HOUSE OF ASSEMBLY

Thursday, August 5, 1976

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

LIBRARIES (SUBSIDIES) ACT AMENDMENT BILL

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

COUNTRY FIRES BILL

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

MENTAL HEALTH BILL

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

PETITION: MORPHETT VALE HIGH SCHOOL

The Hon. D. J. HOPGOOD presented a petition signed by 1 450 electors, residents, and interested parties of South Australia, praying that the House urge the Minister of Education to take action to have the air-circulation plant at the Morphett Vale High School brough into effective operation.

Petition received.

ELECTORAL DISTRICTS BOUNDARIES COMMISSION REPORT

The SPEAKER laid on the table the 1976 report of the Electoral Districts Boundaries Commission.

Ordered that report be printed.

QUESTIONS

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

FIRE LOSSES

In reply to Mr. GOLDSWORTHY (June 9):

The Hon. J. D. CORCORAN: Schools by their nature are open institutions and it is difficult to prevent a wilful act of arson. Preventive measures must in general be long term through education relating to respect for property. However, since the appointment of a security controller to the Education Department in 1975, various preventive measures have been examined and trials of some alarm devices are being conducted. In addition, the department asks schools to co-operate in a fire prevention week each year, which includes fire drills in all schools based on the following sequence of events: alarm, evacuation, call the fire brigade, assembly, roll call, tackle the fire. To emphasise the importance of these drills, a detailed notice setting out the requirements for these drills is published in the *Education Gazette* prior to fire prevention week. Schools can also arrange for members of school staff to attend lectures and demonstrations of fire-fighting equipment at no cost to the school, if that school is located within 40 kilometres of Adelaide. The estimated cost of fire damage reported for period from July 1, 1975, to date is $547 357 (including 15 school fires, $545 526). The payments made from Government insurance fund for period from July 1, 1975, to date is $416 492 (including school buildings, $412 568). The State Supply Department fire was in December, 1973, and the loss was covered by a separate policy of insurance.

STATE TAXATION

Dr. TONKIN: Now that the Government has adopted part of the Liberal Party's policy on succession duties, can the Premier say whether it intends to grant further relief in that tax and in other State taxation, particularly land tax and water rates? The Liberal Party's policy on succession duties was announced on February 8, 1976, and, in addition to the exemption from succession duties on that part of an estate passing to a surviving spouse, included a promise to reduce overall the present rates of succession duty payable and to extend the period allowed for quick succession relief from five years to 10 years. It is also considered a necessary means to preserve the viability of a small family business. Anomalies in the present method of calculating land tax have been ventilated frequently in this House, as have the vicious increases in water rating. Assessments are again being received and many people in the community, particularly those on fixed incomes, are again being hit by excessive and inequitable charges, which are quite unnecessary because of the State's present financial position.

The Hon. D. A. DUNSTAN: From time to time during the currency of a Parliament, it is true that Opposition Parties suddenly change what they have had to say previously and, given the fact that they have no responsibility for the Treasury, one would expect that sort of thing to occur. The Labor Party Government did not take into account the various alterations in announcements from the Liberal Party in deciding what was proper to be done about succession duties. An examination was made of the achievement of the aims announced by the Government at the previous State election and about which we had enacted legislation. When we introduced our previous amendments to succession duties legislation, the spokesman for the Opposition on that legislation, the member for Mallee (Mr. Nankivell), acknowledged in this House that it was a very generous measure.

Dr. Tonkin: It was an improvement, I think he said.

The Hon. D. A. DUNSTAN: No, it was generous—those were his words. We have examined the operation of that and, as a result of that examination, have now announced an alteration in the position. The fact is that we cannot go further than we have already done. South Australia collects in death duties markedly less per capita than do the standard States already, without this further remission.

Mr. Coumbe: Why is that?

The Hon. D. A. DUNSTAN: For two reasons: first, in several areas, because we are collecting succession duties, our duties are not as severe as estate duties that are collected in Liberal Government States. Secondly, our tax base is not as good. The other matter is that, given the previous amendments, rural property holders have been able to dispose of their property in such a way as for there to be little call for succession duties on large rural properties. That is the situation facing South Australia.

Dr. Tonkin: How about land tax and water rates?

The Hon. D. A. DUNSTAN: I appreciate that the Leader wants me to get off that topic.

Dr. Tonkin: I want you to get on to it: you are deliberately avoiding it.

The Hon. D. A. DUNSTAN: The Leader wants me to get away from succession duties, about which I am giving him a reply. I will now deal with land tax. Several times the Government has made an announcement but not in reply to these various things the honourable member has had to say. The honourable member has gone to the public and come into the House with claims of an enormous burden of debt applicable to a widow who was sitting on $500 000 worth of land and, having sold $250 000 worth of it, she got an enormous capital advantage out of it.

Dr. Tonkin: She had arranged her affairs.

The Hon. D. A. DUNSTAN: That was what the honourable member gave as an example of a poor impoverished widow in South Australia (with $500 000 worth of property), and that is the sort of thing he has been speaking about. Frankly, we have not been particularly concerned about that area of taxation.

Dr. Tonkin: You aren't concerned about them at all.

The Hon. D. A. DUNSTAN: What I have said before publicly (and not in response to any of the honourable member's outpourings) is that the Government intends to alter land tax, so that it will collect in this financial year no more than we collected the previous financial year.

Dr. Tonkin: That's too much.

The Hon. J. D. Corcoran: He'll be great when he gets here!

The Hon. D. A. DUNSTAN: The Leader will never have to look after the Treasury, so he can make that kind of irresponsible remark.

Mr. Gunn: Do you think you have a gerrymander?

The Hon. D. A. DUNSTAN: No, but I know that I have a fair electoral system and, what is more, I bitterly resent the remarks that have been made by Opposition members about a gerrymander by an Electoral Commission on terms of reference for which every member voted. The legislation passed unaminously in the House on the second and third readings.

Dr. Tonkin: We tried to amend it.

The Hon. D. A. DUNSTAN: There having been no amendments successful, every member voted for it. To say that the commission has been guilty of a gerrymander is a gross reflection on the commission.

Dr. Tonkin: What has that to do with succession duties?

The SPEAKER: Order! We are getting far away from the original question, because of subsequent questions that have been asked of the honourable the Premier. The honourable the Premier.

The Hon. D. A. DUNSTAN: Returning to the question of land tax, we have said that there will be an alteration in the land tax provisions during this session, so that we may cope with several anomalies that have arisen both in relation to the pressure on rural properties in the immediate areas surrounding urban areas, and the inflationary pressure on land tax rates arising from increases in valuations. The total result will be that, from the correction of anomalies, we will collect this financial year no more than we collected the previous financial year.

Mr. Dean Brown: Last year's figures went up by 50 per cent to 60 per cent.

The Hon. D. A. DUNSTAN: There has been an increase in land tax and, given that increase, despite inflated costs to the Government of services within the State, we are confining the returns on land tax to the actual cash return for the past year, which means an effective reduction in real terms.

Members interjecting:

The SPEAKER: Order! I must ask that the incessant interjecting cease because, if it continues, it will mean that other honourable members who wish to ask questions will be deprived of the chance. The honourable the Premier.

The Hon. D. A. DUNSTAN: I have said that that is what we intend to do: in fact, all serious anomalies will be coped with in relation to land tax.

Mr. Millhouse: Do you—

The SPEAKER: Order! We have had enough.

The Hon. D. A. DUNSTAN: I have said that we are introducing a measure, and I have outlined what will be the results of that legislation, as I have done previously. I know that the Opposition does not like the fact that we will do it, but we shall.

OPEN-SPACE AREAS

The Hon. G. R. BROOMHILL: Can the Minister for Planning tell me his department's intentions about developing land held as open-space areas under the Planning and Development Act? I am aware that, since the legislation amending that Act to provide funds for the purchase of open-space land has been in operation, about $8 000 000 has been spent on the purchase of land to be used as recreation and open-space land. I also understand that some of these areas would have been totally purchased by now. As an example, we have the commencement of development with regard to the Regency Park area. I should be interested to know whether the department has made any plans for developing other areas, particularly the O'Halloran Hill area, which I think would serve a useful purpose for several community sporting bodies.

The Hon. HUGH HUDSON: As the honourable member would be aware and as he mentioned in explaining his question, the main activity of the State Planning Authority in the development of open space has been in relation to the Regency Park area, and that is now well under way. Regarding other proposals, I think it would be more appropriate if I obtained a report from the State Planning Authority on the current state of planning, rather than rely on my memory at this stage. I shall be pleased to get that report for the honourable member.

LITTLE PARA DAM

Mr. GOLDSWORTHY: Can the Minister of Works say what is the expected completion date for the dam on the Little Para River, what is the estimated cost, and who is the constructing authority?

The Hon. J. D. CORCORAN: I will get a report for the honourable member, because I do not want to give him information that is not correct. However, I think the completion of it is at least two years away.

Dr. Eastick: It's 12 months behind schedule at present.

The Hon. J. D. CORCORAN: Yes, but it will still be a couple of years before it will be completed and taking water. A combination of both day labour and contract work will be involved, and I will get details of that, as well as details of the total cost, and bring the information down as soon as possible.

ELECTORAL BOUNDARIES

Mr. WELLS: The member for Eyre gave, by interjection, half the answer to my question. In the temporary absence of the Premier, will the Deputy Premier say whether he agrees with the Leader of the Opposition, who is on record as having stated that the Electoral Districts Boundaries Commission has, in fact, produced what is a gerrymander in favour of the Australian Labor Party?

Mr. Gunn: Of course it has, and you know it. The terms of reference—

The SPEAKER: Order!

The Hon. J. D. CORCORAN: I am certain that the Premier would have loved to be here, because I know that he was most upset; in fact he has already indicated to the House how offended he was and how offended many other people have been by the statement of the Leader of the Opposition, obviously backed up by members on his side of the House.

Mr. Millhouse: Every member of the Liberal Party.

The Hon. J. D. CORCORAN: I think the member for Mitcham is quite correct. I draw honourable members' attention to the statements made by the member for Flinders, who represents the National Country Party, and the member for Mitcham, who represents the new L.M., who have both commented on the commission's findings, speaking in praiseworthy terms of the work the commission had done. If the Leader, in commenting on the fact that we now have in South Australia, for the first time in the history of the State, electoral districts with equal numbers of voters, says that that is a gerrymander (and I think that that is what he is trying to get at), surely everyone who believes in, understands or knows anything about democracy will ultimately refute that statement.

The Hon. D. J. Hopgood: It's a misuse of words.

The Hon. J. D. CORCORAN: It is not only that; I do not think the Leader really understood the report when he looked at it. As has often been said in this House, we do not represent trees, broad acres or interests—we represent people. In this House for the first time each member can say, "I represent, within 10 per cent or so, about the same number of electors as any other member in the House." Surely to God that is an achievement. In fact, that is an achievement that has not been arrived at anywhere else that I know of in this country. For the Leader to describe the findings of the commission as a gerrymander is not only an insult to the intelligence of the people of this State but also a gross insult to the intelligence of the members of the permanent commission, that was appointed by this Government to look into the redistribution of electoral boundaries. I hope to God that the members who sit behind the Leader have enough brains (for once), common sense and decency to re-examine their position and state a case other than that stated for them by their Leader.

INDUSTRIAL DISPUTES

Mr. DEAN BROWN: Is the Premier aware of the considerable delay in the handling and clearing of containerised goods coming into South Australia from overseas and other States? Will the Premier investigate immediately this problem to ensure that action is taken to ameliorate the delays? During the past few weeks time lags have increased significantly in the delivery and clearance of goods through Port Adelaide. The normal time for clearance is about 10 to 14 days, but that time has increased to at least five or six weeks or longer. One reason for the longer delays has been a series of guerilla strikes and other industrial action organised through the Storeman and Packers Union. During June, delays occurred on 11 days. Justice Robinson of the Commonwealth Industrial Court started hearing a log of claims last Friday. Apparently, union bans were lifted last Thursday morning. However, considerable delays still exist. One company has laid off workers because essential manufacturing supplies have not arrived. Another company is now air freighting goods from Japan. Some equipment urgently required for drought stricken farmers has also been considerably delayed. At one stage last week there were 120 rail trucks each with about two containers awaiting entry at Port Adelaide container terminals. It is imperative that the Government acts quickly in this matter, although such action could not be called decisive, because the Government has allowed the situation to continue for so long already.

The Hon. J. D. CORCORAN: I am rather surprised to think that the people who have evidently taken the bother to contact the member for Davenport and explain in great detail the problems they are having have not been, to my knowledge any way, to the Government at all about this matter.

The Hon. G. R. Broomhill: He might have made it all up.

The Hon. J. D. CORCORAN: I am not suggesting the honourable member made it up. I know he is capable of it—

Mr. Dean Brown: I think you'd find that the Premier's Department received a—

The SPEAKER: Order!

The Hon. J. D. CORCORAN: —but I am not suggesting in this case that the honourable member has done that. I am merely expressing my surprise that, if the matter is so serious and is causing the trouble to which the honourable member has alluded in great detail, it is a wonder that an approach has not been made to me as Minister of Marine, to the Premier, or to the Minister of Labour and Industry, who deals with industrial relations matters. However, to my knowledge, no approach has been made.

Mr. Dean Brown: See the Premier's Department—

The Hon. J. D. CORCORAN: I will undertake to have the matter investigated for the honourable member to ascertain whether his claims and allegations have any foundation, and I will give him a report in due course.

LIBRARIES

Mr. WHITTEN: Will the Minister of Education tell the House whether he has further considered the library needs of the western districts of Adelaide, particularly Port Adelaide, in relation to establishing a free library or, failing that, further subsidising existing libraries in the area? About 250 000 people live in Adelaide's western region, which has only one free library.

