessions. Now the Government has done this, and the talk of uniformity is seen to have been a sham. Although I support the measure for what it is worth, I hope that in due course we will be able to go much further than it goes in giving relief from pay-roll tax; I wish that we could go further now.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Financial year" for the purposes of this section and sections 18l and 18m and 'prescribed amount' for the purposes of sections 18l and 18m."

Mr. DEAN BROWN: Following the Arbitration Commission's recent decision concerning the 6.4 per cent wage indexation, how much extra pay-roll tax will the Government collect during the remainder of this financial year?

The Hon. D. A. DUNSTAN (Premier and Treasurer): I have not calculated this figure, but I will obtain it for the honourable member.

Mr. MILLHOUSE: This is relevant information and, as Parliament will be sitting for only two days more, when will it be available?

The Hon. D. A. DUNSTAN: Tomorrow or Thursday.

Clause passed.

Clause 6 and title passed.

Bill read a third time and passed.

LONG SERVICE LEAVE (BUILDING INDUSTRY) BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, line 7 (clause 2)—Leave out "This" and insert "(1) Subject to subsection (2) of this section, this".

No. 2. Page 1 (clause 2)—After line 7 insert new subclause (2) as follows:

(2) A proclamation under subsection (1) of this section shall not be made unless the Governor is satisfied that in respect of the two successive quarters that immediately preceded the day proposed to be fixed by that proclamation the increase in the cost of living as evidenced by the Consumer Price Index (All groups index for Adelaide) has in total been less than four per centum.

No. 3. Page 4, line 38 (clause 8)—Leave out "the member" and insert "any member".

No. 4. Page 4, line 39 (clause 8)—Leave out "and paragraph (d)" and insert ", (c) or (d)".

No. 5. Page 8—After clause 22 insert new clause 22a as follows:

22a. *Misconduct on part of worker*—Where the Board is satisfied that a worker ceased to be a worker in relation to an employer in circumstances arising out of misconduct on the part of the worker, the Board may, after affording an opportunity for the worker and the employer to be heard, direct that that worker shall not for the purposes of this Act accumulate any effective service entitlement in respect of his service with that employer and upon such a direction being given this Act shall apply and have effect accordingly.

Amendments Nos. 1 and 2:

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I move:

That the Legislative Council's amendments Nos. 1 and 2 be disagreed to.

These amendments seem to be a deliberate attempt by those representing employers in another place to destroy the intent of the Bill, and to disadvantage building workers further. It is a ploy to delay this much-needed reform. To the Opposition, there is never a correct time. As the Select Committee appointed by this Chamber was truly

representative and issued a unanimous report, these amendments are unacceptable. Those responsible are giving notice that they will not countenance reasonable legislation. Also, I refer to the somewhat shady tactics adopted in another place in having these amendments recommitted after they were soundly defeated the first time. This is a further indication of the way in which some members of another place are out to get at the workers.

Mr. MILLHOUSE: The Liberal Party and Liberal Movement were represented on the Select Committee, and, in some ways, he is justified in feeling annoyed, but, as the Minister knows, the Liberal Movement does not accept decisions of Caucus to the same degree as members of the Labor Party accept them. Neither of these amendments was suggested to the Select Committee either by its members or by any witnesses. Whilst I was satisfied with the Bill as it passed through this Chamber, I warned that it must result in a further impost on the building industry and on the community, because it will increase costs. We really cannot afford that. Although I do not wish to deprive people of benefits to which they are entitled, because of the overall risk of rising costs, I believe there is merit in these amendments.

Mr. DEAN BROWN: My Party supports these amendments, because it is a responsible line to take when the Commonwealth Government, for the first time in three years, is trying to stop the inflationary spiral. Except for the last quarter, South Australia has had the worst inflation rate of any State, and this legislation would certainly increase that rate. I understand that it is estimated that the cost of a house would increase by at least \$300 and probably up to \$600 because of this legislation. If the workmen's compensation legislation had passed, the cost of a house would have increased not by \$136 (as the Premier said) but from between \$800 and \$2 000. This legislation would have a similar effect, and I believe the other place has adopted a reasonable attitude. I believe that the Committee should support that attitude. I have admitted that there are certain justifications for this legislation but, if we are realistically to solve the nation's main problem, inflation, we must act in all areas. This is one such area. I support the amendments.

Mr. EVANS: I support the amendments but, because the measure we are debating directly relates to the building industry, I point out that, for the first time since federation, South Australia's building costs are higher than those in Victoria. That is a record that this Government has created.

The Hon. J. D. Wright: Where did you get these figures? You have said this before.

Mr. EVANS: If the Minister checks through his own trade union movement, he will find that the cost of building a house for each square metre, for similar types of construction, is higher in South Australia than in Victoria.

The Hon. J. D. Wright: I call on you to prove that statement.

Mr. EVANS: The Minister, who has introduced legislation that will impose another cost in building, should at least have checked this himself. He knows this is a fact, if he has checked it out. He knows this will add to the cost of housing. I was never enthusiastic about this legislation, and I still am not. Because people believe it will prove to be successful, I am prepared to see whether their judgment is correct. My judgment is that it will increase the cost of housing by far more than the

\$300 to \$500 the member for Davenport mentioned. I believe it will prove, in the long term, to be substantially more than that and that all we are doing is making it more difficult for the average young person to own a house. That is typical of the philosophy of the Australian Labor Party.

Mr. GOLDSWORTHY: This is another piece of pace-setting legislation by the Government.

The Hon. J. D. Wright: It is in New South Wales, Victoria, and Tasmania; what are you talking about?

Mr. GOLDSWORTHY: This scheme is based mainly on the Tasmanian legislation, which is claimed to be working most successfully. I understand that in New South Wales many casual employees have not availed themselves of this so-called advantage. This will further destroy any cost advantage we may have had in South Australia.

The Hon. J. D. Wright: The only reason you tolerate workers is that they perform.

The CHAIRMAN: Order! The honourable Minister will have a chance to reply.

Mr. GOLDSWORTHY: This is an added advantage at a time when the State can ill afford it. There will be an increase in cost to anybody who builds anything when casual labour is employed. This is unwise legislation at this time. The amendments do not suggest that the legislation is rejected out of hand: they merely provide that when times are more propitious this legislation will be proclaimed. Even the figure of 8 per cent a year would not indicate a completely stable situation, but it would be an improvement on the inflation rate at the moment which is disastrous. We are saying that this proclamation should not be made until the economy of this country is in a better condition to stand this sort of increase.

The Hon. J. D. Wright: You want to get rid of Malcolm then.

The CHAIRMAN: Order!

Mr. GOLDSWORTHY: The best hope we have would reside with the Fraser Government. There is little on the record of the Whitlam Government to show that it had a realistic plan to come to terms with inflation. I oppose the motion.

Mr. MATHWIN: I oppose the motion. I warned the Minister that the Bill would involve extra cost in the building industry, which is in a sorry state in South Australia.

The Hon. J. D. Wright: You would have to be an unborn child not to know that.

Mr. MATHWIN: When the Government introduced workmen's compensation legislation—

The CHAIRMAN: Order! There is nothing about workmen's compensation in the Bill before the Committee. It deals with long service leave.

Mr. MATHWIN: I was merely remarking on the Minister's statement that members on this side say it is never the right time. They are words he as a back-bencher used a couple of years ago when similar legislation was brought before us. He nearly had a convulsion when we said it would cost the building industry a large sum of money, but that has happened. The Minister knows this Bill will cost the building industry a large sum of money. It is the forerunner of giving long service leave for all casual workers. My concern in this matter is not for the larger company but for the

smaller organisations employing three or four people. This Bill will break them. We should wait until the economy improves in this State, as no doubt it will under the new Federal Government, before introducing such legislation.

The Committee divided on the motion:

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

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

Pair—Aye—Mrs. Byrne. No—Mr. Vandeppeer.

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

Motion thus carried.

Amendments Nos. 3 and 4:

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

That the Legislative Council's amendments Nos. 3 and 4 be agreed to.

These two minor amendments are necessary to correct an oversight made when the Bill was being prepared, following amendments flowing from the Select Committee's report. The effect of the amendments will be to allow the South Australian Employers Federation to nominate a deputy member to the board in the same way as the Chamber of Commerce and Industry and the United Trades and Labor Council are able to do so.

Motion carried.

Amendment No. 5:

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

That the Legislative Council's amendment No. 5 be disagreed to.

This amendment deals with the pro rata situation regarding misconduct. The committee met 12 times and evidence was given by representatives of large employers in the industry, people in other industries, and trade union officials. There were people who have had long experience not only in the building industry but also in other industries, because at that time we were looking at the Bill in relation to all industries rather than in relation to only the building industry. On no occasion was misconduct mentioned, nor was the committee asked to consider this situation at all. In its own deliberations the committee did not consider it. I admit that the present legislation still contains a misconduct provision, but it has caused much trouble over the years and it is intended to delete it from the Long Service Leave Act when it is amended later in the year. It seems futile to place a misconduct provision in this Bill when it is intended to delete it from the principal legislation.

Mr. Coumbe: The Committee does not know that.

The Hon. J. D. WRIGHT: I am telling members now. I do not believe there is an argument to refrain from paying long service leave, after it has been approved, because of misconduct because I believe the man has earned it, is entitled to it and should be paid it, irrespective of the way in which he leaves his employment. It is the same as any other right: it becomes an entitlement. In my view that is the correct argument, and I use the word "argument" advisedly. If there is an argument in

relation to the Act, it is no argument in relation to this Bill. A provision in this Bill would not place an employer in a position in which he could keep the long service leave payments (whereas that would apply under the Long Service Leave Act) because the money goes into the fund, so only the fund itself would benefit.

Mr. Millhouse: The fund may well need it.

The Hon. J. D. WRIGHT: Let us hope that the fund will not need it, because we hope the fund will be viable on a percentage basis. I oppose the amendment, and hope all members of the Select Committee, and other members, will do the same.

Mr. DEAN BROWN: I hate to disappoint the Minister but I certainly intend to support the amendment. I am only sorry that we did not think of this during the Select Committee meetings, because I think it is a reasonable suggestion. If a person is dismissed because of misconduct during his employment why should that person, irrespective of the effect it may have on the fund, receive all the long service leave payment? It would be farcical if this were the case. The Minister said that this will not affect the viability of the fund, but it will do so because, although the specific employer will not pay any more or less into the fund, the overall viability of the fund will improve. The Minister's argument was meaningless. We are talking here about principles, if the Minister knows what such a word is all about. If a person has misconducted himself at work and is therefore dismissed, obviously it is reasonable that he should not be entitled to certain benefits, especially when they are provided under the original concept of long service leave for his dedicated long service to that employer or, in this case, industry. I therefore support the amendment and oppose the motion.

Mr. COUMBE: I oppose the motion. The Minister based his argument on two main points. The first argument was rather specious—

Members interjecting:

The CHAIRMAN: Order! The honourable member for Torrens has the floor. I do not want any crossfire across the Chamber.

Mr. COUMBE: —that the Select Committee had not received evidence on this matter or had not initiated any move of its own volition. That does not mean anything because, if any legislation is to be amended, it is the right of this Chamber or of the members in another place to introduce amendments accordingly. The Minister will recall that members of the Select Committee were agreed in their deliberations, but other matters have now arisen. The Minister referred to the principal Act of 1967 which was introduced by the Walsh Government and which provides that a person does not qualify for long service leave if he is guilty of serious or wilful misconduct. This Bill relates to the principal Act. It is all very well for the Minister to say that he intends to introduce an amending Bill later this year (that could be seven months away) in which he intends to delete reference to misconduct. We must consider the law as it now stands, because the Minister could drop dead tomorrow—

The Hon. J. D. Wright: I hope that forecast is wrong.

Mr. COUMBE: So do I. However, circumstances can alter, and we cannot legislate on the Minister's intention. What he has said is the first notice that we on this side of the Chamber have had that such action may be taken. This measure will mean that a casual worker will have an advantage over a permanent employee employed under the provisions of the Long Service Leave Act. I will not

canvass at length the merits or otherwise with regard to wilful misconduct. The Minister may have overlooked proposed new clause 22a, which provides that where the board (therefore any case of wilful or serious misconduct will be considered by the board) is satisfied that a worker ceased to be a worker the board may, after affording an opportunity for the worker and the employer to be heard, direct accordingly. We are talking only about his service with the employer where the misconduct arose. Therefore, the board will act as a type of court.

Mr. WELLS: I support the motion. I never cease to be amazed at the eagerness of Opposition members to impose penalties on workers. The Legislative Council's amendment is a direct penalty on a worker who commits a—

Dr. Eastick: Major misdemeanour?

Mr. WELLS: —misdemeanour, not necessarily a major misdemeanour, or even what an employer or the board may support as being an offence. People must realise that, on the enactment of this measure, long service leave for casual workers in the building industry will be a right and not a privilege. Members opposite believe this benefit is a privilege, but we are establishing for them a right to which they are justly entitled. It is totally unfair to suggest that once a man has accrued long service leave credits with an employer that he should, upon committing a misdemeanour or being guilty of misconduct, lose his right to long service leave benefits.

I am certain that the Legislative Council's amendment must be and will be defeated. The situation would be different if a worker were required to do certain things that would ensure that he did not err or commit a misdemeanour, but this is a right, not a privilege. Members in another place when they inserted this amendment said, in effect, "We will incur a penalty on the workers of the building industry if they are guilty of misconduct, irrespective of whether the employee has been with an employer for a period of time that brings him to the point of taking long service leave." Under this amendment, if he committed an isolated act of misconduct, members opposite would wish to take the whole of his accrued long service leave entitlement from him. That is entirely unjust and unfair. He might have been in the employ of a certain employer for many years and on the point of gaining his long service leave entitlement. All of it would be wiped out. As I consider that to be entirely unfair, I oppose the amendment.

The Hon. J. D. WRIGHT: I do not want to reply to much that has been said, because the argument in support of this amendment is shallow. I have stated the reasons for not accepting the amendment. The policy of the Labor Party is involved, and the amendment to the Act to which I have referred earlier will be introduced at some stage later in the year. I rose mainly to rebut something which the member for Davenport said and which I did not quite hear. I understand that he said that I had no principles, or that I did not understand what principle was. I tell him that, if he likes to say that outside at any time, he can have it any way he likes. If I had as little principle as the member for Davenport has, I would not consider myself worthy of representing people, because it is my view that the member for Davenport has no principle whatsoever.

Mr. GOLDSWORTHY: I leave aside the last few remarks made by the Minister, as they really are not relevant to what we are discussing. I point out to the member for Florey that, in terms of the amendment, the

board would hear the employee and the employer and then decide the matter.

Mr. Wells: That's true, but they've kept—

The CHAIRMAN: Order!

Mr. GOLDSWORTHY: I appreciate that interjection, because it indicates that we can have reasonable dialogue between the member for Florey and members on this side.

Mr. Dean Brown: More than with the Minister.

Mr. GOLDSWORTHY: We can have greater dialogue with him than with some other members, because the member for Florey is a rational man. It is not unreasonable that the board should consider the matter we are discussing. The misconduct may be of long standing but may have been uncovered just before the dismissal. The misconduct could have been going on during the whole period for which the employee would be entitled to long service leave. Is the Government suggesting that, in those circumstances, the employee is entitled to leave for the period during which he has been behaving against the interests of his employer? It is not that, if the employee is accused of misconduct, he loses his leave: the board will hear both sides and make a determination.

An employer could have been doing something damaging to the business over a period. When I was a student I worked for a time doing odd jobs at the Coca-Cola factory. One machine was a soaker, used for washing out dirty bottles. When the bosses were not around, a person who worked there would smash a bottle and put it in the soaker, so that the whole works line had to be stopped and he could sit down and do nothing. That was a concealed action, and it was the sort of sabotage that goes on. If I had been the boss, I would have sacked him.

The Hon. J. D. Wright: No-one is taking away the right of dismissal.

Mr. GOLDSWORTHY: Other practices could go on over a period of time.

The Hon. J. D. Wright: But isn't the punishment dismissal?

Mr. GOLDSWORTHY: If the employee has engaged in some practice like industrial sabotage for a period and if it comes to light at the time of his dismissal, it is doubtful whether he has earned long service leave. The position is not as clear cut as the member for Florey has stated. There could be differing opinions, and the board will decide.

The Committee divided on the motion:

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

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

Pair—Aye—Mrs. Byrne. No—Mr. Becker.

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

Motion thus carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 1, 2 and 5 was adopted:

Because the amendments are not in accordance with the decisions and recommendations of the Select Committee on the Bill.

Later:

The Legislative Council intimated that it insisted on its amendments Nos. 1, 2 and 5, to which the House of Assembly had disagreed.

Consideration in Committee.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I move:

That the House of Assembly insist on its disagreement to the Legislative Council's amendments Nos. 1, 2 and 5. I do not think I need canvass this matter further. We have debated it twice and we have had a Select Committee on it. The Legislative Council has not produced anything new. I have listened to the debate there, and there is nothing further that I can answer. I ask the Committee to agree to insist on our amendments.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs. Abbott, Dean Brown, Coumbe, Wells, and Wright.

Later:

A message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room at 9.30 a.m. on Wednesday, February 18.

The Hon. J. D. WRIGHT moved:

That Standing Orders be so far suspended as to enable the conference on the Bill to be held during the adjournment of the House and that the managers report the result thereof forthwith at the next sitting of the House.

Motion carried.

AMENDING FINANCIAL AGREEMENT BILL

Dr. TONKIN (Leader of the Opposition): I support the Bill.

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

PASTORAL ACT AMENDMENT BILL

Mr. ARNOLD (Chaffey): I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Repeal of Part X of Principal Act."

Mr. ARNOLD: Part X, the provisions of which are being repealed, is completely covered in the new water resources legislation and, for this reason, we support the Bill.

Clause passed.

Title passed.

Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL (FRANCHISE)

Adjourned debate on second reading.

(Continued from February 4. Page 2099.)

Mr. RUSSACK (Gouger): I do not have much more to say in this debate. Previously, I made the point that I had been expected to speak on this Bill within 24 hours of its being introduced, but I appreciate the chance I have had to investigate several matters that I will raise in Committee. The salient point in this measure refers to adult universal franchise. I agree that, where areas permit, there should be a right for every person to vote, no matter with which organisation he is involved, but I believe that right should be conditional. Local government is different from State and Commonwealth Governments, which have universal taxation. Even indirect tax finds its way to the Treasuries of these Governments,

which decide how the money will be spent. Therefore, all taxpayers are entitled to vote. However, there is no real indirect taxation for local government, although the payment of board and residence could be considered a form of indirect taxation because the landlord or landlady has to pay rates.

Some form of revenue must be payable to councils by a person who expects to be entitled to vote. The Bill provides that people fall into three categories that would entitle them to have their names placed on an electoral roll, not a ratepayers roll. The first would be the fact that the person's name is on the electoral roll of the State; the second is that that person is a ratepayer and a natural person; and the third is that the person represents a body corporate. According to the provisions of this Bill, if a person pays a rate or revenue to a council, he is entitled to vote or be on the electoral roll. There could be substance in that argument but let me reverse it and say that it should be necessary for someone to pay rates or a form of direct taxation to a council before he was entitled to have his name placed on the electoral roll.

I said earlier that there should be some changes in this Bill. If these changes are not made, I will not support the third reading. The original Bill introduced in 1970 provided for compulsory voting, and it also provided that one person could have one vote only, irrespective of the number of interests that person had in any ward or even in another council area. I am pleased that the Government has deleted this provision, that the voluntary vote will be retained, and that a person will be able to vote in whichever area he has the interest. The major parts of this Bill refer to the franchise and the single vote, but all aspects can better be discussed in Committee.

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

Mr. RODDA (Victoria): The Bill causes no surprise to the Opposition, because it has been known for many years that a full franchise in local government has been on the blueprint of the Labor Party. In immediate past sessions we have had this type of legislation. The Bill strikes out "ratepayer" in the Act and inserts "elector". As the shadow Minister of Local Government, the member for Gouger, has said, it is virtually a Committee Bill, but I want to make some remarks on it.

Following the Commonwealth election on December 13, an announcement soon came from Tasmania that a Bill would be introduced to give full franchise for local government, and we did not have to wait long before that Government's counterpart in this State made a similar announcement. In my district, apart from the matter of the timing of rates, there is equal concern about our having a Bill such as this. A letter that I have received from the District Clerk of the Naracoorte council states:

I refer to the Bill for an Act to amend the Local Government Act, 1934-1975. My council has studied this Bill carefully and is very concerned to find that if this Bill is passed any elector may stand for council or nominate an elector as a candidate. We most strongly object to this principle and must strongly oppose the Bill on this point. We firmly believe that only ratepayers should be permitted to stand for office as members of the council and also be the only ones qualified to nominate a ratepayer as a candidate at council elections. If the Bill were amended accordingly we would withdraw our opposition to it but in its present form we seek your support to have the Bill completely rejected or amended as aforementioned. We also feel that an anomalous situation could be brought about by reducing nominees of body corporates to one. This would restrict the voting power for large properties owned by companies to one whilst small properties such

as a vacant township allotment could be jointly owned by several non-residents who would each receive a vote. However, as aforesaid, our main objection to this Bill is that it opens the door for anybody aged 18 years or over (students included) resident in the area to stand for council or to nominate such persons as candidates at council elections. We do not believe this is good for any area and the Bill in its present form is fraught with frightening possibilities. Again we ask for your support to have the Bill amended to permit only ratepayers to stand or nominate ratepayers to stand at council elections failing which we ask you to make every endeavour to see that the Bill is rejected.

My colleague in charge of the Bill has foreshadowed certain amendments and, if the Government does not support them, I will oppose the third reading of the Bill. In line with what has been put to me by the District Clerk, this is the attitude of local government generally in my district. We do not like the fact that the Bill is opening the gate extremely wide to all forms of opinion. On looking through the Bill, I notice that "ratepayer" is to be struck out and "elector" inserted. The Bill also provides for petitions for new areas and for the procedure to be adopted at meetings. Virtually, these provisions are already in the Act, but the Bill provides for a different complement of people with differing views. I have seen in my district (and, undoubtedly, other members have seen in their districts) that the community thinks it would be good to have certain things done, but all that stops things from being done is the lack of finance. Councils have taxing powers, but their only source of revenue at present is from ratepayers, and that is capital taxation extended to its most extreme form.

Mr. Max Brown: How can you possibly say that?

Mr. RODDA: In the light of experience. Under the Bill, a council could comprise people who were not ratepayers. After reading the Else-Mitchell report on land, I no longer have to wonder where this country is heading with this kind of legislation. I do not apologise for expressing these sentiments in the House. The Bill gives the right to anyone to stand for council irrespective of whether he has a hectare of land or a big holding, and such a person will have the right to say what contribution will be paid in the form of taxes.

Mr. Max Brown: In other words, you want second-rate citizens.

Mr. RODDA: The honourable member may take that view. What have we seen in Canberra today? It is no good Government members peddling that stuff. Australians gave a resounding answer last December 13. The member for Whyalla knows what will be the practical application of this Bill. The Else-Mitchell report with regard to land tenure is embodied in the Bill.

Mr. Max Brown: The Bill gives the ordinary citizen the right to vote.

Mr. RODDA: It gives the ordinary citizen the right to tell someone what he must pay. It will bleed the community white and, for this reason, I oppose it. The Bill contains 99 clauses, which are mainly machinery clauses designed to widen the Act in respect of the extended franchise. I will not go into the second-rate citizen business. If the foreshadowed amendments are not supported, I will oppose the third reading.

Dr. EASTICK (Light): Members could be excused for believing that the Bill, with one exception, is the joint effort of members from both sides of the House. If we go back to the original promotion of legislation to alter the voting pattern on the occasion of the first encounter we had in the House with the Minister of Local Govern-

ment, it was said that the measure was completely against the best interests of the public. Subsequently, an amended version of the Bill was introduced that showed some move in the right direction, and on the last occasion it was clearly pointed out to the Minister that, if the Bill were to contain certain provisions, it almost certainly would be passed. The Opposition said it believed that, as multiple voting was a thing of the past, it could be put aside. In the drafting of this Bill, every requirement of the Opposition, except one, has been included. The requirement that has not been met will be considered in Committee, when an amendment will be moved by the member for Gouger to provide, in effect, that when a head tax payment becomes available in respect of local government all persons will have the right to vote. That is the stand I still take. Certainly, the Bill shows acceptance of an argument put forward with great force by the Opposition on an earlier occasion, namely, that where a person was responsible for meeting expenses associated with a poll decision, he or she should have the opportunity of voting in each ward or in each council where he or she became responsible for the payment of dues. That provision is a great step forward.

I believe that last Saturday was one of the major red-letter days for local government and its voting system in this State. I refer to the poll held at Munno Para, where the people, in a most resounding fashion, rejected the approaches that had been made to absorb them into the Elizabeth council. The media clearly indicated, in leading up to the event, the grave doubts that anywhere near the required 30 per cent of voters would turn out to vote, and that it was unlikely that a poll would decide against the move. Yet, almost 42 per cent of the voters in Munno Para voted, and by a margin of more than 8 to 1 they rejected the proposition to allow for their absorption by the city of Elizabeth. This is a significant feature of a council poll, and a clear warning to all members of every political persuasion that people at local government level resent (and their resentment is increasing) the intrusion of political Parties or pressure. The Attorney-General (member for Elizabeth), who unfortunately is not in the Chamber, should take a close look at last Saturday's results, because he has consistently involved himself in Party politics at council level. So that there can be no misunderstanding, I quote a letter that was sent out under a House of Assembly letterhead (and this has nothing to do with last Saturday's election, but refers to a fairly recent one) as follows:

Dear Constituent, I am writing to you in connection with the city of Elizabeth by-election for alderman which is to be held on Saturday next, November 30. As one who has sought my assistance in the past, you will no doubt be well aware of the many deficiencies of government and of the need to improve the services offered by local government. In this connection it is most important to have local councillors of the highest calibre, and I wish to seek your support for Mr. Ray Roe, one of the candidates who is known personally to me and whom I can thoroughly recommend.

Ray Roe is a person who has extensive experience in local government in our area and who by his past services has shown a sympathetic and considerate approach to the people of Elizabeth and to the problems they face. I would be most grateful if you could take the time on Saturday to lend your support to Ray Roe's campaign by voting for him. It would also, of course, be of considerable assistance if you could encourage any of your neighbours or friends to do likewise. If you would like to discuss this matter further with me, or if you are able to offer any assistance in Ray Roe's campaign, please do not hesitate to contact me by telephone 255 3030.