The Hon. D. J. HOPGOOD: As the honourable member will know, I have had considerable contact with people in his district and adjoining districts regarding this grievous problem of lack of municipal library facilities throughout the north-western suburbs. I believe that a rough sort of figure is 0·07 a book a head in the north-western suburbs, which is the lowest book-person ratio (if I can use that term) of any part of Adelaide's suburbs. The problem is, of course, that under the present terms of the Libraries (Subsidies) Act it is necessary for a commitment from local government to be made before the necessary Treasury or Government subsidy can flow. Two problems exist: first, the city of Port Adelaide is either unable or unwilling to commit itself to such a venture at this time; secondly, there is an existing institute library at Port Adelaide.

I will not delay the House by giving a recital of the information that I gave to it yesterday in relation to the Horton report. I am aware that the honourable member was elsewhere on Parliamentary business yesterday, along with other members. I recommend that he examine *Hansard* to see what I said. I point out that the adoption of those sections of the report that deal with assistance to the States of South Australia and Queensland for the conversion of institute libraries to subsidised or free municipal libraries would, of course, mean that money would be available for that sort of venture in Port Adelaide. I see the north-western suburbs as having a high priority for this sort of effort. Until we know whether there is a specific commitment from the Commonwealth Government, we will not know whether this money is available. In the meantime, I am continuing to negotiate with local people, both directly and through my colleague who has asked this question, in the hope that we may be able to do something by conventional means.

GOVERNMENT STATEMENTS

Mr. GOLDSWORTHY: Will the Premier instruct staff that, when writing to the press or making statements to the media, they provide complete information, which is not misleading, and identify their official position, so that their vested interest can be recognised? Yesterday, a letter appeared in the *Advertiser* headed "Need for Monarto". The letter is signed by Mr. I. F. Drysdale, who, I understand from inquiries of the commission, is a publicity officer with the Monarto commission, although he is not identified as such in signing the letter. Mr. Drysdale asserts that the population in South Australia increased by 7 700 in the first three months of 1976, thus giving a growth rate of 30 800 for the full year. The quarterly figures released by the Bureau of Statistics for 1975 indicate that for the March quarter, 1975, there was a drop in population of 585; for the June quarter, a drop of 4 401; for the September quarter, an increase of 3 534; and for the December quarter, an increase of 1 800. The net increase for the 12 months was 348. These figures indicate the absurdity of taking the figures for one quarter and multiplying by four to arrive at a net annual growth rate. I therefore ask the Premier whether he will see, first, that in future officers will identify themselves when presenting material to the public media and, secondly, that they will present material which is not obviously doctored to suit their own vested interest.

The Hon. D. A. DUNSTAN: I do not see any necessity for an instruction to officers in Government departments that they must identify their official position if they take their right as citizens and write about something that interests them. There is nothing in the Public Service Act requiring them to do so. I know of letters that members of the Liberal Party who are in the Public Service have written to the newspapers in which they have not identified their position. Regarding the honourable member's statement about figures, given the kind of statistics that come from the Liberal Party, I would have thought that the honourable member had immense gall to raise the subject here.

ALICE SPRINGS TO TARCOOLA RAILWAY LINE

Mr. SLATER: Has the Minister of Transport seen a recent statement by Senator Jessop regarding the construction of the Alice Springs to Tarcoola railway line?

Mr. Millhouse: You've seen it, haven't you?

The Hon. G. T. VIRGO: Yes. I saw the article in the newspaper this morning, and I am sure the member for Mitcham saw it, too. I was somewhat surprised to read it, and I hope the confidence displayed by Senator Jessop will be borne out in time to come; namely, that work on the line is not going to be deferred. Of course, what Senator Jessop has not explained is, first, whether he had the authority of the Federal Minister (Mr. Nixon) to make the statement and, secondly, why there is currently an examination proceeding and a document being prepared to show how much it will cost for the Australian National Railways Commission to continue the services to Alice Springs on the present route over the next 10 years. I understand that that investigation is proceeding and, in the light of that, a decision will be made as to whether the new line will be deferred or go ahead. I hope that Senator Jessop will do what all Senators, irrespective of their politics, should do; that is, use his best endeavours to encourage the present Government to fulfil the commitments that were properly entered into between the South Australian Government and the Australian Government.

SCHOOL HOLIDAYS

Mr. CHAPMAN: Will the Minister of Education investigate and report to the House on the feasibility of staggering the May and September school holidays in South Australian public schools? This request is made in order to spread the tourist accommodation load, which at this stage is largely governed (and I suggest cluttered) by the current restricted system. Spreading the two-week breaks in May and September over a longer period (say, six weeks) would maximise the use of our tourist facilities, enhance the permanency of employment of staff in the industry, and generally minimise the autumn and winter slack gaps plaguing the industry in this State.

The Hon. D. J. HOPGOOD: It is usually the mothers who are staggering at the end of the May and September holidays rather than the holidays themselves. However, I shall be pleased to investigate the matter. If on other grounds it is feasible, I would certainly concede that it has advantages to the tourist areas of the State. Those other grounds do require careful investigation, but I will get the information for the honourable member.

SOLAR ENERGY

Mr. OLSON: Can the Minister of Works, in the temporary absence of the Minister of Mines and Energy, inform the House what grants, if any, were made available

to South Australia during 1975 to assist in solar energy research? If such grants were received, was the research conducted at either Flinders University or Adelaide University in co-operation with the Commonwealth Scientific and Industrial Research Organisation? In view of the sums allocated for such research in other States, South Australia seems to have received little assistance from the Federal Government for the development of a solar collector and its integration into solar hot water systems. Nor does there seem to be an opportunity for research to enable the construction of solar timber-drying kilns or solar air heaters suitable for general application. As this industry, involving small manufacturers in the Eastern States, seems to be exporting its products to other countries, including Japan, New Zealand and Fiji, can the Minister report on the likelihood of solar development in South Australia?

The Hon. J. D. CORCORAN: I shall be pleased to ask the Minister of Mines and Energy to obtain a report on the points raised by the honourable member and get him a reply as soon as possible.

BERRI HOUSING

Mr. ARNOLD: Following representations made to the Engineering and Water Supply Department and the Berri District Council, will the Minister of Works give an assurance that any residence placed on the department's housing allotment in Dennis Street, Berri, will comply with the requirements of the Lands Department and the State Planning Authority? Residents of Dennis Street and Napier Crescent have written to me enclosing a copy of a petition delivered to the Berri District Council. The covering letter states:

Please find enclosed a copy of the petition concerning the proposed E. & W.S. dwelling to be erected in Dennis Street, Berri, which was submitted to the District Council at its meeting on July 27, 1976.

The petition states:

Petition against the erection of third-hand E. & W.S. house in Dennis Street, Berri.

We the undernamed object to the erection of this sub-standard house and demand that the council do all in their power to stop it immediately.

The following are our main objections:

1. It will devaluate our life savings, which have been invested in our homes.
2. No paint or trees will bring this up to the standard of the houses in this street.
3. Why are we compelled to use new material when the E. & W.S. can use third-hand material?
4. We have had to comply with the Lands Department standards, as stated in "Agreement to Purchase".
5. Will the council lower our council rates if this building is allowed?
6. Alternative suggestion is that the Lands Department purchase a new transportable home and sell it at the completion of their work in the area.

The dwelling is to house the engineer in charge of the rehabilitation of the Berri irrigation distribution system. I suggest to the Minister that the department stands to lose no money whatever if it complies with the requirements which are stipulated by the Government in respect of all other citizens in South Australia and which the Government itself meets. As there is an overwhelming demand for housing in the Riverland, the house in question could do nothing but appreciate.

The Hon. J. D. CORCORAN: I listened with interest to the honourable member when he stated that the Government should do as it requires other citizens in this State to do in relation to housing. He did not tell me, or the House, where we had broken the law in this case. I put it to the honourable member that in this matter there is no disregard for rules, regulations or anything else laid down by the Lands Department or in the Building Act. I do not want the honourable member to suggest that the Government is ignoring these things, it is not.

Mr. Arnold: It has.

The Hon. J. D. CORCORAN: It has not. Why did the honourable member not detail how we had broken the law? It is an unfortunate fact that evidently the foundations of the house were laid only a day after an officer of the Engineering and Water Supply Department went to the council and sought an application to place this house upon the site in question. This was not intended by the department. As a matter of policy, we always tell councils what is going to happen in relation to development on a property, even though, as the honourable member knows, this is not a requirement of the Act. There was an oversight on the part of the current resident engineer in this matter. The honourable member has explained the need for a house for the new regional engineer. My understanding is that every effort will be made to make this house (which is being transported, I think, from Murray Bridge) compatible with the surrounds in the street in question. The house will be painted, and even though the honourable member says this will not make any difference I believe it will. There has been a porch added or some alteration made to the front of the house which will upgrade its appearance. The area will be landscaped as soon as possible and a special effort made to beautify the surrounds.

The Engineer-in-Chief had discussions with the Berri District Council during a recent visit he made to the river districts, I think in connection with the State Planning Authority. He told me what steps were being taken by the department to answer the complaints made by the council. I believe those steps are adequate and I have no reason to believe that anything else, at this stage anyway, need be done. I will look at the points the honourable member raised, because I cannot remember them all at this point, and if I think anything else needs doing then I will take steps to have it done.

MODBURY HEIGHTS SCHOOL

Mrs. BYRNE: Will the Minister of Education obtain an up-to-date report on whether the Modbury Heights High School, which is currently under construction, is progressing according to schedule and will open as predicted at the commencement of the 1977 school year for first-year and second-year secondary students; whether primary school students will be accommodated there; and whether there are any proposed bus transport arrangements from feeder areas?

The Hon. D. J. HOPGOOD: I think I can give the honourable member an assurance about the opening of the high school in 1977. However, I will take up with my department the other matters raised and bring down a considered reply.

TEACHER HOUSING

Mr. BLACKER: Will the Minister of Education inquire into the procedures employed by the Teacher Housing Authority in the maintenance of teacher housing in country areas and, if possible, implement an alternative method to ensure that minor repairs and maintenance are carried out as soon as practicable? Since the advent of the Teacher

Housing Authority, responsibility for the maintenance of teachers' houses has been transfered from the Public Buildings Department to the South Australian Housing Trust. As there is no permanent full-time Housing Trust officer on Eyre Peninsula, no-one is directly responsible for this maintenance work. I ask this question because of a number of instances that have occurred. One was the case of a simple blocked drain. The Public Buildings Department was told not to touch it and, by the time the Housing Trust was able to engage a private contractor, some days had elapsed. A problem has developed, and I ask the Minister whether he will have the matter investigated in the hope that some alternative means might be used to carry out maintenance work.

The Hon. D. J. HOPGOOD: I am not unaware of the problem, because yesterday in this building I had a meeting with two representatives of the Institute of Teachers, including one person from the western region, and we discussed certain matters about housing in the western region. The number of tenancies in that region is higher than in any other region administered by the Education Department. Although the responsibility for this, under the Teacher Housing Authority, is now handled by the Housing Trust, there is an agreement whereby the Public Buildings Department can still operate where that is a more sensible means of going about the matter. I will take up the specific matter the honourable member has raised to see what can be done to clarify the situation. The authority is aware of the difficulties. Some settling-in problems have occurred, but I am reasonably confident that we will be on top of it fairly soon. An additional clerical appointment has been made to the office of the authority to enable the manager to get out into the field and look at things. The regional directors and their staffs have been alerted to the situation and have been asked to feed information back to the authority as quickly as possible. In addition, the institute, particularly in the western region, is setting up housing committees to collect from teachers details of the problems they have with housing and to bring combined submissions to the regional office and, through that, to the authority. Problems remain, but means are in train to try to solve them. I will get more specific information for the honourable member.

CROWN LAND GRAZING

Mr. GUNN: Will the Minister of Works discuss with the Minister of Lands the possibility of allowing people to graze their stock on unallocated Crown lands in the west of the State? This request has been made by a constituent who wishes to graze stock on unallocated Crown land. I have also discussed with the Minister for the Environment the possibility of allowing landholders to graze their stock on certain national parks. The constituent is aware that there would be problems in relation to the watering of stock, but I ask the Minister to consider this request.

The Hon. J. D. CORCORAN: I recall having a discussion several days ago with the Minister of Lands, in which he indicated that already the Lands Department had issued instructions that graziers who could take advantage of the offer he had made could do just what the honourable member is asking should happen. From memory, I think 55 000 square miles of unoccupied Crown land, which is in good state from the point of view of grazing, has been made available. The problem of watering is one the grazier would have to solve for himself, but I believe the move has been welcomed by the people who are able to take advantage of it. I will obtain for the honourable member details of the offer, because I think it is important that as many people as possible should know of it, so that they can take advantage of it.

Mr. Gunn: Would they contact the Minister's office or the Director of Lands?

The Hon. J. D. CORCORAN: The Minister of Lands told me this. It might be advisable, if the honourable member wants to assist his constituents, for him to speak to the Minister today to find out the area that has been allocated and to attempt to publicise that information in his area, if he has means of doing that. It may help his constituents.

CALLINGTON WATER SUPPLY

Mr. WOTTON: The Minister of Works will be well aware of the Callington and Strathalbyn district reticulated water scheme. Some time ago in this House I asked a question of the Minister and was told that a survey had been almost completed. I now find that those carrying out the survey have asked for more information. Can the Minister give any up-to-date details of the progress of the scheme? The Minister would know that Callington has received its water supply. He would know, too, that, particularly because of the drought situation, difficulties are being experienced, especially in the Hartley-Woodchester area and in parts of the Strathalbyn and Milang area. Also, recent reports have indicated that stock are dying as a result of the pollution of the Bremer River. Can the Minister give me any information on this matter?

The Hon. J. D. CORCORAN: The honourable member was good enough to mention this to me yesterday, but I have not got with me the report he requested. From my knowledge of the subject, it is true that Callington now has its water supply, and this was made possible because the Government allocated to Government departments funds for unemployment relief. I am pleased to say that Callington people will benefit as a result. The deputation that came to me some time ago with the member for Murray seemed rather suspicious that, if water was provided for Callington, a wedge would be driven between those people who were asking for water, but I can assure the honourable member that that is not the case. I do not know what stage the survey has reached or whether it has been completed, but I shall find out. However, I point out that constantly we are badgered with complaints from Opposition members about the increase in the price of water. They have their reasons for saying that, and they put forward those reasons. The honourable member must appreciate that the more uneconomic are the water supplies provided (and I think this would be in that category, but I am not saying that because of that it will not happen, because the Government has not yet adopted a policy that it will not do that) the greater is the burden the Government must carry. That is another good reason for the increased water rates. I ask the honourable member to bear that in mind when he requests of the Government that services be provided for his constituents.

Mr. Wotton: But you appreciate the need for the water.

The Hon. J. D. CORCORAN: I do, and many others are involved. The member for Alexandra, the member for Eyre, the member for Light: one could go over the length and breadth of the State, and members are clamouring for water to be reticulated to their constituents. Every

time we do that, a greater burden is placed on the system and a greater cost. I will get the information the honourable member has requested and bring down a report for him.

Mr. Chapman: It will be interesting to know where you—

The Hon. J. D. CORCORAN: The honourable member who has just interjected is clawing for a supply to American River, but he has been told that that will not be provided.

Mr. Chapman: And Mount Compass.

The Hon. J. D. CORCORAN: Yes. He knows that they are extremely uneconomic propositions, but by the same token the same people complain about increases in the price of water.

TRANSPORT FOR HANDICAPPED

Mr. LANGLEY: Will the Minister of Transport investigate the possibility of the front row of seats in buses being kept for occupation by handicapped people? The matter has been brought to my notice by a constituent who is incapacitated but who, because he can travel by bus, is able to move around Adelaide. If adopted, the suggestion would help such people to obtain seats. Travellers at most times are kind enough to relinquish their seats for handicapped people. I have been told that such a method is adopted in oversea countries, giving better means of access and exit for handicapped passengers.

The Hon. G. T. VIRGO: I will have the matter examined and bring back the information for the honourable member.

DRUG INSPECTIONS

Mr. RODDA: Will the Minister of Community Welfare obtain from the Minister of Health information on the new policy on drug inspections and on what takes place when shifts change in country hospitals? Recently, the Naracoorte Hospital (and I understand this took place at all other hospitals in the South-Eastern district) had an unannounced visit from an officer of the Public Health Department. He came when the ward was very busy and did not receive a very enthusiastic welcome. He said he came at a time when he thought he "might catch them out". The purpose of his visit, so he told them, was to inspect the drug cupboards, and he also said that there would be legislation and regulations soon that would require a check to be made by the sister handing over her shift to another sister, when all drug cupboards would have to be checked and balanced. In the Naracoorte Hospital there are six wards and six drug cupboards and it takes about 20 minutes to inspect each drug cupboard, so inspections would take two hours three times a day. The hospital board has spoken to me and said it has never had any problem in this matter, and it was not happy about the attitude of the officer. Can the Minister throw any light on the new policy and say when will it be implemented?

The Hon. R. G. PAYNE: I do not have any personal knowledge of these matters, but I will bring them to the attention of my colleague.

MONARTO COMMISSION

Dr. EASTICK: In the absence of the Minister for Planning, can the Premier say whether the Government, the Minister or the Premier has consented to any prescribed agreements pursuant to section 3 of Act 101 of 1975, which conferred additional powers on the Monarto Development Commission? The opportunity was given in that measure for the capacity of the Monarto commission to be used to assist in the Darwin reconstruction or any other project. The only project of which I am aware that has been directed to the commission has been referred to publicly as being an internal direction that might not be in the best interests of the people in the Adelaide Hills, in that the Monarto commission is being called on to consider the position of the Adelaide Hills and subdivisional development there. More specifically, has the commission been given permission to undertake any prescribed agreements for any Commonwealth or State authority?

The Hon. D. A. DUNSTAN: Yes. As an example of the commission's work, it had been publicly announced previously that it was working on the Port Adelaide business centre redevelopment. However, I will ask my colleague to provide the honourable member with a list. In fact, the Monarto commission is a little embarrassed at the moment by the amount of work it has to do. I will get a report.

EDUCATION

Mr. NANKIVELL: Can the Minister of Education say whether the statements in the paper which relate to autonomy for schools and which have been attributed to the Director-General of Education are in fact a statement of Government policy, and would the Minister be prepared to say how far it is expected that this policy will provide autonomy? Will it go as far as to include the area of employment or otherwise of teachers?

The Hon. D. J. HOPGOOD: It is not intended that the so-called autonomy should extend to the employment of teachers. I do not want to speak at length on this but, for example, the department has problems in some areas in retaining senior staff in schools, and I am quite sure that such a move would only exacerbate that problem. So we are not talking about autonomy in the sense of that which, say, a college of advanced education has; we are talking in the short term about greater control over its budget being given to the school, and we would like to get started on this soon, possibly in the coming financial year.

Mr. Nankivell: Buildings, equipment and everything?

The Hon. D. J. HOPGOOD: Equipment basically. The statements that have been released by Mr. Jones were, of course, released with my knowledge and approval. They indicate the short-term future of the scheme; the long-term future of the scheme is not known. We will examine the situation as it evolves. It is not Government policy to push the situation as far as the example, theoretical though it may have been, mentioned by the honourable member. We will continue to review the situation as it develops.

WILLUNGA HILL ROAD

Mr. CHAPMAN: Can the Minister of Transport inform the House when the main south freeway in the Willunga Hill and Mount Compass area will be open for traffic?

The Hon. G. T. VIRGO: I presume the honourable member is referring to the new Willunga Hill road.

Mr. Chapman: Yes.

The Hon. G. T. VIRGO: I have not a specific date that I can give him at this stage, but I was discussing this matter

with the Commissioner of Highways recently, and he promised to look at it. He expressed the view that he expected the road would be open to traffic fairly soon, but he could not give me a specific date. I will pursue this matter a little further and, as soon as I learn something definite, I will let the honourable member know.

TAILEM BEND TO PINNAROO LINE

Mr. NANKIVELL: My question is directed to the Minister of Transport. As the South Australian Railways are still under his control, as I understand it, could he obtain a report on what is proposed for the upgrading of the Tailem Bend to Pinnaroo line? Is it proposed to upgrade it to a standard equal to the main south line so that it would be suitable for carrying interstate traffic as an alternative route?

The Hon. G. T. VIRGO: If we delete the preamble (because I am not sure about that), under the transfer agreement the South Australian Railways must comply with directions given by the Australian National Railways Commission; therefore, I have no authority in this matter. Indeed, several directions have been given. Notwithstanding that, I am sure I can get the information that the honourable member seeks.

TROUBRIDGE

Mr. CHAPMAN: Can the Minister of Transport say when it is expected that the transport report will be released from his department in relation to the proposed new replacement of the *Troubridge*, and when it will be available? I understand that considerable work has been done by officers of the Minister's department in preparing a plan for the replacement of the m.v. *Troubridge*. I know that my constituents and I would appreciate an indication of when that report from the department will be made available.

The Hon. G. T. VIRGO: I shall have to get the information for the honourable member; I do not have it today. To the best of my knowledge, the investigations have been extensive, and I think the honourable member himself has been involved, in part, in some of them; in fact, I think he went to Darwin and looked at the operations of, I think, the *Darwin Trader*. However, I will get the information for him. He has a keen interest in the transport position on Kangaroo Island, and I am sure he benefited from his trip.

The Hon. J. D. Corcoran: Did he have a good knowledge of what he saw?

The Hon. G. T. VIRGO: They showed him all about it, and I am sure be benefited as a result.

PINE TREES

Mr. VANDEPEER: Will the Minister representing the Minister of Agriculture ask his colleague to investigate the policy of the Woods and Forests Department and of the private companies in planting pine trees very close to town areas and recreation and reserve areas? Considerable concern has been expressed in the pine forest areas about the proximity of forests to town areas. I mention one reserve area, Donovan's landing, where it seems that pines will be planted close to the road, leaving only a narrow strip of road between the pines and the river. This will have a very shut-in effect on the Donovan's landing area, whereas people there would like more land left as a reserve area alongside the landing.

The Hon. J. D. CORCORAN: I shall be pleased to ask the Woods and Forests Department to investigate the points raised by the honourable member. From my experience, I recognise the need to take some care in this regard, although I know of some reserves used by people who know that they are cosy and comfortable because pines are planted close to them. I will have the matter investigated by the Minister of Agriculture, and furnish the honourable member with a report as soon as possible, although I do not know whether it will be possible for us to do anything to control private interests.

At 3.10 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

PERSONAL EXPLANATIONS: INDUSTRIAL DISPUTES

Mr. DEAN BROWN (Davenport): I seek leave to make a personal explanation.

Leave granted.

Mr. DEAN BROWN: When replying to my question today, the Deputy Premier accused me of representing people who had not had the courtesy to ensure that the Government had been approached about the problem I raised. Since asking my question, I have spoken to the persons who brought the problem to my attention. A letter was hand delivered to the Premier's Department, addressed to the Premier, on Thursday, July 29. That letter was from the Chamber of Commerce and Industry on behalf of several companies whose representatives went to the chamber because they were scared of victimisation by the union involved. Obviously, the persons had the courtesy to go to the Government.

The SPEAKER: Order! The honourable member is now beginning to debate the matter: he asked leave to make a personal explanation, and must not engage in debate.

Mr. DEAN BROWN: Thank you, Mr. Speaker. I am pointing out that the persons had the courtesy to ensure that representation was made to the Premier's Department, so that the accusation made against me in the Chamber was incorrect. The Premier has neglected his responsibilities, and the Deputy Premier has made an absolute fool of himself once again.

The Hon. J. D. CORCORAN (Deputy Premier): I seek leave to make a personal explanation.

Leave granted.

The Hon. J. D. CORCORAN: In his usual form, and with half-truths, the honourable member has misconstrued the subject again. What I said to him was clear. He can refer to *Hansard* and see for himself that what I said was that I was unaware of any approach that had been made to the Government: that is totally different from my saying that no approach had been made to the Government.

WEST TERRACE CEMETERY BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to vest certain land known as the West Terrace Cemetery in a certain body corporate; to make provision for the present management and the future development of that land and for other purposes. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

It provides the legislative framework for the carrying out of a comprehensive redevelopment scheme in the general area of the West Terrace Cemetery. In summary, the scheme will provide for the redevelopment of the area as part of the park lands of the city of Adelaide but in such a manner as to ensure that its former use as a cemetery is taken into account.

Clauses 1 and 2 are formal. Clause 3 sets out the definitions used in the Act, and I draw members' particular attention to the definition of "the cemetery". Clause 4 formally vests the land comprised in the cemetery in the corporation known as the "Minister of Works". Clause 5 ensures that responsibilities for the development of the area will lie with the Minister rather than with the Corporation of the City of Adelaide, which bears general responsibility for the control and maintenance of the city's park lands.

Clause 6 is formal. Clause 7 gives the Minister power to manage the cemetery as a place for the interment of the dead and is intended to cover the period while part, at least, of the cemetery is still in use. In addition, this clause is intended to ensure that the reservation of areas for the burial of persons of certain religious persuasions is still given effect to. Clause 8 provides for the progressive closing of portions of the cemetery. Clause 9 enables the Minister to develop the closed portions in the manner provided for in this clause; that is, as a park or recreation area. In the exercise of this power the Minister is obliged to preserve buildings, headstones and monuments of historical or religious significance.

Clause 10 arises from a request by the Hebrew congregation and will ensure the graves in the "Jewish" portion of the cemetery are left undisturbed. Clause 11 specifically preserves rights to burial plots that have already been granted in the cemetery for the balance of the term for which they were granted. Clause 12 provides for the cessation effect of certain regulations, of doubtful validity, on the coming into operation of this Act; suitable new regulations will be made under clause 13. Clause 13 provides for an appropriate regulation-making power.

Mr. RODDA secured the adjournment of the debate.

METROPOLITAN ADELAIDE ROAD WIDENING PLAN ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Metropolitan Adelaide Road Widening Plan Act, 1972. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

It arises from an examination of the operation of the principal Act, the Metropolitan Adelaide Road Widening Plan Act, since its enactment in 1972. Since the amendments are somewhat disparate, they can perhaps be dealt with in an examination of the clauses.

Clauses 1 and 2 are formal. Clause 3 substitutes for the present definition a new definition of "building work" that follows generally the definition of "building work" in the Building Act. However, in this definition provision is made to extend the kind of work that may be encompassed by the definition of "building work", such as major earthworks. Applicants for approval of the Commissioner of Highways under the principal Act will, in general terms, no longer have to consider the two different definitions of "building work". In the ordinary course of events, building work which requires approval under the Building Act, will also, in appropriate cases, require approval under this Act. Provision is made to exempt such building work of a minor nature.

Clause 4 amends section 4 of the principal Act by clarifying the situation in relation to which the principal Act applies; that is, land on which no building work may be carried out without the approval of the Commissioner. Clause 5, which amends section 6 of the principal Act, removes the distinction between new building work and repairs and alterations, a distinction that is often very difficult, in practice, to draw.

Clause 6 amends section 7 of the principal Act to make clear that the loss of compensation for building work carried out without the consent of the Commissioner will occur notwithstanding the later means of acquisition by the Commissioner, so long as the land is acquired for road widening purposes. Clause 7 is consequential on clause 6.

It cannot be too strongly emphasised that it is not the Government's intention to prevent all "building work" being carried out on land to which this Act applies. Rather, it is to ensure that, in the context of the Government's long-term and short-term road widening programmes, works are not performed near roads intended to be widened that will cause hardship and inconvenience to landowners, should their removal be required.

Mr. RUSSACK secured the adjournment of the debate.