Yours sincerely, Peter Duncan, Member for Elizabeth:

As well as being written under a House of Assembly letterhead, the letter was enclosed in a House of Assembly envelope. I do not conjecture how it was franked or whence it was posted, but I bring to the attention of members the words "as one who has sought my assistance in the past". Apparently, the honourable member, as a member of Parliament, has received a request for assistance and is now using the files from his electorate office as the basis for finding people to whom to distribute a letter. This is the type of activity that members should realise is being more and more resented by people in the community. Many comments were forthcoming in the local press and by other persons, including councillors, and those living outside this area, and I believe they have done the honourable member considerable harm.

If we look at the format and typing of this letter, we find that another letter, produced on the same typewriter with the same type of stencilling but not under a House of Assembly letterhead, has been authorised by Peter Duncan, M.P., Room 19, Sidney Chambers, Elizabeth, 5112. It is obvious that the electorate office is being used as a source of distribution and a place of occupation of the member. This was a letter from Ray Roe, who is referred to in the Attorney's letter about which I have already spoken. There have been other similar experiences: for instance, I have a letter, albeit dated May 29, 1972, under Parliament of Australia House of Representatives letterhead, signed by Richard Gun, M.H.R. for Kingston (as he then was). The letter states:

Dear Mr. & Mrs. . . .

Alderman Ron Basten of the Marion council is being opposed for the aldermanic vacancy in the forthcoming Marion elections. As Alderman Basten is a fellow A.L.P. member, it is my intention to support his candidature. At his request, I am supplying him with a list of Labor supporters in the area, and I am sure you will not mind your name being included in that list. Ron will no doubt be in touch with you personally on this matter in the near future.

Yours fraternally,

RICHARD GUN, M.H.R. for Kingston

P.S. Ron's phone No. is 93 7357.

It is important, in a matter referring to council voting and the fact that councils should be able to make their own decisions in future as they have in the past, that the question of the intrusion of Party politics into council affairs should be considered seriously. If the Minister will accept a perfectly reasonable extension to the Bill's provisions, the Bill will advance the cause of local government, but I indicate clearly that I will oppose the third reading unless amendments are accepted by the House.

Mr. EVANS (Fisher): I have a similar opinion to that of the member for Light, because I will not support the Bill in its present form. The Minister has taken action in this Bill to allow what are described as natural persons who own property to vote at council elections. I understand from the definition that a natural person is a person naturally born who perhaps does not happen to be a naturalised person but who has acquired property, and because of that is a ratepayer and will be entitled to vote. Members will recall (and the Minister in particular) that last year a by-election was forced in the Stirling council area because a person who had arrived in this country from Europe at the age of five or six, had married a person of Australian birth, and owned property, found she was entitled to a vote according to the voters' roll of the council. Persons canvassing for votes told this person that she could vote because she was on the roll.

Unfortunately, a by-election had to be held at considerable cost, and we found that migrants who had committed

themselves to a large expense when buying property were not entitled to a vote. I accept that the provision concerning this aspect in this Bill is necessary, and that these persons should be given the chance to vote at council elections. Adults who do not rent property or pay rates (and a large percentage of them would be in the 18 to 25 years age group) are at present not entitled to vote. I suggest we should give them a vote when we reach the stage that State or Federal Government moneys are made available from general taxes to local governments at a far bigger percentage and more regularly than they are now. There is no reason that these persons should then not be entitled to a vote.

At the moment they do not contribute to the club (if I can call the council a club), through their taxes, through paying rent, or through paying rates on a property. Councils in my area generally do not support what might be called full adult franchise. Many of them will not accept full adult franchise, even with the amendment suggested by the member for Gouger. I will support the Bill, if the amendment is accepted to provide the vote for people in any local government area who are contributing directly through rates, or rent, where the owner pays rates, or through State or Federal taxes (it goes back to that area). Therefore, I support the second reading and await the result of the Committee stage.

Mr. MATHWIN (Glenelg): The main reason for this Bill is to introduce full adult franchise into local government. The Government now intends to dispense with the term "ratepayer" for all time (one could debate the rights and wrongs of this for a long time), replacing it with the term "elector". There has been a lot said in relation to this aspect, some people arguing that only those who have a financial commitment should be eligible to vote in local government. If the vote is extended to people of 18 years of age many young people, who have no voting qualifications at present, would be able to vote. One way of overcoming the difficulty would be to bring in a poll tax for young people, or people who are not ratepayers. That was not recommended by the report of the Local Government Act Revision Committee, which sets out some of the guidelines for us. I have found difficulty telling responsible people, such as doctors and nurses, that they are not entitled to vote. I support universal franchise for these people. This includes all people. New section 88 (1) provides:

(a) if he is enrolled as an elector for the House of Assembly in respect of a place of residence within the area;

or

(b) if he is a natural person

When he replies to the second reading debate, I hope the Minister explains what he thinks a "natural person" is. One man's natural ability could be quite different from another man's "natural ability". Electors are all adults who are naturalised citizens. On page 97 of the Local Government Act Revision Committee's report, chapter 13, under "Qualification of members", paragraph 894 says:

Every person who has the right to vote at an election should have the right to stand for election.

That deals with the right of a person to stand if he has the right to vote. Paragraph 895 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 the many circumstances in which he can gain Australian citizenship under the Act, there should be no citizenship qualification for election.

They are the guidelines laid down for us to follow. Paragraph 896 says:

The age qualification for local government should be the same as the age qualification for State elections.

We see the Minister has complied with all these requirements. The committee's report refers to the case of the wife of an Italian who came to Australia, left his wife in Italy, took out Australian citizenship, and passed on. The wife then had citizenship of Australia through the husband. The situation could well have arisen where this lady, who had remained in her home country, would be eligible for a vote in a local council election. Members can see the situation the returning officer could be faced with in a situation like that.

Under this Bill, I understand that a master roll will be compiled by local government in conjunction with the Electoral Department. The master roll would have to include nominated voters, supplied by the council, and those voters on the roll in that area. Of course, the question or "natural person" arises again and the responsibility of supplying that information would rest on local government. Local government would give this information to the Electoral Department for use when making out the master roll. I hope this would be done at a reasonable cost. If local government is to be put to great expense in compiling the master roll, we defeat the ends that we are trying to achieve.

A body corporate is reduced in the Bill from three votes to two. I have not found any objection to these people having a vote because they own real estate in different electorates or wards; they are allocated a number of votes accordingly. They will now get only one vote. A voter, under the provisions of this Bill, will have a vote in each ward where he or she has an interest. If one has a house in one ward and a business in a different ward or a different council, one has only one vote in each area. If there are three wards in a council area one can vote in each ward for each councillor but is allowed only one vote for the mayor and one vote for an alderman in that district.

The Bill dispenses with the financial qualification of a voter who is eligible to stand at a council election. The provision that related to a ratepayer having to pay his rates before being eligible to stand at an election has also been dispensed with. In his second reading speech the Minister said, in part:

The Bill was designed to provide universal adult franchise. A Bill was previously introduced for this purpose in 1970. Unfortunately, it was defeated in the Legislative Council.

The Minister well knows that the Bill he introduced in 1970 was far different from this Bill, because the 1970 measure provided for compulsory voting. The Minister does not refer to that matter until later in his speech. The Minister continued:

The present Government has always regarded the implementation of genuinely democratic principles in all spheres of government—

Mr. Gunn: That's a joke!

Mr. MATHWIN: My word. The Minister continued:—and has a responsibility of primary importance to the people of this State.

The Government has climbed down (and I am pleased it has done so), because that is why it lost the previous Bill. It does not now contain that provision. The Minister then spoke about voting rights to be exercised in future by electors rather than by ratepayers. New section 27 provides:

A petition to sever any portion of an area so that it is no longer comprised within an area must be signed by a majority of the electors for that portion of the area.

I ask the Minister whether one could sever oneself from a council and form one's own council. Can the Minister also say what is meant by "natural person" in clause 22? New section 89 (5) provides:

The Electoral Commissioner may recover from a council a fee, fixed by the Minister, in respect of the supply of a list under this section.

What has the Minister in mind about how much this provision will cost councils? It is really a sort of open cheque. I am pleased that the Minister has decided to alter what was horrible legislation, which he has done under pressure from within and outside the House. Perhaps the Minister can explain what is meant by the change from "ratepayers" to "electors" in clause 96. This provision relates to drive-in theatres. Why are they to be called electors? There are a few drive-in theatres in my area, so I should like to know the significance of this amendment.

Mr. Becker: What about the new M.T.T. depot?

Mr. MATHWIN: That is a point, but it is not there yet. We will see what happens about that shortly. I support the second reading.

Mr. GUNN (Eyre): I have some grave reservations about this Bill. I will support the second reading only to be able to support the proposition put by the member for Gouger. This is the second time this measure has been brought by the present Minister to the attention of the House. It has been slightly watered down this time, but the real intention is still there. It has been obvious for some time that it is the policy of the Australian Labor Party to involve its Party-political machine in local government. Some time ago we dissociated ourselves from that type of activity. I believe that it is improper for politics to be brought into local government. Unfortunately, from evidence provided by the member for Light and previously by the present Leader of the Opposition, we have seen that the Labor Party intends through prominent members of the Party to go out of its way to coerce and entice people to support endorsed Labor Party candidates in local government.