SOUTH AUSTRALIAN GRANTS COMMISSION BILL

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to establish a South Australian Grants Commission, to provide for the exercise and performance by it of its powers and functions, and for other purposes. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

Its purpose is to establish a South Australian Grants Commission to recommend to the Minister grants to local government authorities, these grants to be payable out of moneys to be provided by the Commonwealth under arrangements recently announced. Clauses 1 to 3 are formal. Clause 4 sets out the definitions necessary for the purposes of the measure, and I draw members' particular attention to the extended definition of "council".

Clause 5 establishes an account in the Treasury to be known as the South Australian Grants Commission Account. This account will be the repository of moneys paid by the Commonwealth, and from this account will be paid

the grants. Clause 6 provides for an annual declaration by the Minister of the total sums that will be available for all grants, the total that will be available for per capita grants, and the total that will be available for special grants.

Clause 7 provides for the payment to relevant councils of per capita grants in accordance with the formula set out in that clause. Clause 8 authorises the payment of special grants. Clause 9 establishes the South Australian Grants Commission, which will be constituted of three persons appointed by the Governor, one of whom shall be appointed after consultation with the Local Government Association of South Australia. Clause 10 provides for, amongst other things, the term of office of a member and the removal from office of a member. Clause 11 is a provision in the usual form for the appointment of deputies.

Clause 12 provides for remuneration of members. Clause 13 provides for a quorum. Clause 14 is formal. Clause 15 provides for the necessary officers to service the commission. Clause 16 provides for the function of the commission, and members' attention is particularly directed to this clause. Clause 17 enables the commission to hold inquiries and, in effect, arms the commission with the powers of a Royal Commission.

Clause 18 refers back to the declaration under clause 6 and directs the commission:

(*a*) to ensure that all available moneys are distributed by way of special grants; and

(*b*) that the basis of the distribution of special grants will be by way of "equalisation", as to which see paragraph (*b*) of proposed subclause (2) of this clause.

Subclause (3) will enable the commission to take into account any special needs or disabilities of a proposed recipient council. Subclause (4) enables grants in differing amounts to be made, and also entitles the commission not to recommend a grant if in all the circumstances it feels this is an appropriate course. Clause 19 provides for the Minister to approve the recommendations of the commission, or to refer those recommendations back to the commission with a request for reconsideration. However, on resubmission for the recommendations by the commission, the Minister is bound to approve them. Upon approval the grants are automatically paid by the Treasurer.

Clause 20 provides for the submission by councils of such information as to their affairs as the commission may require. It should be noted that a council that fails to make the required submission may be in danger of losing its grant for that year. Clause 21 empowers the commission to report to the Minister on any matter relating to the financial aspects of councils that is referred to it by the Minister. Clause 22 provides for annual reports, to be tabled in Parliament, by the commission to the Minister. Clause 23 is a regulation-making power in the usual form.

Dr. TONKIN secured the adjournment of the debate.

LIBRARIES AND INSTITUTES ACT AMENDMENT BILL

The Hon. D. J. HOPGOOD (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Libraries and Institutes Act, 1939-1975. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This short Bill, which amends the principal Act, the Libraries and Institutes Act, 1939, as amended, is intended to give full effect to an arrangement between the Government and the Council of the Institutes Association of South Australia Incorporated. The substance of the arrangement was that as from July 1 of this year the staff required by the council would be employed under the Public Service Act. However, the principal Act and section 59 provides for a secretary to the council, and further provides that the Public Service Act shall not apply to a person occupying the office of secretary.

Clause 1 is formal. Clause 2 provides for the Act presaged by this Bill to be deemed to have come into operation on July 1, 1975, this being the date from which the arrangement took effect. Clause 3 repeals and substantially re-enacts section 59 of the principal Act. In its new form it provides for all officers and servants of the council to be appointed under the Public Service Act.

Mr. NANKIVELL secured the adjournment of the debate.

LIBRARIES (SUBSIDIES) ACT AMENDMENT BILL

The Hon. D. J. HOPGOOD (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Libraries (Subsidies) Act, 1955-1958. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This short Bill to amend the Libraries (Subsidies) Act, 1955-1958, is intended to enable subsidies to be paid under that Act towards the cost of establishing and administering libraries for school and community use. The Local Government Act has recently been amended to empower councils to contribute towards these costs. This measure will enable the Government to match the contribution made by local government. It is proposed that these libraries will be managed by bodies representative of the councils and schools involved.

Clause 1 is formal. Clause 2 amends section 2 of the principal Act. The restrictive provisions of this section (which limit the payment of subsidies to cases where the library premises are owned or leased by the council or the approved body) are removed. Thus, the way is opened for the payment of sudsidies in the case of co-operative ventures of the kind outlined above.

Mr. NANKIVELL secured the adjournment of the debate.

STATUTES AMENDMENT (CAPITAL PUNISHMENT ABOLITION) BILL

The Hon. PETER DUNCAN (Attorney-General) obtained leave and introduced a Bill for an Act to abolish capital punishment in South Australia and in connection therewith to amend the Criminal Law Consolidation Act, 1935-1975, the Juries Act, 1927-1976, the Justices Act, 1921-1975, the Local and District Criminal Courts Act,

1926-1975, the Poor Persons Legal Assistance Act, 1925-1972, and the Prisons Act, 1936-1975, and for other purposes. Read a first time.

The Hon. PETER DUNCAN: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This Bill seeks to abolish capital punishment in South Australia. It is in substantially the same terms as that which failed to pass this Parliament in 1971. Dr. Max Charlesworth has said that:

The debate over capital punishment has aroused the most violent passions on both sides. Many who advocate the abolition of capital punishment look on their opponents as vengeful sadists demanding a life for a life, while those who favour the retention of punishment by death tend to view the abolitionists as irresponsible sentimentalists who have no concern for justice or for the peace and order of society. Neither side is willing to admit that the other has a rational case based on principle: the abolitionist just cannot see how any intelligent and honest man who realises the value of human life could possibly favour capital punishment, and equally the retentionist cannot see how anyone with any sense of justice at all could deny that the gravest crime, murder, should be punished by the ultimate sanction, death. And so the debate drags on—

There is no doubt that the death penalty arouses the passions and emotions of most members of our society and it is not without justification that most, if not all, people have a committed view one way or the other. In fact it may be said that it is the one remaining issue on which even the most phlegmatic citizen has a committed view. Accordingly, this Bill deserves and requires careful consideration by this Parliament.

As a member of the Australian Labor Party, as Attorney-General, and, perhaps most importantly, as a member of society, I favour the abolition of the death penalty without reservation. I recognise however that there are members of society and of this House who have equally strong views in favour of its retention. I recognise also that is quite possible for retentionists to be both intelligent and honest, and I respect their right to hold their views. I consider only that their views are wrong. I would be unrealistic if I thought anything I might say today would make retentionists realise that they are wrong in the views they hold. I shall be content if I can demonstrate to them that they may be wrong. "Capital Punishment" is defined by Koestler and Rolph as:

dislocationg a man's neck by tying a six-foot rope around it and suddenly dropping him through a trap-door with his arms and legs tied. If his neck happened not to break—it is certain at least to dislocate—then he would strangle, which takes longer and turns his face dark blue. In either case he often defecates, since people usually want to do this when they are frightened, and the huge shock to his nervous system when the rope tightens removes the last vestige of self-control, together with the social need for it.

It will be said that I have chosen this definition to suit my own purposes, and there is, of course, some truth to such a claim. There can be no dispute, however, that such a definition is factually accurate. Such a definition affords me good opportunity to inform the House of my overriding reason, and perhaps the only reason an abolitionist need have, for wishing to see capital punishment abolished in this State. In a civilised society such as ours capital punishment offends against (or at least is not consistent with) human dignity. As much as I abhor murder, I have greater abhorrence for the taking of life by the State, as the State is not subject to the pressures under which human beings live their daily lives and does not have the human frailties and imperfections that exist in all of us.

The debate over capital punishment is fraught with confusion, inconsistency, and what purports to be scientific evidence. The confusion exists because of the inability or the refusal of both sides to answer the basic question, "Are there any circumstances, or could there be any circumstances, where society (represented by the State) is justified in taking the life of one of its citizens?" This of course is a moral question and can and should be answered without rcourse to what may be called the pragmatic or scientific arguments that are faithfully and endlessly trotted out whenever this issue is debated. The usefulness and effectiveness of the death penalty are quite irrelevant to the basic question, and this confusion will not be dissipated unless the fundamental moral arguments are debated clearly and unequivocally.

The chief fundamental arguments for and against capital punishment have remained unaltered since the debate began more than 200 years ago. In 1764, which is said to be the beginning of the debate, Cesare Beccaria said:

The punishment of death is pernicious to society, from the example of barbarity it affords. If the passions have taught men to shed the blood of their fellow creatures, the laws, which are intended to moderate the ferocity of mankind, should not increase it by examples of barbarity, made more horrible by the formal pageantry of execution. Is it not absurd that the laws which detest and punish homicide, should, in order to prevent murder, publicly commit murder themselves?

This view, although expressed in a variety of ways in the past two centuries, remains today as the reason for the abolition of the death penalty and, as I have said, can and perhaps should be properly advanced by abolitionists without reference to the more pragmatic arguments which are habitually adverted to.

The fundamental moral argument which is advanced by those who favour the retention of capital punishment is based on a principle of strict justice, which requires "retribution for wrongdoing by some proportionate punishment". In its strongest form this principle is expressed by the phrase "an eye for an eye"—the *lex talionis* of Moses. Before examining the moral arguments of both sides in more detail, it is useful to consider evidence given to the United Kingdom Royal Commission on Capital Punishment by Professor Thorsten Sellin. Professor Sellin concluded:

The question of whether the death penalty is to be dropped, retained or instituted is not dependent on the evidence as to its utilitarian effects, but on the strength of popular beliefs and sentiments not easily influenced by such evidence. These beliefs and sentiments have their roots in a people's culture. They are conditioned by a multitude of factors, such as the character of social institutions, social, economic and political ideas, etc. If at any given time such beliefs and sentiments become so oriented that they favour the abolition of the death penalty, (scientific) facts will be acceptable as evidence, but are likely to be as quickly ignored if social changes provoke resurgence of the old sentiments. When a people no longer likes the death penalty for murderers it will be removed no matter what may happen to the homicide rate.

I agree with Professor Sellin, and argue that our social institutions and our sociological and moral principles are such that capital punishment so fundamentally offends against them that its retention cannot be tolerated. It is argued that justice demands that he who takes life must have his life taken from him as this is the only just

retribution for murder. If such an argument is valid then our concepts of justice and morality have changed dramatically in the past 200 years. We no longer permit torture. We have abolished corporal punishment. We would regard the burning of an arsonist's house as immoral. Legalised castration of rapists is abhorent to us, and we do not consider that justice demands that the mother who drowns her child should be immersed in water until she dies. Furthermore we have gone to great pains in the past to substitute other sentences for the death penalty and have considered ways to make executions as quick and painless as possible. We have also been most anxious to hide executions from public view and to give them as little official publicity as possible, thus defeating, or at least diminishing, one of the main arguments of those who favour the death penalty, that it is a general deterrent to murder.

The fundamental moral case against capital punishment has found expression in a number of ways. Mr. Galbally of the Victorian Legislative Council has called it an "obscene futility". Albert Camus, the French novelist and dramatist, has said that:

> The death penalty is to the body politic what cancer is to the individual body, with perhaps the single difference that no-one has ever spoken of the necessity of cancer . . . Retaliation belongs to the order of nature, of instinct, not to the order of law. The law by definition cannot abide by the same rules as nature . . . Neither in the hearts of men nor in the manners of society will there be a lasting peace until we outlaw death.

Sir Eugene Gorman has said that many thinking members of the community:

> regard the official neck-breaking as intolerable to the imagination and discreditable to the State, and for this they must not be branded as mere sentimentalists . . . Few men have ever witnessed an execution without becoming instantaneous converts to the abolition of the death penalty. The supreme act of justice nauseates the citizen it is supposed to protect. The official murder, so far from offering a redress for the offence committed against society, adds instead a second defilement to the first.

I do not suggest that there have not been equally authoratative statements favouring the retention of capital punishment. I do consider however that the arguments for retention are unpersuasive. The argument that the death penalty is the only just punishment for murder relies on the principle that such a person must be visited with a punishment that is proportionate to his crime. "Proportionate punishment" does not mean punishment exactly resembling the crime. We would all agree I hope that this would be both unjust and immoral. It is my view that life imprisonment is a proportionate punishment for murder, and that the death penalty is a disproportionate punishment. Life imprisonment is consistent with human and social dignity and allows for a flexibility that is essential having regard to the present state of the law of murder. The English Royal Commission stated as the first of its summary of conclusions and recommendations that:

> The outstanding defect of the law of murder is that it provides a single punishment for a crime widely varying in culpability.

This is no less true today than it was in 1953. Our law and social attitudes on the felony-murder rule; the resisting lawful arrest rule; and the rules relating to the defence of insanity, abortion, euthanasia, provocation, self defence, duress, necessity, etc., are such that justice can only be achieved if these is a flexible punishment for murder. It has been said that the existence of the death penalty renders criminal justice uncertain and falsifies criminal proceedings that take on the character of a sinister tragi-comedy. The existence of capital punishment can have the effect of bringing the criminal justice system into disrepute as juries will not convict of murder accused persons with whom they have some sympathy. Furthermore, many jurors fear the death penalty, as was evidenced in Victoria when seven jurors who tried Ronald Ryan stated publicly that they would have brought in a different verdict if they had realised that Ryan might be hanged. An eye for an eye was, in its time, a great advance in human morality because it replaced a code that allowed acts of physical and mental torture and degradation. In the 1948 debate in England the Archbishop of Canterbury said:

> It is well to remember that in its origin it was a restraint upon vengeance. It does not require that equivalent punishment but it says that no punishment should go beyond that limit: no more than one eye for one eye, and no more than one tooth for one tooth.

Notwithstanding these comments of the Archbishop of Canterbury, and notwithstanding the fact that it is a text that has expressly been condemned in the New Testament, the principle of an eye for an eye settles the argument for many people and, although I respect their right to hold such a view, it is not in my opinion a text upon which our social morality should be based.

The case for the retention of capital punishment is often put in the form that society owes it to the victim that his murderer be put to death. The question is asked of the abolitionist why he directs his sympathy to the murderer instead of his victim. It is contemptible to suggest that those who wish to abolish capital punishment do not have as much sympathy with victims of crime than those who wish to retain the death penalty. I have great sympathy for victims of murder and their families, as I do for victims of all crime. I have no sympathy for murderers and none for persons who suggest that I have. Torture was not abolished out of sympathy for felons, and nowhere has capital punishment been abolished for this reason. The case for the abolition of the death penalty rests on the principle that a civilised society offends against the dignity of man, the sanctity of life, and its own self-respect when it kills one of its citizens.

As I have said, great confusion exists in the debate on capital punishment because the moral issues have not been debated in isolation from the pragmatic arguments. The pragmatic arguments are used by both sides to bolster their respective cases, perhaps because it is thought that scientific argument is more respectable than arguments based on morality and emotion. My comments so far have been confined to the moral questions involved, and I now mention the pragmatic arguments solely on the ground that there may be some people who will be persuaded against capital punishment if they can be satisfied that the death penalty has no significant deterrent effect over and above alternative sentences.

The main argument relied on by both sides relates to capital punishment as a deterrent. The retentionist argues that the death penalty is necessary because it effectively deters people from committing murder. Abolitionists argue that the deterrent effect of the death penalty is, to say the least, not demonstrated: the abolition or reintroduction of the use of the death penalty has no immediate effect on the murder rate, and that if there are any desirable consequences of the death penalty, these can be achieved equally by some other punishment.

It would be impossible and futile to examine all the material written and all the research that has been undertaken on the deterrent effect of capital punishment. Some such research has purported to find that the death penalty is a deterrent to murder, and some such research has purported to conclude that the existence of capital punishment may even act as an incitement to murder. Scientific

evidence seems to be available to support any view that one might wish to adopt on capital punishment. It would, however, be fair to say that the preponderance of evidence supports the conclusion of the British Royal Commission to the effect that:

There is no clear evidence in any of the figures we have examined that the abolition of capital punishment has led to an increase in the homicide rate or that its reintroduction led to a fall.

It will be argued, of course, that it is only those who wish to abolish capital punishment who undertake such research, but in reply it can be said that it is inconceivable that all such studies are either wrong or biased. I adopt the view of the Joint Committee of the Senate and the House of Commons on capital punishment that said in its report of 1956 that capital punishment is not an effective deterrent; it has no unique deterrent effect that would not become accomplished by imprisonment; a considerable proportion of murders are committed in circumstances of sudden passion where consequence is not a deterrent; on the other hand, persons who deliberately plan to avoid detection are not influenced by the death penalty; and the only person likely to be deterred is the normal law-abiding citizen who will not commit murder anyway.

The prospect of life imprisonment is as good a deterrent to the potential murderer in those rare cases in which he actually takes into account the consequences of his action. Other pragmatic arguments advanced by those who wish to see the death penalty abolished are in danger of executing an innocent person; that the death penalty brands the family of the person executed; that persons have been led to commit murder for the purpose of being executed; that the murderer sentenced to life imprisonment is not a danger to the prison community nor to society when he is released; that the administration of justice in capital cases is too dependent upon skills of counsel, the composition of juries, the court, and the emotional climate of the community; that the death penalty exerts a disruptive influence on the administration of justice; and that the death penalty cannot be administered with equality, as no man with money or influence is ever hanged. For each of these arguments there seems to be a corresponding argument in favour of the death penalty.

The arguments I have outlined are, however, compelling ones. It may be said in this House and elsewhere that we might as well keep the death penalty in the Criminal Law Consolidation Act so that it is there if we ever need it. Such a view both begs the question and is an abrogation of our responsibility in this matter. It begs the question, because the question is—are there, or could there ever be, circumstances where the death penalty should be used?

Depending on the answer to this question, we either retain capital punishment and execute murderers or we abolish it altogether. Furthermore, society condones the death penalty by its retention in our law. It is an abdication of responsibility since members of this Parliament, as the State's legislators, have the moral responsibility for sending a man to his death. The official buck-passing from the jury, judge, Cabinet, Governor, and hangman must stop at this Parliament.

The provisions of the Bill are as follows: Clause 1 is formal. Part II amends the Criminal Law Consolidation Act as follows: clause 2 is formal. Clause 3 amends the arrangement of the Act. Clause 4 inserts a new section in the Act, providing for the abolition of capital punishment. Subsection (1) provides that a sentence of death cannot be imposed or carried into execution after the commencement of this new Act. Subsection (2) provides that a court shall sentence a person to life imprisonment where any Act or law may still require the imposition of the death penalty. Subsections (3) and (4) deal with the case of a person who, at the commencement of this new Act, is under sentence of death or has had such a sentence commuted to life imprisonment. In these cases the sentence of death is deemed to be a sentence of life imprisonment imposed by a court of competent jurisdiction.

Clause 5 inserts a new section providing for the imprisonment for life of any person convicted of treason. Under the law as it now stands, treason at common law is punishable only by death. Clauses 6 and 7 substitute a mandatory sentence of life imprisonment for the death penalty in relation to murder, and to attempted murder during the course of piracy. Clauses 8 to 14 inclusive effect consequential amendments. The sections and schedules dealing with the execution of a sentence of death are repealed.

Part III amends the Juries Act as follows: clause 15 is formal. Clause 16 removes from the Act all references to capital offences. Clause 17 repeals a now redundant section relating to women under sentence of death.

Part IV amends the Justices Act as follows: clause 18 is formal. Clauses 19 and 20 delete references to capital offences.

Part V amends the Local and District Criminal Courts Act as follows: clause 21 is formal. Clause 22 deletes a reference to capital offences.

Part VI amends the Poor Persons Legal Assistance Act as follows: clause 23 is formal. Clause 24 deletes a reference to the death penalty.

Part VII amends the Prisons Act as follows: clause 25 is formal. Clause 26 repeals a now redundant saving provision relating to the execution of death sentences.

Mr. BOUNDY secured the adjournment of the debate.

DEFECTIVE PREMISES BILL

The Hon. PETER DUNCAN (Attorney-General) obtained leave and introduced a Bill for an Act to impose statutory warranties in respect of contracts for the construction or sale of new houses; and for other purposes. Read a first time.

The Hon. PETER DUNCAN: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This short Bill is designed to fill a gap in the present law relating to contracts for the construction and sale of new houses. At common law, when a person engages a builder to build a house, several warranties are implied in the contract: first, that the builder will perform his work in a proper and workmanlike manner; secondly, that he will use proper materials in the construction of the house; and thirdly, that the house, when finished, will be reasonably fit for human habitation. However, an unscrupulous builder can, under the law as it exists at present, avoid liability for breaches of these warranties by including an exclusionary clause in the contract.

The purchaser of a new house is in a weaker position. The doctrine of *caveat emptor* applies to the contract.

This means that the vendor is under no general obligation to disclose latent defects in the premises, even though he may be well aware of their existence. Consequently, the purchaser who buys a house from a speculative builder is frequently in a hopeless position if structural defects in the house are subsequently identified.

The present Bill seeks to overcome these weaknesses in the existing law. First, it provides that in a contract for construction of a new house statutory warranties are to be implied. These warranties, which are set out in the Bill, are exactly the same as those that are presently implied by common law in a contract for the erection of a new house. However, the material distinction between the Bill and the present law is that the warranties implied under the Bill cannot be excluded by agreement or waiver of the parties. Thus, an unscrupulous builder is prevented from avoiding obligations which the law has come to regard as fair and reasonable. The Bill also protects the consumer who buys from a person in the speculative house-building business. It provides that the same warranties as to the structural adequacy of the building and its fitness for human habitation will be implied in any such contract.

Thus, where a purchaser buys an already completed house, he will have the same rights against the vendor as he would have had if he had personally engaged the builder to build the house for him. The third important aspect of the Bill is that it provides that the rights to recover damages for breach of a statutory warranty can be exercised by any person who purchases the house within five years after the date on which it was first occupied as a place of residence. Under the law as it stands at the moment, rights to claim for breach of a warranty would not extend beyond the original contracting parties. However, it is obviously desirable that the rights to sue for breach of these important warranties should not be extinguished in an arbitrary manner, but should exist in favour of any person who purchases the house within a reasonable period after the date on which it was first occupied.

Of course, a builder or vendor would, at the expiration of six years from the date on which the cause of action arose, be protected by the Limitation of Actions Act, which generally bars actions based on contract at the expiration of six years from that date. A further important provision of the Bill deals with the case where the structural defect in the house arose from the fact that the builder was relying upon professional advice. The Bill provides that in such a case the defendant can seek to have the adviser joined as a party to the action, and where the court is of the opinion that the structural defects arose from reliance on his advice, the damages recoverable for breach of the warranty can be awarded wholly or in part against the professional adviser.

Clauses 1 and 2 are formal. Clause 3 sets out definitions necessary for the purposes of the new Act. Clause 4 contains the statutory warranties to which I have referred above. It provides that those warranties endure for the benefit of persons who purchase the house within five years after the date on which it was first occupied. It provides that where the structural deficiences of the house result from reliance upon professional advice, the professional adviser can be joined as a party to the proceedings. It provides that it is not competent for the parties to a contract to waive liability for breach of a statutory warranty. Finally, it provides that the new Act will apply only to contracts executed after its commencement.

Mr. BOUNDY secured the adjournment of the debate.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from August 4. Page 445.)

Mr. VANDEPEER (Millicent): When this debate was adjourned last evening, I was speaking about the legislation that the Government intends to introduce regarding the maltreatment of children. I cannot help but ask whether the Government is considering providing assistance for the maltreatment of baby politicians, after the receipt of the boundaries adjustment report last evening. However, in more serious vein, as I said yesterday, I do not consider that the punishment for offenders in regard to maltreatment of children will serve any purpose, when these crimes are committed under severe psychological stress.

A few days ago I heard of a young mother who had a crying baby that she could not control and who, in desperation, dialled a telephone number, was answered, and told her story in a rather distraught voice. The telephonist contacted someone who knew how to treat the baby, and told the mother to lay the child on the floor and gently massage its back. The mother did this, the baby gave the normal "burp", and the trouble was cured.

Perhaps the Government, instead of introducing legislation regarding the punishment of offenders against children, should consider giving more assistance to the offenders, and a system similar to Lifeline, operating in many areas, could be of benefit. The legislation will be most interesting, and I am sure that it will give rise to much debate.

I refer to the Government's intended policy on maternity and paternity leave. The Government says that it is having difficulty with its economy and the finances of the State, but it intends to help mothers-to-be and fathers-to-be who are in the work force. I should like to know what the Government intends to do for all the other mothers who stay at home looking after, say, up to three children, until the new baby is born. I think the Government could be treading on dangerous ground with its intended legislation, in that young mothers who were working would be receiving assistance, whilst other mothers, part of the true family of our society, were at home, looking after a family but not receiving the same assistance.

I am disappointed that the Minister of Education is not in the House to hear me criticise education. I think that he has stated that there has been a shortage of funds for technical education, and I agree with his statement. In that area, and in the area of education of difficult children (not only those with specific learning difficulties, but also those who do not wish to remain at school or who wish to leave as soon as they reach the school-leaving age) we do not seem to be able to motivate those children, or to admit that they require education or that education can assist them.

For these children the ratio of teachers to students increases at a high rate and, if we are to have a breakthrough in this difficult aspect of education, we will need considerable funds for salaries for teachers, and we will require many new teachers in future. I refer to this matter, because anyone who suggests that at present we have an over-supply of teaching staff should remember that in future we must move into this difficult aspect of teaching. It will require many staff members, and any Government would be unwise to consider reducing the training and number of student teachers, if we are to make total progress in education. As I have said, children who are difficult to educate and who come from areas where the

standard of living is below average, require additional education. Those children need to be shown that they can get out of the rut by helping themselves. Education plays a big role in enabling these people to reach a level above the average income or average living standard level. Children with specific learning difficulties are not receiving the assistance they should receive, so I appeal to the Government to consider this area and to allocate additional funds to help these needy children.

A few days ago the Minister of Education said (although I am not sure of his exact words) that the Education Department had as its main objective book learning, and that sport, although necessary, was not considered to be of prime importance by the department. Sport has always been part of our society, with participation the main object. Much reference has been made recently to winning sporting events and gaining gold or silver medals at Olympic Games. Although it would be good to win medals and it is essential to have good, strong, competition, participation in sport is the main thing.

If we are to encourage our youth and children to take part in sport, this should happen in the school. Children learn at a young age and, even before they attend school, they can kick a football or play different event types of games. Some learn these games in kindergarten. As sport is an integral part of our education system, I should not like to see it lose its position in that system or in society.

It could be in the Government's mind to take sporting activities in the schools out of the control of the Education Department and place them completely in the hands of the Tourism, Recreation and Sport Department. I would have grave doubts about such action and where the line should be drawn regarding which department would organise sport and how much sport there should be at school. The Tourism, Recreation and Sport Department is doing an extremely good job. In my own district, a keen, able fellow is in charge of the department's activities, but he lacks finance and the resources to cover my entire district. Unfortunately, only a small section of the district around the Millicent township enjoys the results of his work. If sport were separated from the Education Department much work would be thrown on to people such as this man, and a large bureaucractic section could be created; we have enough of those already. Sport is part of education, so the teaching staff of schools should be involved. After all, they teach children book learning, so it is also essential that they participate in teaching sport.