I have discussed this matter with several councils in my district. I should like to read a brief letter I have received from the district council of Kimba, addressed to me, and dated February 11, 1976. It states:

Dear Sir, I am instructed by the council to advise that it does not favor the introduction of adult franchise for local government elections.

It is signed by the district clerk. I too, share those sentiments. The reasons are simple. It is obvious that if this legislation is passed in its present form the unfortunate ratepayer will have to carry a substantial financial burden and in many cases will not have the voting power to do anything about it. Unfortunately, I foresee the time when, if we are not careful, we could have another land tax situation developing in South Australia, and a small section of the community will have a tremendous burden imposed on it without having any way to meet it. It will be beyond the financial resources of the business conducted on a piece of land to meet the heavy council rate.

It is obvious from other legislation that this Government has introduced that it is trying to use councils as a tax-collecting agent for it. If a person pays rates and is making a substantial contribution (in many cases, rates comprise the bulk of the funds that a council has at its disposal), that person ought to have a major say in who will be represented on the council or in who will spend the money. If we take the Labor Party's argument to its conclusion, it will kill the goose that lays the golden egg. It is all very well for the Minister of Labour and Industry

to look over his glasses. He is not concerned about the unfortunate ratepayer. He is more interested in destroying the ratepayer, because that is in line with his socialist philosophy.

The Hon. J. D. Wright: I wasn't even listening to you, you goose. What are you talking about?

Mr. GUNN: The Minister cannot even make an intelligent contribution. He gets personal. We hope that he has a one-way ticket on his trip and does not come back, because if he does come back from overseas—

The SPEAKER: Order! I call the honourable member back to the Bill under discussion.

Mr. GUNN: I intended to link up my remarks, Mr. Speaker, but I shall be pleased to bow to your impartial ruling. The Bill as it stands is unacceptable, but I will support the second reading so that the member for Gouger can improve the measure. I concede that, when councils are receiving much of their funds directly or indirectly from the Commonwealth Government, that is a different state of affairs. That situation would not have been reached but for the enlightened approach of the Australian people in electing the Fraser Government last December. We will have proper financial agreement between the Commonwealth, the States and local government, whereby income tax revenue will be channelled to local government. That will be a different situation.

I am concerned that the ratepayers will not be able to meet their rates. We could have an influx for a short time of many itinerant people who have no interest in the community but who may be able to alter the whole context of a council and involve it in a huge expenditure. Such a council may be in financial difficulties for many years to come, but the people to whom I have referred would not be contributing to the council. Not only is that unrealistic but it is also totally unfair and improper. In his second reading explanation, the Minister has given only limited detail: the only point he makes is that the Bill is designed to provide full adult franchise for local government polls. We are aware of that. He goes on to extol the virtues of the Government's proposals, but we know all about the Government's electoral proposals and we have seen on other occasions what it will do to further its ends.

I repeat that this is another measure in which the Government intends to continue its policy of bringing politics into local government and that it is making another attack on people who are trying to make a living from property. Those people may be placed in serious difficulty in future if the Bill is passed in its present form. If the proposed amendments are not carried, I will oppose the third reading.

Mr. GOLDSWORTHY (Kavel): I will not go over the same ground again, except to say that I have spoken to people in my district about the Bill and, for that reason, I will make their point of view known. The opposition to the major clause, namely, the franchise clause, was not as vehement as it had been in the past but, nevertheless, the view is still held that, until the intrusion of funds apart from the funds that come from ratepayers is increased significantly, they would not be in favour of the legislation. As the vast bulk of the funds for local government still comes from rate revenue, it is believed only reasonable that the ratepayers, householders and others should still have the major say. The only other matter I raise that is new is to draw attention to a report in today's *News* that states that the Adelaide City Council has discussed the Bill and is

strongly opposed to it. The views I have been expressing have come from country councils in my district, but it is apparent from the report, headed "Ratepayers 'will foot city costs' ", that the council has held a special meeting to discuss this matter. Without my quoting the whole report, it is obvious that the council is opposed to the Bill. The report states:

The Lord Mayor, Mr. Roche, said Adelaide City Council, with a residential population of only 15 000, would be placed at a disadvantage with other councils which were made up mainly of residents.

The council considers itself to be in a unique situation. The clauses dealing with multiple voting, and the other clauses that have been referred to, do not contain the same degree of controversy as does the franchise proposal, but the people in my district are not willing to accept the legislation until the level of contribution, other than rate revenue, is higher than it is now. The argument used by the Government in the past has been to the effect that funds flow to local government by way of grants, which come by way of taxes from citizens in the community other than ratepayers. If we examine the level of grants (without selecting certain councils) and compare it with rate revenue, only a low percentage of the revenue is available to councils. If that percentage is significantly increased (and under the Commonwealth Government's proposals it is possible that there will be a significant increase in the funds which flow directly to councils and which will be untied), there could be an improvement in the position. If that is the case, I think it probable that the opposition would be less than it is now. My only reason for speaking is to make known the view of the people in my district, as I have discovered it to be. For this reason, I am not satisfied with the Bill in its present form.

Mr. WOTTON (Heysen): Like the previous speaker, I speak only to express the views of people in my district and to say that most councils in my district do not support the Bill. I will, however, support the second reading so that we may discuss the foreshadowed amendments of the member for Gouger in Committee. Many of the reasons why councils in my area object to the Bill have already been expressed. The major feeling is that the main burden of payment will be on the landowner or ratepayer, although everyone in the district will have the right to say. As has been said by other speakers earlier today, it would be different if we were considering a poll tax. Councils believe that the Bill will bring about an increase in costs and the work load, which are already extreme enough. The saying that "people who pay should have the say" is relevant to the Bill. It is believed generally that a person should not be able to nominate for council, be elected, and subsequently have a say in the future development of the district if that person does not contribute financially to the district.

I have mixed feelings in relation to 18-year-olds. I believe that, while the provision might mean an incentive for some of them to become more involved in their districts (and I believe this important), I also believe that many of them would not take advantage of this provision and would contribute little to the district, while expecting many of the benefits brought about by the Bill. New section 89 (1) provides:

A council shall compile and maintain an electoral roll containing—

As the word is "shall" instead of "may", it will be compulsory for councils to keep a permanent roll, and this is just one of the reasons why the legislation will mean an increase in the work load. New section 89 (2) provides:

Where an area is divided into wards, the electoral roll contains against the name of each elector a note of the ward or wards in respect of which he is enrolled.

New section 89 (3) provides:

The Electoral Commissioner shall at such times as may be fixed by the Minister supply a council with a list of all persons enrolled as electors for the House of Assembly in respect of places of residence within the area.

I will ask the Minister to explain whether the Electoral Commissioner will advise the wards in respect of which an elector is enrolled. If not, it will be difficult to establish the floating population, particularly boarders and *de factos* in some areas, especially where councils may be contiguous. Regarding new section 89 (3), I point out that in some councils no ward election might be held for 10 years. If councils had to keep their permanent roll up to date, more work and expense would be involved. As it is compulsory, it will mean more work for councils. New section 89(1) provides that a council is to compile and maintain an electoral roll, and this will mean that statements and reports can be sent to any person on that roll. Obviously, this will mean more work, with a large increase in the number of statements or reports required.

Mr. Jennings: The trouble is that many more people will find out what goes on.

Mr. WOTTON: That would be a good thing, but if more people want this information it will cost the councils much more money to supply it. New subsection (4) of section 45a provides:

If, within one month after notice of the proposal is given under this section, fifteen per centum of the electors for any area affected by the proposal, or fifty electors, whichever is the greater number, by instrument in writing addressed to the Minister, demand a poll, a poll shall be held of all the electors for the areas affected by the proposal;

There is a difference between 15 per cent of the number of ratepayers and 15 per cent of those on the electoral roll. New subsection (2a) of section 227 provides:

For the purposes of subsection (2) of this section, the requisite number of electors is in the case of a municipality one hundred electors and in the case of a district, twenty-one electors;

This provision may cause some difficulty: for example, the Strathalbyn Corporation, with a population of 1 450, will require 100 electors, but the District Council of Strathalbyn, with a population of 1 950, will require 21 only. Like other members, I ask the Minister to explain what a "natural person" is. New section 89(5) provides that the Electoral Commissioner may recover from a council a fee in respect of the supply of a list. If this is a nominal fee, it will be satisfactory, but I should like such an assurance from the Minister. I believe that the Bill in its present form will provide an extra burden of payment for ratepayers, whereas all payments should be shared by everyone. I support the second reading, only to allow an amendment by the member for Gouger to be aired in Committee.

Mr. CUMBE (Torrens): I believe that the main point of this Bill is the extension of franchise, and I have to decide what is the best attitude to adopt for the future of local government and what is best for its residents and ratepayers. The Minister has been shrewd in the way he has introduced this Bill. When a variation of this Bill was discussed previously, the Minister received much opposition to many of what my Party considered its undesirable features about, first, compulsion and, secondly, disfranchising of members of the community with property in more than one ward or district. The Minister has shrewdly overcome objections to both these aspects, because

the Bill provides for voluntary voting and, in some instances, a person can cast a vote in more than one area. A man who owns a beach shack as well as his house can vote in both areas.

Obviously, councils in future will be asked to exercise more responsibility than they have in the past in providing health and recreation facilities, childminding centres, libraries, and similar amenities. This will mean that councils must receive more funds. There are two schools of thought on the franchise aspect. At present those entitled to vote include ratepayers, and the spouse of a ratepayer. Undoubtedly, the spouse contributes whether in kind or by contribution to the rates being paid. A resident occupier who does not pay rates in some cases is covered, because there would be a component in his rent that goes toward the owner's contribution to rates. There would be residents over the age of 18 years in any locality who do not contribute financially directly to the council.

Inevitably, we will have to adopt adult franchise in this State for councils. Whether it is time now is a moot point, that is exercising the minds of many people. There seem to be two schools of thought: first, only those who contribute directly in the classifications to which I have referred should be entitled to vote and, secondly, everyone over the age of 18 years should be entitled to vote. One of the tragedies of local government is the apathy of ratepayers who could not care less about council affairs. At many council elections about 15 per cent of those eligible to vote cast a vote. What about the other 85 per cent? Unless there is a great stir they ignore the chance to vote, but even if there is a great stir there may be only about 50 per cent voting. I invite members to look up the record of the voting patterns in this State in local government: it is abysmally bad. What about that 85 per cent of people who are entitled to vote and who do not vote? Are they not throwing away their franchise? I warn those people that they should take more interest in local government, because I believe they have the franchise today and are not exercising it. This is one of the big tragedies in local government. We would like local government to grow, and to take the greater responsibility it is being asked to take.

One school of thought is that only those who contribute in some financial way should be eligible to vote for local government. I believe before very long the great proportion of the residents of an area will in some way or another be affected financially in this respect, especially under the very welcome tax-sharing scheme being introduced by the new Federal Government, a move widely acclaimed by sections of local government. This will mean that all those in receipt of income will be expected to pay a share of income tax to local government. That immediately raises another aspect regarding the whole question of people being taxed and yet not having the opportunity to cast a vote. This is why I believe the amendment foreshadowed by the member for Gouger is important. The tax-sharing principle will involve people in the community, whether or not they own or occupy ratable premises. The amendment foreshadowed is a most important aspect of my support for the measure.

I hope that, if this Bill is carried in its present form, it does not foreshadow the move by a future Labor Government to introduce full compulsory adult franchise, to which I would be opposed. I believe the voluntary aspect is important, despite the fact that I have talked about the apathy of people at times at polls, particularly at election polls. Regarding the financial polls, a lot of

whipping up goes on, and I believe the comment by the member for Kavel in relation to the Adelaide City Council, as dealt with in the *News*, germane. Unlike many metropolitan councils, this council has only a few resident ratepayers but a large proportion of businesses and other types of ratepayer.

The member for Heysen touched on the matter of councils keeping a roll, as dealt with in new section 89. I have had strong complaints from councils in my electorate about this matter. New section 89 (1) provides:

A council shall compile and maintain an electoral roll . . .

It goes on to give the details. You, Mr. Speaker, have experience in local government and would know that the present Act provides that a council "may" maintain a roll. Many councils throughout the State do not, for one reason or another, have many elections. It is not a question of the changing of officers: one person retires and another comes in unopposed, or a council goes along without a change of officers and everybody seems to be happy. A council in such a case does not go to the trouble of compiling a roll, yet under this provision it will have to do so year after year. The requirement in the Bill is that councils will keep a continuous roll not only for the district but for each ward, because there may be an election in a certain ward.

It is to be a multiple roll. It is not only to be the electoral roll provided by the State Electoral Department but it is also to contain the names of those people who are eligible but who are not on the electoral roll for an electoral district. It may be that the Minister, coming from Ascot Park, may own a property in the Adelaide City Council area. That class of people must be superimposed on the roll provided by the Electoral Department. The councils are saying that under this legislation they have no choice: they "shall" compile and maintain an electoral roll that will be a continuing roll.

The Minister knows that not only when there is a change of resident but also when there is a change of occupation the Land Titles Office advises the councils (usually once a month) and they adjust their assessment book, which is kept up to date. As I understand modern methods of accounting in most council areas (certainly the larger ones), they can run a computer print-out of the roll. The objection made to me is that this is a costly matter. The fact that no election may be held, particularly in a certain ward (and they would have to have ward rolls), leads them to believe they will be faced with an unnecessary expense. The word "shall" is objected to. The present Act has the word "may", and therefore the view is held that the permissive "may" should replace the mandatory "shall".

The councils are obliged under the Act at present, where an election is imminent and notice has been given, automatically to prepare the roll. If there is an election in Semaphore, the Port Adelaide council must immediately (and the time is set out in the Act) prepare a roll for that ward. It may be an aldermanic or mayoral contest, in which case they have to prepare a roll for the whole of the council area. There is no need to do this unless there is likely to be an election. In many cases a retiring member announces his intention to retire and somebody comes forward, and there is not always a contest, so this is an unnecessary expense. I suggest the word "may" be retained. I have submitted points that I believe should exercise the minds of the House and ultimately the Committee. I support the second

reading so that the foreshadowed amendment by the honourable member for Gouger can be considered.

Mr. VENNING (Rocky River): I cannot support the Bill in its present form. The member for Gouger has foreshadowed an amendment that he will move in the Committee stage. If that amendment is successful it could be a different story, and I might support the measure. The Bill has a socialist-based philosophy. Although it is somewhat different from the local government legislation that was presented previously to the House and whilst it has been said this evening that it irons out some of the matters that my Party could not previously accept, we on this side may have become victims of our own propaganda in that regard. True, the legislation has been considerably modified. I am concerned that, having modifications in this Bill, other Bills relating to local government will be introduced dealing with other aspects that have previously been disagreed to by the Opposition. Those measures related to compulsory voting at council elections and to the times council meetings should be held.

You, Sir, would know the history of those Bills. I have had many dealings with the Minister of Local Government and know what he has done in my own area with regard to representations that have been made to him and with regard to petitions and counter-petitions dealing with certain matters. Irrespective of the number of people involved, the Minister has gone ahead and has done just what he wants to do. This measure introduces universal adult franchise and deletes multiple voting by corporate bodies. Previously, corporate bodies, according to valuation, had the right to perhaps three votes.

This Bill stops that situation and gives them only one vote for a property. Although a person may have properties in various wards of a council area, he has the right to vote in those wards for those properties. That aspect has merit.

All in all, I oppose the principle of open franchise. The member for Gouger's foreshadowed amendment would improve the position. If taxing powers are handed back to the States, the situation would change. At this early stage we should face situations as they arise rather than getting ahead of the situation and getting ourselves into trouble. We hear that councils will be required to play a greater part in our community. When I think of some of the areas in which local government will be involved, I am concerned about the funding that will be required. I wonder how some communities will be able to afford some of the deluxe programmes and activities that have been referred to from time to time in this Chamber. However, we will face that situation when it arises.

I believe that local government plays an important role in society. It has been said that there is not much interest in council elections. In country areas we seldom get a poll where fewer than 50 per cent of the voters turn out. People in country areas are concerned about their future. We have not been getting a 100 per cent turn out, but we have had a fair percentage of ratepayers voting.

Mr. Whitten: Do you get 10 per cent?

Mr. VENNING: I do not know where the honourable member gets that figure, because we often get between 60 per cent and 70 per cent turning out at our council polls. The honourable member should be familiar with what is happening. Perhaps it is only 10 per cent in his area. There are areas of the State where people are concerned about what is happening. If people were concerned about what was happening in the honourable member's district he would not be here, because they would not vote for him.

As the member for Frome has said, in a local government poll recently, 86 per cent voted. That was a very good effort. I see no reason why we should contemplate forcing people to vote at council elections, and I am pleased that the Bill does not incorporate that provision, but I am fearful of this Government and what it could do in this regard. I support the second reading but look forward with much interest to the amendment to be moved by the member for Gouger.

Mr. BOUNDY (Goyder): I have listened with much interest to the debate, and I have had some sympathy for the attitude espoused by members sitting in front of me about the added work load and some of the difficulties attaching to the measure as it will apply to local government. However, my attitude to those difficulties is over-ridden by my political philosophy. As a supporter of the philosophy of true liberalism, I cannot support any action that does not allow every elector the right to vote.

I recognise the apparent inequalities referred to by the member for Victoria, in that it is possible for an elector or group of electors with little or no financial commitment to local government to determine the rates that ratepayers will pay. However, this measure also provides for voluntary voting, which is another part of my political philosophy and a situation that I support. I recognise that voting is voluntary at present, and therefore only those electors who are interested in and concerned for local government will vote at council elections or will want to serve on councils.