The topical subject in sport is our Olympic team and its so-called failure at the Montreal Olympics. I do not really believe the team has failed; it has performed wonderfully well on the assistance received. Several Australian competitors almost won and, with a little more luck (which is absolutely essential in sport), would have come home with gold medals and the story would have been different. Australian competitors have been wonderful ambassadors for this country and I congratulate them for their efforts. However, our athletes need more assistance. More athletic fields, swimming pools and sporting grounds should be provided.

It is somewhat of an enigma in swimming that pools, conforming to Olympic measurements and built indoors, are different from the modern type of pool that is being built in Australia. We have a modern pool in the north park lands and another at Millicent. The modern trend in pools does not provide facilities that lend themselves to training swimmers to compete in competitive swimming. The community accepts modern pools for the good of the community, so our resources are going into them at the expense of Olympic-standard pools. In the South-East I do not believe that we have a swimming pool in which swimmers could be trained for international or interstate competition. It seems that society wants us to change from one type of sporting complex to a type of complex in which we can train our swimmers. That is the conflict.

The Education Department is still using buses that are, in some cases, more than 30 years old to transport children to and from school. If the buses are kept in good condition and repair, I do not think their age is really relevant. However, a considerable sum of money could be spent in relation to school transport. One might ask where this money was to come from. I would smartly say that it should come from the $20 000 000 allocated for the new buses for the metropolitan area and the air-conditioned units that are going with them. It would be no trouble at all to find this money, because that is one area from which it could be taken immediately, in order to provide the Education Department with a better quality bus.

This problem has come to my mind because only about a fortnight ago I passed one of our school buses that did not make it to school that morning, because it did not like travelling along on three wheels. One of its front wheels had fallen off. Although a bus may be 30 years old, it still does not like running on three wheels. The teacher-driver did not even make it to pick up the children. That was good, as the children were not on the bus when its wheel came off. A week before, that same bus had failed to stop at a crossing on the main road because its brakes did not work.

Mr. Dean Brown: One could almost describe it as the "yellow peril".

Mr. VANDEPEER: Yes, because its brakes were in bad order. The turning lights worked only some of the time; sometimes they worked when the driver pressed the horn, and at other times the horn worked when the driver used the turning indicator. So, things were somewhat confused and nothing, including the brakes, worked when the bus approached the crossing to which I have referred. Luckily, no traffic was coming in the opposite direction and no accident resulted.

Mr. Dean Brown: Do you know whether these buses have to go through the same safety checks as any private bus has to go through?

Mr. VANDEPEER: I do not know. The department has its own safety officers,, who have examined this bus recently. At present, it is being serviced to see whether it can be brought up to standard. Other things on the bus needed to be repaired. I refer, for instance, to the step at the entrance to the bus. It was so old that the children had completely worn out the steel that formed this step. The step had to be removed and the hole repaired. The driver's side window had also to be repaired so that his feet were not in a pool of water in wet weather. I repeat that this is an Education Department bus. Also, its windscreen wipers worked only infrequently.

Mr. Wotton: It sounds as though it should have been sent to the Birdwood museum.

Mr. VANDEPEER: Yes, I think it could have accepted this bus. It has been reported that the Education Department is the biggest bus operator in the Commonwealth. Although that is a large claim, I believe it to be correct. The Government should be seriously considering upgrading these buses and affording our children a little more safety during their ride to school. In addition, Millicent, Mount Gambier and the South-East generally are fairly cold and

wet in the winter, and some of these buses get a little draughty because of the holes in them. If these were repaired, the children could ride in more comfort.

Other buses in the area break down. I may be somewhat unpopular speaking in this vein in the House, as the children consider one bus to be terrific, because every time it breaks down they are allowed to go home. Because it has not connected with another bus, the chances of their getting to school before midday are remote. So the children have a holiday whenever the bus breaks down, and anyone who talks about getting a new bus is therefore unpopular with the children. Being from the country, I must say something about Monarto and its relationship to this Government's decentralisation policy.

Mr. Wardle: It was a big dust bowl blowing away this morning.

Mr. VANDEPEER: I am not surprised. I can understand how it would have been a big dust bowl at Monarto this morning. I have travelled through there on hot days in past years, sometimes in a truck, travelling slowly. I always recall the words of the gentleman who wrote a report in the *Sunday Mail* after he had been out there. He said it was hot, dusty and fly-blown. Although I do not wish to be derogatory to the people of the Murray Bridge area, I have grave doubts about the area chosen for the new city of Monarto.

Mr. Dean Brown: Someone passed a comment the other day that, because of all the dust, it will be the first town with underground electric light bulbs.

Mr. VANDEPEER: That could be so. It is a hot, dry area which gets very dusty. It would have been much more sensible if Murray Bridge had been expanded around the river. I have heard other people say that Monarto should be given the nickname "Cactus City". It is so dry there that, if we want to conserve water in South Australia, we should insist that the only plants permitted to be grown be those of the cactus variety. In that way, we could have a cactus city in the Monarto area.

Regarding decentralisation, there is considerable concern in the small towns along the coast in my district about the concentration of industry in larger areas. This is an extremely difficult matter, as it can easily be understood why industry moves to the more populated areas. I refer, for instance, to Safcol's movement into Millicent, which has been a wonderful thing for that town, although not for the small coastal towns that are looking for some means of maintaining their populations. If they could find a way of doing this, they would be much happier than they are at present. However, this Government is doing little to help them. Tourism seems to be the only hope for the future for these towns. We know that the towns along the South-East coast are excellent sea-side towns, and that tourism is a great industry in that area. Why the Government does not take positive action in this direction to help these towns, I do not understand.

Many things are said about Robe and its wonderful tourist potential. I refer also to Beachport and Port MacDonnell, which is Mount Gambier's sea-side town. I refer also to Kingston, which is at the northern end of the South-East and which is the sea-side gateway to that area. This could be the tourist area of the future for the developing areas outside Adelaide. If Monarto goes ahead, Kingston could become one of the week-end resorts for Monarto residents. However, the Government is doing nothing to support tourism in the South-East coastal towns.

The councils in these areas are disturbed because, if they are fortunate enough to have a road declared a tourist road, any grant made involves a 50 per cent contribution by the district council. That is a considerable sum, when some of these roads are constructed almost solely for the use of tourists. They go to out-of-the-way spots along routes not normally used by farmers or local industries. Therefore, to ask district councils and ratepayers in the area to contribute on a $1 for $1 basis toward the cost of tourist roads is unfair. For a district road, the grant is 80 per cent of the total cost, with the local council contributing only 20 per cent. We therefore cannot understand why the Government insists on local councils contributing 50 per cent toward the cost of construction of a tourist road. Local councils hope that the Government will give greater support to tourism by taking action in the direction I have indicated.

Private enterprise has made a much greater contribution to tourism in the South-East than has the Government. In Kingston and Robe, motels are being constructed by private enterprise, while in other towns there are proposals for more motels to be constructed by private enterprise. In Robe, the Caledonian Inn, constructed between 80 and 100 years ago, has been renovated. It provides accommodation and excellent restaurant facilities in an old-world atmosphere. This has been made possible by private enterprise. However, the inn uses local girls as casual labour, many of whom are from farms that are hard hit, and because the girls are working part-time for between three and five hours a night four or five nights a week, the unions have stepped in and imposed a black ban on the Caledonian Inn. The unions want to force the girls to join a union and stick to union rules and rates. This restrictive policy does not encourage private enterprise in the tourist field. I hope the Minister of Labour and Industry will consider asking the unions to take a more lenient attitude.

I believe that the union action we have so far seen is a first step toward the unions moving into clubs in the area and requiring them to observe award conditions. Actually, I believe that it would be better if the unions steered clear of this field, because many employees regard their work in clubs, say, for a couple of hours on Friday nights and Saturday nights, as a contribution to the community. They would find it difficult to contribute money, but they can contribute their time. At a club, perhaps working behind a bar, these people can talk to the boys, and it does not cost anything. The union leaders should be taken to task and asked to leave this area well alone.

Mr. Olson: Are you advocating that the employees be paid less than award rates?

Mr. VANDEPEER: It should be an arrangement between the club and the part-time workers, who may say that they do not want any pay or that they are willing to accept $1 an hour.

Mr. Olson: There's nothing to say that they couldn't donate the award rates back to—

Mr. VANDEPEER: Taxation difficulties arise if that is done; the money has to be added on to the income when estimating the tax, and more tax is being paid. It becomes complicated, and the present arrangements should be left alone.

The Hon. J. D. Corcoran: You are robbing your fellow taxpayer then, because you're evading tax.

Mr. VANDEPEER: We are keeping the money in the community, instead of letting someone else decide where it should go.

The Hon. J. D. Corcoran: Are you encouraging people to break the law?

Mr. VANDEPEER: No, but perhaps we can bend the law a little. I hope that a uranium enrichment plant is established in the North of this State but, before establishing it, we must consider all the dangers involved. Many of this State's problems would be solved if an industry of this magnitude was established. If the Government is honest in its intentions, I hope it goes ahead with the project successfully, and I hope the project does not cause too much friction in the Government's ranks. Some Government members in one section of the Government benches may think that there is "radiation contamination" in another section of the Government benches.

During the debate on the so-called golden handshake to Mr. Taylor, I was informed that he has to pay tax on only $5 000 of the $100 000 severance pay. In the net result, the Government is paying this man more than $90 000, yet it criticises a person in private enterprise who makes money out of a land deal. The Government's attitude is hypocrisy of the first order. I support the motion.

Mr. RUSSACK (Gouger): In supporting the motion, I add my expression of sympathy to the families of former members who have died in the past 12 months. I also express to His Excellency the Governor my appreciation of his services to the State. We all know His Excellency to be a forthright gentleman, outspoken and, indeed, controversial on occasions. I was almost about to say that His Excellency's statements are sometimes provocative. However, he says what he means, and this has stimulated thinking among South Australian people. At this time of Sir Mark's impending retirement, I take the opportunity to wish both Sir Mark and Lady Oliphant everything that is good.

I knew James Rankin Ferguson as the member for Yorke Peninsula and then as the member for Goyder in this House. When I was a member of another place part of my district extended over the District of Goyder, and I had many pleasant associations with and received much assistance from Mr. Ferguson. He was a gentle man, a man with an honest outlook on life, and a man of integrity, and with other members I am sure that we all regret his untimely passing.

I had the pleasure of meeting Mr. Horace Cox Hogben, possibly through having served for some time with his son, Mr. Murray Hogben, in the services. Horace Cox Hogben was the member for Sturt in this House from 1933 to 1938 and afterwards became Deputy Chairman of the South Australian Housing Trust, an organisation with which he had much to do in connection with steering through Parliament legislation establishing the trust. I know that Mr. Hogben and his family have contributed much to South Australia, as well as to their local community.

I did not know Mr. William MacGillivray personally but, as His Excellency's Speech indicates, he was the member for Chaffey from 1938 until 1956, and gave considerable public service in his 18 years as a member of this House. To the families of all these gentlemen I extend my sympathy.

Other members have referred to the drought conditions prevailing presently in South Australia, His Excellency having referred to this situation in his Speech. Also, concern has been expressed about the serious shortage of fodder. Announcements have been made by this Government that it is willing to assist primary producers in two major areas: first, to assist financially in the transportation of fodder; and, secondly, to assist in the transportation of stock for agistment.

However, as I see it, the Government can provide little assistance. As fodder is almost unprocurable, the Government may not be called upon to assist in any great way in this matter. Regarding stock agistment, areas with sufficient feed are a considerable distance away, some being, I understand, in New South Wales beyond Broken Hill, and there is a risk that once stock is moved to those areas it will not be readmitted to South Australia because it could have become infested with a noxious weed or may be carrying seed of a noxious weed such as noogoora burr. For these reasons, the Government has not been able to provide much assistance.

As these unseasonable and adverse weather conditions seem to be continuing, I instance the position of many property owners in my district. A recent newspaper report illustrates a map indicating declared drought areas in which the Government was willing to provide assistance. Some areas in my district, particularly the hundred of Everard, which is on the eastern plains around from the Hummocks Range, Nantawarra (going towards Blyth), Brinkworth and Snowtown, are much affected by the dry conditions.

However, I understand that the Government will accept applications from any worthy property owner irrespective of the location of his property and that such applications will be considered on their merits. I hope that information is correct. I reiterate my concern about the areas in my district, especially those to which I have referred, which are experiencing the effects of the drought in a real way. When one drives through these areas they give the appearance of mid-summer. I passed through the Tarlee area in late July and even saw the burning off of stubble and weeds. This indicates the seriousness and extent of the drought in country areas.

Obviously, the Government has entered into an organised attack on the Fraser Government, as well as on the Leader of the Opposition in this House. In the speeches made in this debate so far Government members have, without exception, participated in this attack. They have suggested that the Leader of the Opposition has participated in knocking the State Government and knocking South Australia.

Mr. Whitten: I didn't suggest it—I meant it.

Mr. RUSSACK: Now we have this admission from the member for Price that he meant what he said. It is the duty of an Opposition to show the people the weaknesses of a Government, especially when it considers the Government has exceeded its mandate. Indeed, on most occasions (if not on every occasion) when such criticism is made, a suggestion is advanced that could improve the position being considered. At the appropriate time the Opposition Party will present policies which will appeal to the South Australian people and which, irrespective of the news released in the past 24 hours, will be accepted by the State. In his second reading explanation of the Appropriation Bill (No. 2) introduced in this House in June, the Premier stated:

Urban public transport is the area hardest hit by the decision of the Commonwealth Government to cut previously planned expenditure heavily. We have entered into contracts for the supply of urgently needed buses in the expectation that the special urban public transport programme would continue and that the State would be able to attract two-thirds of the cost of those buses in accordance with the established arrangements for that programme. Under the main contracts (those for the purchase of 310 Volvo bus chassis and bodies), the total outlay will be over $20 000 000. In addition, it is quite unavoidable that the Government should upgrade and add to the fleet of suburban rail cars at a cost of over $10 000 000. Other works are also urgent.

That statement is possibly correct, but a false impression has been conveyed. It was the Commonwealth Government that made a decision on this, or perhaps lacked making a direct decision, but it was not the Fraser Government but the Whitlam Government that did not give approval when the approach was made.

The member for Semaphore suggested in this debate that it was the Fraser Government that did not provide for this money. I refer to a newspaper cutting in the *Advertiser* dated December 21, 1974, under the heading "Bus order", as follows:

The State Government has placed a $10 000 000 order for 310 Volvo bus chassis from Sweden. The Federal Government will pay two-thirds of the cost under its Urban Public Transport Assistance programme. The first consignments are expected in June.

That would have been June, 1975, so the Federal Government involved would have been the Whitlam Government. Let us look at some of the documents produced concerning this matter. The States Grants (Urban Public Transport) Act, 1974, states that some new buses were estimated initially to cost $1 300 000 and the estimated Australian Government (the Whitlam Government) contribution in 1974 was $870 000. The document headed, "Commonwealth payments to the States", which provides for additional funds and which is a Budget paper for 1975-76, states:

Under an agreement concluded with all the States in 1974 the Australian Government is meeting two-thirds of the cost of approved urban public transport projects in the States. The programme is for five years commencing 1973-74. The purpose is to assist in the upgrading of urban public transport, including railways.

We then look at the schedule where we find that in 1974-75 South Australia received $6 215 000, and the estimate for 1975-76 was $7 890 000. Let us look at the Auditor-General's Report for the year ending June 30, 1975, during the term of the Whitlam Government, which states:

The Municipal Tramways Trust received grants totalling $2 448 000 for 1974-75 from the Australian Government, pursuant to the States Grants (Urban Public Transport) Act, which provides for financial assistance equivalent to two-thirds of the expenditure by the State Government in respect of approved projects, subject to the conditions set out in the agreement between the Australian Government and the States. The Australian Government's contribution for 1974-75 was for the following approved projects: purchase of new buses, $128 000.

We can conclude from these documents that a request was made to the Whitlam Government as far back as 1974. Estimates were made, and the actual sum of money made available for new buses was only $128 000. I suppose it is to be wondered where the bulk of that money was expended. It was expended in acquiring private bus companies, with buses, depots, land and buildings costing $1 998 000. The rest was spent on improvements to the Glenelg tramway system, sundry capital items, plant and equipment, $38 000, and erection of passenger shelters, $37 000.

Regarding the statement the Premier made (it was a misleading statement) in respect of the Commonwealth Government's not coming to the party, I point out that it was the Commonwealth Government, but not the Fraser Government—it was the Whitlam Government. I have contacted Canberra, and I find that South Australia entered into a contract of its own volition for 310 buses and sought assistance in the 1975-76 programme bids, but the Federal Labor Government decided not to support any new project. The present Minister has agreed to an economic package announced by the Treasurer on May 20, which included $1 300 000 for South Australia, based on funds for continuation of approved projects. No money was to be considered for new projects until 1977-78. The Minister will work with the States to achieve maximum flexibility within that grant. It may be that some money could be redirected to bus acquisition. The Minister did inform the South Australian Minister that entering into contracts for bus acquisition without Commonwealth approval would not prejudice consideration of Commonwealth assistance at a future date, but the Commonwealth would not apply retrospective reimbursements. Therefore, there was no money available from the Whitlam Government, and the empty coffers are a legacy from that Government to the Fraser Government.

The South Australian Government admitted this on September 17, 1975, in another place, when the Hon. C. M. Hill asked the Minister of Transport, through the Hon. T. M. Casey, certain questions about the Christie Downs railway service. The reply referred to the general shortage of equipment for railway electrification throughout the world and the current shortage of Australian Government funds for transport.

In September, 1975, when the Whitlam Government was in office in Canberra, Mr. Virgo, through Mr. Casey, said that there was a current shortage of Australian Government funds for transport. I consider that that conclusively proves that it was not the Fraser Government that was unable to approve the request for loans for those buses. It is not the Fraser Government to be blamed for the State Government's passing over $20 000 000 for this purpose but the Whitlam Government, which did not come to the Party and which did not accede to the request by the State Government.

Mr. Slater: There were other circumstances involved in September, 1975.

Mr. RUSSACK: It is all very well for this Government to make a concerted attack on the Fraser Government with a misleading statement like the Premier made in his Appropriation speech. You say that we are union bashers, but members opposite are Fraser Government bashers.

The Hon. J. D. Wright: You said it.

Mr. RUSSACK: I did not. I will read what the honourable member for Price said.

The Hon. J. D. Wright: You used the word "we" a moment ago; I thought you were declaring yourself.

Mr. RUSSACK: I said we were accused of it! I did not say we were, and I claim I am not a union basher. I will have something to say about that a little later. In this House, the Minister of Transport referred to the $20 000 000 that had been made available for national highways in South Australia.

I heard him say in a news broadcast, "This is money that has been previously appropriated, and has no real current effect. It is for work that has been going on on the South-Eastern Freeway, the Swanport bridge, and Eyre Highway." That is an old trick of the Minister's. Some time ago I asked the Minister a question after a news release from the former Federal Minister for Transport (Mr. Jones) stating that there would be about an additional $12 000 000 for roads in South Australia to be distributed to local government. The South Australian Minister said he had not seen the report, and when I made it available to him he still denied that there was any additional money. In reply to my question, he said:

Unfortunately, what has occurred in the way in which the reports have been written up from time to time is that when the various steps have been taken, one could be excused for believing that the $4 000 000 which was announced when each of the three or four steps had been taken had been approved three or four times and the initial legislation carried.

At that stage he was trying to defend himself in relation to the announcement by Mr. Jones that the State had had an additional $12 000 000; the Minister said three times it was only $4 000 000, announced once when it was put on the Estimates, once when the approval was announced for it to be transmitted to the State, and again when it arrived. This week the Minister has tried the same stunt of playing down the $20 000 000 that has come forward from the Fraser Government, saying it was only for work being carried on. That is the practice the Minister adopts in relation to the announcing of this type of funding from the Federal Government. On September 4, 1975, a report in the *News* concerning a statement by the then Federal Minister for Transport (Mr. Jones) states:

There is far too much "humbug" from the States over public transport. That is the view of Federal Transport Minister, Mr. Jones, who said, "Wherever there is a problem, blame the Feds. That is what is happening now." By making money available to the States for public transport, Mr. Jones said, the Federal Government had apparently created a "crisis", but for the 23 years of Liberal-Country Party Government did not give one single cent to the States for public transport, and that created no crisis. Said Mr. Jones, "This shows the humbug this Government has to put up with so far as State Ministers are concerned." He was answering Mr. George Wallis (Labor, South Australia), who asked if the Minister had seen claims by some State Ministers that the cost of public transport in Australia was the fault of the Australian Government.

Mr. Jones said, when the States, including South Australia, wanted money from the Federal Government, that it was only humbug and that he did not have the money to give. That date coincides with the date of the reference in *Hansard* when the Minister of Transport replied to the Hon. Mr. Hill. Although this Government is vocal in its criticism of the Fraser Government and the money for transport, the original problem commenced with the Whitlam Government, which was unable to supply money for transport. The Fraser Government has inherited a legacy of empty coffers. I dispel the accusation of the Government.

The Hon. J. D. Wright: Didn't you read Anthony's statement the other day?

Mr. RUSSACK: I have read many of Mr. Anthony's statements; in the main, they are good statements, too.

The Hon. J. D. Wright: The Government is not performing well.

Mr. RUSSACK: When earlier this year the Minister of Transport announced that there would be an increase in registration fees for motor cars and licence fees, he was reported in the *Advertiser* of Friday, June 18, as follows:

"The only way these increases could be avoided is to deprive South Australia of the pittance the Federal Government is giving," Mr. Virgo told a press conference.

"We have kept the increases to a minimum."

"We have committed ourselves to the purchase of new buses, to upgrading our services generally to the extent of about $25 000 000 next financial year".

The Minister again blamed the Federal Government, but I assure the House that the Government had it in its mind months ago to increase these charges, long before anything was mentioned about Federal funding at this time when the increase was announced. On February 12 of this year in this House, when we were considering a Motor Vehicles Act Amendment Bill, I asked the Minister this question:

A specific amount is provided now and I realise that all the prescribed fees will be subject to regulation. Is it intended that these fees will be increased soon?

The Minister of Transport replied:

At this stage, we have not any prior thoughts of increasing fees other than registration and licence fees.

So the Government had the intention then, in February, of increasing the fees, yet in June the Minister says, "We are forced to increase the fees because of what Mr. Nixon, the Federal Minister, has done to us."

I also bring forward the point that was mentioned in the debate in the last session of Parliament concerning the procedure that is now adopted concerning the increase in motor registration and licence fees. Prior to February, increases in these fees were debated in this House, but now they are applied and altered by regulation. Those regulations have been laid on the table of this House, and admittedly a motion can be moved for disallowance. However, how can we unscramble an egg? The very thing that I mentioned in that debate back in February has taken place. Whilst the House is not sitting, the announcement is made that the fees will increase. Many motorists then pay their fees, because a regulation, as members know, becomes effective from the time it is gazetted. Thousands of dollars would have been collected from motorists and, if those regulations were disallowed, how could the Government repay and adjust that matter? It is a matter in which the Government again has taken another step towards absolute control and Executive action. Instead of these matters being debated in this House and a decision being made, the Government now has the power to make a decision: it becomes a situation of no return.

I now turn to taxation. In 1969-70, receipts from registration fees, drivers licences, etc., amounted to $14 970 000. The estimate for 1975-76 was $32 800 000. In a matter of six years, receipts have increased from about $15 000 000 to about $33 000 000 or by more than 100 per cent. The same story applies to many other taxes. On looking through the records I find that increased receipts from pay-roll tax, gift duties, succession duties, and stamp duty during the past financial year amounted to about $13 000 000 more than the original estimates. For instance, succession duties brought in $19 077 000, compared to the estimated $16 500 000. Yesterday, in reply to a question, when the announcement was made concerning relief from succession duties on assets passing from spouse to spouse, the Premier said that this concession would amount to between $4 000 000 and $5 000 000, which is not much more than the additional sum received in the past year, when it was estimated that $16 500 000 would be received, whereas more than $19 000 000 was received. So, the Government is really not giving much away.

Land tax receipts have increased from $9 000 000 in 1970 to $19 840 000 this financial year, or a little more than double in six years. It is no wonder (and not before time) that the Premier has announced, and given an undertaking, that this iniquitous tax will be reviewed. Many times in the House I have spoken about land tax, which has now become a State-wide problem. However, in many rural areas land tax has reached the stage where many producers will be unable to pay it: consequently, they will be forced to sell some of their property.

I refer now to local government. A Bill was introduced in October, 1975, to amend the Local Government Act, and a clause amended section 214 of the Act to provide for a differential rate for land usage in local government areas, calculated on a criteria basis. I understand that, if a council adopted as a criteria a rate for each ward, that rate would apply, but this provision allows the council to set a criteria so that a residential property may be on differential rates. However, I believe that the Government at this early stage has realised the danger

in this legislation. I understand that a certain metropolitan council is considering increasing the residential rate in some of its wards, with the commercial rate increasing by 50 per cent and the industrial rate increasing by up to 100 per cent, in order to reap greater revenue. I am sure that I am stating what is intended in at least one metropolitan council in Adelaide. A newsletter, Bulletin No. 31, of June 3, 1976, issued from the office of the Minister of Local Government concerning this amendment, states:

This section repeals subsections (1), (2), and (3) of section 214 and inserts new provisions. Section 214 contains the general rating powers of a council, and the amendments considerably widen the powers. These provisions now lead other Australian States in the wide and flexible nature of the rating powers.

One thing about this State is that it is not humble. It is always claiming to be leading the Australian States in some direction. If it leads the other States, I am afraid that sometimes it does so in a blind way. The bulletin continues:

It is considered that councils will now be able to use their rating powers to the fullest extent in determining the spread of responsibility, and to make the fullest flexible use of the rating structure in raising its revenues.

I ask members to take notice of this sentence in the bulletin:

But councils are advised to be cautious and careful in the exercise of the powers.

If the law is the law, why cannot a council have the right to exercise the power given by that law? I think that the Minister and the Government realise what they have done and the extent to which this amendment can be administered. I think they are becoming frightened. I know that the clerk of at least one council has approached the Local Government Office and has been told that the council cannot do a certain thing in regard to rating a residence in a commercial area. I consider that that advice can be challenged.

If the council adopts the criterion that a residence in a ward will have one rate and a residence in an industrial area in the same ward will have another rate, I do not think the Local Government Office, through the Minister, can say to councils, "You be careful. Do not use this power to the fullest extent. It will be dangerous." Of course it will be dangerous. When these amendments were passed, they repealed the provision regarding the maximum number of cents in the dollar for rates to be charged by a council, and now a council can charge 100c in the $1 if it wishes to do so. There is no restriction.

When the amendment was introduced, the Minister told me that I did not trust the councillors. I replied, if I remember correctly, that it was not councillors in whom I did not have confidence but it was the outside influence that would force these councillors to do what has been done in the example quoted. In order to receive grants, councils must have a reasonable revenue, and that is what is happening in the council area to which I have referred. The rate on industrial buildings can be increased by 100 per cent and that on commercial buildings can be increased by 50 per cent but the consumer, John Citizen, pays eventually through the price of goods produced.

That situation is dangerous, and now councils are being asked to be careful in exercising those powers. If the legislation is good, there is no need for a warning to be given to exercise caution. If the Act provides for a certain regulation to be used and for certain action to be taken, council has every right to take that action. You, Mr. Deputy Speaker, have spoken recently about the plight of pensioners and a pensioner's house could stand between two commercial buildings. The council does not have the right to impose a differential rate, because the Act provides that a differential rate can be imposed only on the basis of land usage. I hope the Minister will consider that point and correct the anomaly.