I also take the view that full franchise should be a challenge and an incentive to people who are ratepayers and have a bigger financial commitment to councils than have non-contributing electors, to get off their backsides, to put it crudely, and be more involved in and more committed to local government, so that better government at the local level is attained. I support many of the things that the member for Torrens has said in this regard. He has referred to the apathy that sometimes pertains to local government elections and local government matters generally.

Mr. Venning: What percentage of enrolled persons voted in your district?

Mr. BOUNDY: We have extremely high ratepayer involvement in our area, but I have noticed that in some other parts of the State this does not apply. I am forced to agree with the Minister that sometimes polls of as low as 15 per cent are recorded. I have no fear about the interest in local government in most parts of my district, because, as the member for Rocky River knows, all electors in the District of Goyder are interested in the good of their community.

Mr. Venning: Do you support compulsory voting?

Mr. BOUNDY: If the honourable member had listened, he would have heard me say that I supported voluntary voting. The change from "ratepayer" to "elector" will not make any difference to voting rights of owners of holiday homes. They already receive a council vote in our area. I know that some country residents have been fearful that more part-time residents than full-time residents would determine matters, but this legislation does not alter that situation. The member for Light has referred to a poll tax. While that may overcome some objections that members have regarding full franchise in local government, it has problems of implementation.

Would a poll tax require compulsory enrolment? Would the ratepayer be required to collect the poll tax from those non-ratepayer electors living under his roof? My

support for full franchise for local government would also apply when it is taken with the knowledge that last financial year about \$33 000 000 was channelled into local government from State Government and Commonwealth Government sources for all purposes. There are more than 1 200 000 men, women and children in the State, so more than \$25 for each person is contributed to local government. Therefore, every citizen in the State already has a commitment to local government, and there is an implied right for electors to vote in local government. Finally, should the present Commonwealth Government honour and implement its election promise of giving direct grants to local government, no case can exist for either denying full franchise in local government elections or demanding a poll tax. I therefore support the Bill.

The Hon. G. T. VIRGO (Minister of Local Government): I will deal briefly with only two matters. First, some members have asked what is a natural person.

Mr. Venning: It's no use looking at you.

The Hon. G. T. VIRGO: The member for Rocky River has raised the matter, and he will be pleased to know that he comes within that description. I do not think there ought to be debate on that matter. It is a term used to indicate that we are referring to a human being, not a body corporate, because the term "person" is, under the Acts Interpretation Act, I have been told, capable of meaning a body corporate.

The only other point is the attitude of members in agreeing or disagreeing to what I believe is an important principle. The term has been used in different ways, but reference has been made to the old-fashioned claim made by many people that only those who pay should have a say. I thank the member for Goyder for his comment. I do not think many members were paying attention to what he said, but I should hope they would read his speech in *Hansard*, because he pointed out that in 1974-75, a total of \$33 600 000 went to local government, as the Australian Government, for the first time, provided grants to local government. This is the Whitlam Government that is supposed to have treated local government so badly! It was the Government that first gave funds to councils. In the 1974-75 year, it provided \$4 700 000 in South Australia, and in this current year it has provided \$6 785 000. The point I make is that about \$33 000 000 of taxpayers' money was provided to local government. Surely that shows that, irrespective of whether or not he is a ratepayer, the general taxpayer of Australia is supporting local government in a direct way. Secondly, not one person in the community (and I do not care whether we are talking about the five-year-old child going to school) is not contributing in some way to the well-being and finances of local government. The child going to school who buys an ice cream from the local store contributes to the profits of the storekeeper, who, from his profits, pays his council rates. That can be taken through every section of society, because not one person does not contribute. Surely we must get away from the business of "only the person who pays should have a say". On that basis, the Opposition would cut out some of those people who were not earning, such as people who were sick in hospital, those who had retired or were pensioners, and the unemployed. The member for Glenelg supports adult franchise, and so he should, because it has been in existence in England for the past 50 years. So, for goodness sake, let us catch up here in South Australia.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

PUBLIC AUTHORITIES (EMPLOYEE APPOINTMENTS) BILL

Returned from the Legislative Council with an amendment.

ADJOURNMENT

The Hon. J. D. CORCORAN (Minister of Works) moved:

That the House do now adjourn.

Dr. EASTICK (Light): I rise to comment on the gross inadequacy of this State's planning legislation. If one reads *Hansard*, more particularly for the past Parliamentary session but certainly going back over the past three Parliamentary sessions, one will see the increasing problems of the various facets of our planning legislation that are brought to the attention of the Ministry and the Government. Closely dovetailed into the problem of planning is the system of valuation that applies and the apparent failure to co-ordinate between the two Government departments that control these two factors. Whether in the Budget debate, in grievance debates or debates on matters pertaining to planning, members have constantly brought to the Government's attention the areas of concern and the actions being taken by Government direction that are forcing people out of production or off their blocks, or loading them with a cost factor that is almost totally unbearable.

I refer to the case of a constituent living near the town of Gawler, namely, Mr. A. J. V. Riggs, who has a property adjacent to the town in the District Council of Munno Para, with some land in the Gawler corporation area, a parcel of his land being on either side of the South Para River, which is an area that various Governments and departments have studied for the purpose of acquisition for future recreational purposes. Indeed, I concur in the interest being shown in this area being made available for recreation. In 1971-72, Mr. Riggs paid land tax amounting to \$1 477 on an assessment of \$113 540 for an area of about 665 hectares. In 1972-73, the figure had reduced to \$1 317 on the same assessment for the same area as previously. In 1973-74, the sum payable was \$1 294 on an assessment of \$113 090 for an area reduced to about 475 ha. In 1974-75, the sum paid was \$6 272 on an assessment of \$224 200, and the area by this time had reduced to about 340 ha.

In 1975-76, his assessment is \$15 208; the assessed value as can best be determined has almost doubled the previous figure of \$224 200, and the area has reduced to about 324 ha. The assessment has increased because a factor of two has been applied in the overall equalisation programme. The cost factor does not truly represent the value attributed to the land. The area has been reduced because of sales of parts of the property (the sales have been of developed property, and the owner has had to spend funds in relation to the distribution of water in providing fencing and a road, and in other actions and costs associated with development), and the Government has seen fit under its present scheme to value the adjacent land on the basis of the actual sale price, which is an elevated price and which does not allow for the removal (and it should be removed) of the cost of developing that land for sale.

Section 3341 of the hundred of Munno Para in 1974-75 was allowed to be divided into 4-hectare subdivisions. The land tax was \$640 for that section, but in 1975-76 the tax is to be \$1 725. However no longer is it possible to subdivide the area into 4 ha subdivisions, because it is now in the hills face zone. Value is attributed to the land as subdivisational land, when other provisions of planning regulations and valuations do not co-ordinate, and this person is being assessed on an attributable value that cannot be obtained at sale. The folly of the whole situation is shown from the circumstances relating to an adjacent property, almost through the fence.

On it is a 90 900-litre water tank, and the property is owned by a brother, E. J. V. Riggs. Because the water tank is required to distribute water on the property of A. J. V. Riggs, it was necessary to take out a lease, and he became responsible for the costs of the leased property. This area is 144 sq. yds., about $\frac{1}{34}$ th of an acre, and is assessed at \$200. When taken out on an acre basis, this means he is being assessed at \$6 800 an acre. He pays \$12.88 for $\frac{1}{34}$ th of an acre, which is \$438 an acre. Council rates are a minimum of \$60 which, on an acreage basis, represents \$2 040, with the total taxable value (land tax and council rates) of an acre of land being \$2 478. This is an intolerable situation, and it further highlights the real cause of concern expressed by Opposition members. I have referred to the problems in the Kersbrook area in which parcels of more than 74 acres received a valuation that is different from parcels less than 74 acres, although the same person is using the property for the same purpose, mainly dairying.

This situation cannot be tolerated in future, because if the Government had any real concern for the future of people forced into these positions it should have taken action during this part of the session. A reply I received today from the Premier referred to transactions that had been undertaken by the Government with various organisations concerned with short-term money. Part of the reply states:

However, I am prepared to provide these details to Dr. Eastick on a confidential basis if requested.

I say sincerely that it is totally wrong to suggest that Opposition members may have access to records on a confidential basis, because they then become responsible for the consequences of someone else leaking this information. I suggest that this position is not tenable.

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

Mr. JENNINGS (Ross Smith): I am repeatedly coming to the opinion that the Leader of the Opposition is a self-opinionated ass, whose precarious hold on his position is from the support of a majority of self-opinionated asses in his own Party led by the member for Rocky River, clucking like a pregnant rooster. As they become again in the minority, the Leader will cease to be the Leader and may revert to what he formerly was, a reasonably capable district representative, but the position he occupies and the way he chooses to use it is dangerous to himself and his Party. Not that I could claim to be very worried about that normally, but as a true disciple of the two-Party system I believe that the two principal Parties should constantly be vying with each other to provide better services to the community, with each being kept on its toes and ensuring as a result the best possible representation of people we all claim to represent. Any-one who studies megalomania, which I see protruding from the Leader of the Opposition at present, knows that not only does he demand great obedience from his

immediate supporters but also that he requires then to transfer some of this to another father figure, and it will not be long before Mr. Fraser finds in South Australia such a great supporter. I, and I suppose most members, watched television and saw the policy speech of the Leader of the Opposition in the Commonwealth Parliament, as he then was—Mr. Fraser.

The Hon. G. T. Virgo: He had no policy speech.

Mr. JENNINGS: He had a speech, but no policy. He did not use any policy, so he could not be accused of breaking too many promises. Throughout the speech, when I saw the dome of our own Leader of the Opposition going up and down, I thought that he must have been suffering from something, and now I know what it was. He is not a "yes" man: he has not graduated to that stage. He is a "nodder", and a "nodder" is an undergraduate "yes" man.

Mr. Gunn: You should be the last one to talk about "yes" men.

The SPEAKER: Order!

Mr. JENNINGS: Since the Commonwealth election we have heard little through normal channels from the Prime Minister, but he seems to have been, if we believe our Leader of the Opposition, in constant contact with him, telling him what was to happen and what was not to happen in the nation. How much of this is true and how much is fantasy, I do not dare to prophesy. All I say is that, if the Leader of the Opposition knows anything about what the Prime Minister intends to do, he is one of the few people in Australia who does. Surely we should not worry about this matter now. All we know is that the Prime Minister is a little sick of being cultivated by the Leader of the Opposition from this State. As far as I can see the Leader will be trying to keep up with the Prime Minister because, if he does so, he will become known as "revolving Tonkin", because he is always going around in circles. What concerns me is that the megalomania that has gripped the Leader of the Opposition is now affecting many other people in the community. I refer, for example, to the past two no-confidence motions moved in this place by the Leader of the Opposition when two thoroughly reputable people were maligned and vilified under Parliamentary privilege without having a chance to reply. They are people who have contributed much to public life.

Mr. Venning: That's only your interpretation.

Mr. Allison: Do you think they protest too much?

Mr. JENNINGS: I do not know what the honourable member is talking about.

Mr. Chapman: You don't keep up with a great deal that happens in this place, do you?

Mr. JENNINGS: I certainly cannot keep up with what the member for Alexandra does in this or in any other place. However, I believe that a certain bull should have got the Victoria Cross. The people to whom I refer have no chance to reply. They have contributed to public life, but they have been maligned by the Leader of the Opposition because he has found it impossible (as do members of his Party) to believe that a man is capable of wanting to do something for his fellow men without wanting his cut out of it.

In another case a well-known public servant, who is extremely good at his job and serves this Government well (and no doubt would serve an alternative Government equally well) has been maligned. In another case, a man who all his life has had a political viewpoint, which he

has never changed and which he has always espoused without fear or favour, and who has been willing to sacrifice virtually his whole life in the interests of his views, irrespective of the demands on his time, his personal commitments and, indeed, his whole life, has been maligned by the Leader. I think I and every member on this side of the House know him extremely well, too.

Mr. Venning: That doesn't help anyone.

Mr. JENNINGS: As far as I am concerned it does. We on this side have known him for many years. I have known him for more than 20 years and only regret that he was not elected to Parliament much earlier than he was. He is energetic, sincere, forthright and, above all, thoroughly honourable in every respect. It is a shame that he came into this House so late in life and was not here longer before he had to leave. He enjoyed being here and, after his retirement, was given another job for which he is eminently qualified.

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

Mr. GUNN (Eyre): We have just listened to 10 minutes of backscratching by the member for Ross Smith, interspersed with a personal attack on the credibility of the Leader of the Opposition. I throw his attack back at him and will let the public of this State judge whether they want Don Dunstan and the group who sit behind him or whether they want David Tonkin to govern them after the next election.

The SPEAKER: Order! I remind the honourable member that he should refer to the honourable Premier.

Mr. GUNN: Well, Sir, the honourable Premier. Enough has been said about that nonsense that has just come from the member for Ross Smith. I wish to raise a matter about which I have been concerned for some time. When I was elected to be a member of the Joint House Committee, I believed that matters would be decided on merit by that committee. From my understanding of how that committee had operated in the past I believed that to be the case. However, I soon found out when this Parliament assembled that the Labor Party, full of vigour with its inbuilt majority on the committee, tried to carry out Caucus decisions on the committee. No matter what another member thought and no matter whether his argument had merit, he was completely steamrolled.

We had the unfortunate situation where the Labor Party tried to enforce its policy of compulsory unionism into this House, a House that is supposed to represent democracy and the rights of the individual to choose for himself and not to be maligned, threatened or have any other undesirable course of action taken against him. I make clear that I have nothing against any person who wishes to join a union, association or organisation. I do not object if it is his decision, made without coercion. However, when a person has to join such an organisation or association to obtain a job we have reached a situation where we must have a licence to work. That is the situation in this State where the Labor Party has tried to enforce such a policy in Government departments and, now, in this Parliament. It is a disgraceful state of affairs when a Government tries to implement its policies in this building. The Joint House Committee had put before it an agreement—

The SPEAKER: Order! As Speaker of this House and Chairman of the Joint House Committee, I must draw to the honourable member's attention that all publications and documents relating to the Joint House Committee are the property of that committee and cannot be tabled

or referred to unless the honourable member has the permission of that committee. That matter is embodied in the rules of the Joint House Committee.

Mr. GUNN: Mr. Speaker, it would seem that I have been successfully—

Members interjecting:

The SPEAKER: Order! I heard a voice saying "guillotine". I wish to enlighten all honourable members that the rule I quoted is one of the rules that honourable members in this House established before I came into the House. I am only upholding those rules.

Mr. GUNN: It seems that I am not allowed to continue with what I intended to say.

The SPEAKER: If the honourable member has a criticism about views that he believes certain members may be expressing within the confines of the Joint House Committee he can put those views, but he cannot quote from any document relating to that committee unless he has permission of the committee.

Mr. GUNN: I will not quote from the document to which I was going to refer. However, if anyone wishes to read clause 15 of that agreement he will know exactly what I am talking about. I want to put on the record of this House my complete opposition to that clause. I believe that it was a step in the wrong direction, and already it has resulted in the resignation of one member who served that committee with distinction for many years. If the committee continues to function as it is functioning at present, it will not be long before it will be only a Government committee, because it will be a waste of time for anyone else to go there. It seems that that is what the Labor Party wants, and I express my total opposition to that course of action. Another matter that I want to raise—

Mr. Keneally: Are you going—

Mr. GUNN: The member for Stuart likes to interject, but he rarely makes a speech. It may be his turn tomorrow evening. I refer to the problems that the abalone industry has been experiencing for a long time, and to the poor treatment it has received from the Minister of Fisheries. Promises have been made to people in that industry and assurances have been given, but they have not received any action from the Minister. This Minister and his predecessors have failed to give them a reasonable go. They are not asking for much. They only want to be placed on the same level as other persons in the managed fisheries area.

They only want the right to transfer their licences with their boats when they leave the industry, and that is not a lot to ask. The occupation is dangerous and the divers can dive for only a limited part of their life. A

recent press report by Mr. Vin Murphy, President of that association, has the headline "Abalone diver's licence is discriminatory," and I entirely endorse those sentiments. I have been approached many times by members of that association.

The Hon. Hugh Hudson: Are these divers in Port Lincoln?

Mr. GUNN: I say for the benefit of the Minister that there are divers on Eyre Peninsula. The Minister was Minister of Fisheries for only a short time, and he did not understand anything about the industry. The members for Mount Gambier, Flinders, and Victoria also have abalone divers in their districts. The member for Victoria has had discussions with these people, too. The attitude of the former Minister of Fisheries is one reason why this small group of people has not been given a fair go. The present Minister has been in that portfolio for only six months and he has not taken action.

The Hon. Hugh Hudson: Do you guarantee this speech will not be reported in the *Port Lincoln Times*?

Mr. GUNN: I am concerned not about the publicity but about the justice of the case, and I ask the Government whether it is not willing to give these people a fair go, to allow them to employ relief divers, and to let them transfer their licences. Why is it that persons in other managed fisheries can transfer licences but persons in the abalone industry cannot?

Mr. Whitten: You were going to reply to the member for Flinders, you told us. You haven't mentioned a word about that.

Mr. GUNN: If the member for wherever he comes from wants to make a speech, he is entitled to do so. I will speak on whatever subject I decide at any time. If the honourable member wants a public debate with me on any matter, I shall be pleased to have one. On this occasion, I am concerned about the abalone industry. I have had approaches ever since I have been a member about the problem and I am amazed that, in six years, the Government has done nothing about the matter. We have had many promises from Mr. Casey and those who have followed him. I do not think Tom Casey understood the fishing industry. That is the best one could say about him. I expected that the present Minister of Mines and Energy, a reasonable person, would have had some understanding of the problems when he was Minister of Fisheries. He did not stay long enough. I do not think the present Minister has the capacity to understand the problems, and it is about time the Premier did something about it.

Motion carried.

At 10.15 p.m. the House adjourned until Wednesday, February 18, at 2 p.m.