I do not know whether the member for Price was congratulating me or being kind to me when, on Wednesday of last week, he said:

I have perhaps denigrated members of the Opposition. Perhaps I could give them praise, because they are not all union bashers. I have never heard the member for Gouger union bashing.

Mr. Whitten: You don't intend to start now, do you?

Mr. RUSSACK: I am sure I will not start union bashing. I believe unions have the right to exist. People who receive wages and work for employers are just as entitled, as I am as an employer, to belong to an association. I agree that unions have won good and beneficial conditions over the years for people in the work force. What I will not accept is the dictatorial attitude adopted by some union leaders who control union affairs. Only last week I was talking to a shop steward and a union official, who claimed that their union officials during an official strike are denied their pay.

Mr. Whitten: They are not denied their pay; they do not accept any pay.

Mr. RUSSACK: I accept that statement.

Mr. Whitten: It is done of their own volition.

Mr. RUSSACK: It has been claimed many times in this House that dictatorial attitudes are often involved in demarcation disputes. I make this statement today, because I made a recent statement on the radio when bus drivers in Adelaide did not participate in the Medibank strike. Instead, a decision was made amongst union members not to strike. Because they made such a decision, they are being disciplined in a dictatorial way.

We are told that unions will abide by the decisions of their members. If that is correct, why does not the Trades and Labor Council abide by the decision of this union? Its leaders may have made an agreement, but the members made the decision. I say, "Good on them for making the decision." I return to the concise point that I believe in unions. I do not want to bash unions. It can be asked, "What do I call left wing?" The member for Price referred to the term "left wing". He said that *Scope* was referred to yesterday as a left-wing newspaper, and he referred to an advertisement in a left-wing paper. I would describe as "left-wing" someone who is an extremist and who is against the political structure or government—one who believes almost in anarchy.

Mr. Whitten: Do you say that only those who believe in anarchy are left wingers?

Mr. RUSSACK: They are the extreme left wing. That is a common term that is used, and I am sure that the general public knows what it means. I admit that there are some people on the extreme right, and we know what that means. I now refer to compulsory unionism. I think the member for Florey made a mistake the other night. He referred to "compulsory unionism or, in fact, absolute preference in employment to be given to trade unionists". I am sure that this means the same thing. If a person receives preference, he gets that preference, and that is definite. But, if the term "absolute preference" is used, it means that the person concerned gets the preference above anyone else. I should like now to read a letter, headed "Unemployment Relief Scheme: Preference

for Unionists", which the Minister of Local Government wrote and which has concerned many councils in this State. It is as follows:

Councils are advised that the State Government has implemented a policy of preference in employment with Government departments and authorities to members of unions as set out in the attached Industrial Instruction No. 464. It is pointed out that, if State Government funds, now allocated to local government authorities for unemployment relief, etc., were used in departments, preference would be given to the employment of union members. The Government has therefore determined that future allocations of money be made to councils on the condition that they conform with the policy of the State Government, as set out in the attached industrial instruction, as far as expenditure of such moneys is concerned.

The industrial instruction referred to therein is as follows:

A non-unionist shall not be engaged for any work to the exclusion of a well-conducted unionist if that unionist is adequately experienced in and competent to perform the work. This provision shall apply to all persons (other than juniors, graduates, etc., applying for employment on completing studies and persons who have never previously been employees) seeking employment in any department and to all Government employees. However, before a non-unionist is employed the employing officer shall obtain in writing from him an undertaking that he will join an appropriate union within a reasonable time after commencing employment.

I can interpret that in no other way than that it involves compulsion. If two people, one of whom was single and a union member with no family responsibilities, and the other a married man who was not a union member but who had five or six children, applied for a job, who would be given preference in employment? Who would have the greatest need, and what would be the decision?

I now refer to a special survey conducted for the Australian National University by the Roy Morgan Research Centre. When this reliable research organisation asked people over the age of 14 years about compulsory unionism, 68 per cent said that membership of trade unions should be voluntary, and only 22 per cent said it should be compulsory. The breakdown of those favouring voluntary unionism was Australian Labor Party, 58 per cent; Liberal and Country Party, 79 per cent; and the vote for voluntary unionism came from 61 per cent of union members. Further, 71 per cent of unionists polled said that they had had to join a union.

The Hon. J. D. Wright: Should it also be voluntary to pay a driver's licence fee?

Mr. RUSSACK: A person does not have to have a driver's licence.

The Hon. J. D. Wright: Try driving without one.

Mr. RUSSACK: Many do, and I know what happens to them. This afternoon, the Minister of Works referred to a matter that I now wish to raise. I realise that priorities must be determined in connection with the installation of reticulated water systems. On becoming the member for Gouger, I was handed records of proceedings of an investigation for such a system at Watervale; those proceedings commenced in 1962. Communications with the Government continued each year between 1963 and 1969 and also in 1973 and 1974. I appreciate what the Government does in many ways. I particularly appreciate that a survey was taken that indicated that most people in the Watervale area wanted a reticulated water scheme. A survey was then made of the costs, but I am disappointed in the following letter, dated June 7, from the Minister:

I refer to your letter dated May 3, 1976, concerning a water supply for Watervale. The survey of ratepayers in the area has been completed and, based on a cost of $550 000 to provide the supply, the revenue return would only approximate to one half per cent of estimated costs. In fact, the actual operation and maintenance costs, including electric power, were estimated at $7 650 and this exceeded the revenue to be received by $4 670 per annum. Therefore, I am sure you will appreciate that a supply of water to Watervale cannot be economically justified and consequently cannot be considered at this time.

The people of Watervale are very disappointed that that had to be the Minister's reply. I understand that last evening a public meeting at Watervale considered this matter. While the project would cost over $550 000 and while the immediate estimated annual loss is $4 670, I consider that the area has potential. There is development in the viticultural industry, with two large, expanding wineries. One winery has installed its own water system; it has a modern self-watering device, but this year the winery will be in bother because the drought conditions may prevent a continuing water supply. In this area with expanding industries, there is also continuing planting of vines. Money would be far better spent here on decentralised industries and in building up country areas, rather than wasted on Monarto.

I now bring to the attention of the House the draft Yorke Peninsula Planning Area Development Plan which, at page 152, states:

Portion of the secondary road east of the sand dunes at North Beach (Wallaroo) has been constructed outside the defined road reserve which follows the eastern boundary of the corporation reserve. A new road should, therefore, be opened along the present route and the old defined road through the sand dunes closed. Because of the consequent damage to the beach area and the inconvenience to the public, the practice of allowing motor vehicles on North Beach should be discontinued. Alternative access to the beach should be provided by a roadway from the extension of Ernest Terrace to public car parks located approximately 600 metres apart, as shown by symbol on the town plan.

For decades this beach has been used by tourists and has contributed materially to the welfare of Wallaroo, a town that has lost industry. The existence of Wallaroo now virtually depends on the tourist industry. I know there will be an investigation into this matter, and I appeal to the responsible Minister that every consideration be given in this matter, both in relation to the development of the beach and the proposed removal of shacks. Indeed, they are not shacks—they are beach houses that have been erected in an orderly manner and serve a real purpose.

Mr. Boundy: Many Labor Party supporters would own them, too.

Mr. RUSSACK: Yes. The secretary of the Wallaroo beach homes association lives at Salisbury, in the district of the member for Salisbury, and I know him quite well. I have raised this matter only briefly, but I will refer to it at length on another occasion. Finally, I once again refute the attacks made by members of the present State Government on the Fraser Government. Moreover, I refute the attack the Government has made on the Leader of the Opposition who, in my opinion, is presenting the determined policy of members on this side of the House, especially members of this Party. I hope notice will be taken of the matters I have raised concerning taxation and local government. I support the motion.

Mr. BLACKER secured the adjournment of the debate.

ADJOURNMENT

The Hon. R. G. PAYNE (Minister of Community Welfare) moved:

That the House do now adjourn.

Mr. MAX BROWN (Whyalla): I bring to the attention of the House the position surrounding Totalizator Agency Board pay-outs. I have been interested in the function of the board since its establishment. Whatever honourable members like to say about T.A.B., it has provided a legalised form of betting for people interested in gambling on horse races and other events. It has played an important role in the lives of country people, especially those in places such as Whyalla, which is a fairly large city well outside the metropolitan area. I refer to a statement made by the Minister of Tourism, Recreation and Sport, reported in the *News* on May 28, 1976, under the heading "After-race T.A.B. pay-outs planned", as follows:

The Sports Minister, Mr. Casey, wants T.A.B. dividends paid after each race in South Australia. "I believe payouts after each race are necessary and inevitable," he said today. "It's just a matter of whether we bring it in now under the manual system, or wait until the new computerised system is introduced at the T.A.B."

Unfortunately, the General Manager of the T.A.B. (Mr. Sexton) said he had some doubts as to whether race-by-race pay-outs would be economically viable. T.A.B. has played its role only in part for the punting public. It has provided legal amenities for the off-course betting public, especially for country people. It has also provided much money for the horse-racing and trotting industries, and more recently for the dog-racing industry. The Port Augusta Racing Club, which has become probably one of the leading racing clubs in the North, has had considerable pay-outs from T.A.B. In my area, dog-racing has benefited, and Whyalla has now become a fairly prominent dog-racing centre.

Mr. Becker: Where is your dog?

Mr. MAX BROWN: My dog would be flat out racing around the lounge. Dog-racing in Whyalla has benefited greatly from T.A.B. The metropolitan racing clubs have been violently opposed to race-by-race T.A.B. pay-outs, and the original intention, as everyone knows, was that people would continue to go to the races.

Mr. Becker: Yes, but not in the country.

Mr. MAX BROWN: The member says "Yes", but if we took an overall estimate of racing attendances in the metropolitan area I doubt whether they would show an increase.

The Hon. G. R. Broomhill: Have attendances decreased?

Mr. MAX BROWN: I do not know. It was intended that people should still go to the races, and on that basis there should be an increase, but I doubt whether that has occurred. On June 1 the *Advertiser*, in its editorial, states:

The Totalizator Agency Board in South Australia has now been operating for a little more than nine years.

I doubt whether attendance by the general public has increased in that time in the metropolitan area. The report continues:

It has done so to the general satisfaction of off-course punters who were previously unable to bet legally. And both the Government and the racing and trotting clubs have benefited financially.

There is no doubt about that, but I question whether it has been to the complete satisfaction of off-course punters. Certainly, I am not completely satisfied with the operation of T.A.B. If one went to an agency in Whyalla on a Saturday morning, it would probably be necessary to line up for an hour to get on, by the time Mrs. Smith has a bet, taking about five doubles and seven quadruples, making 16 other bets, and putting on $5! I do not know that the T.A.B. is satisfying off-course punters. I also question that we said that this would stamp out S.P. bookmaking. I do not want to say whether that has increased or decreased—I would not know—but I refer now to two penalties imposed by the court for S.P. bookmaking recently in Whyalla. For one man it was his first offence for S.P. bookmaking, and the money that he had on him (some hundreds of dollars) was commandeered by the police. He went before the judge and admitted he was an S.P. bookmaker. The judge decided that he was of good character and it was a first offence, and he was fined some hundreds of dollars. The second gentleman was before the court for a third time and did not admit the offence or anything else, but he did not have any money confiscated and was fined $75. I wonder whether the court is fair dinkum, too.

Mr. Becker: Someone must have been on a winner that day.

Mr. MAX BROWN: It seems inconsistent, doesn't it? I believe that my answer to the question of T.A.B. (that is, pay-outs after each race) first, at least provides another amenity for the general punter; and, secondly, it goes another step towards stamping out the S.P. bookmaker. I put to this House that at least some consideration should be given to after-race pay-outs, if not in the metropolitan area certainly in the country areas. I suggest strongly that some consideration be given to an after-race pay-out as a proposition within, say, 80 kilometres radius of the metropolitan area or 80 km radius of a country racecourse on the day that a meeting is being held. I think that is a feasible proposition; it is something that could be looked at seriously. Some months ago in a grievance debate in this House I pointed out that Radio 5AD, for example, had ceased broadcasting races and that this had had a marked effect on the country people, whom I represent.

Mr. Rodda: I didn't think you would be interested in country people.

Mr. MAX BROWN: I pointed out to the member for Victoria some time ago that I was more conversant with rural industry than he was. He has not been paying attention. Anyway, my point is that at that time it had some effect in the country. The people concerned have at least seen fit to alter that situation, and I hope that sanity will prevail and there will be some improvement, particularly in after-race pay-outs.

Dr. EASTICK (Light): I draw the attention of the House to the difficulties still being experienced by many people in the community by the failure of the Builders Licensing Act to function as intended. During the recent oversea visit of my colleague Mr. Evans, I looked after some of the electoral complaints that came into his office, and early on I received a complaint from a lady who lived in his area but had a property at Fullarton that she desired to sell. To present it in its best light, she had engaged a person to do some painting at a contract price in excess of $1 500. On the supposed completion of the job, she was so dissatisfied that she approached the Builders Licensing Board for it to make an inspection. It was pointed out to her that it was not possible for an inspection to be made until such time as she had complained to the painter (and she had done that several times), who had six weeks in which to reply to her complaints and to correct the deficiencies.

The deficiencies included such things as hanging wall-paper upside down and supposedly putting paint on the roof, whereas the hollows in the corrugation were filled to a depth of a quarter of an inch with the debris of the previous paint and covered by a clear estapol-type finish. Around the windows was a considerable amount of dust and cement debris that had been painted over. In other

words, this material was left on the woodwork before the painting was carried out. The paint was obviously grinning through (a painter's term) on the walls and doors, and the job, instead of taking between 2½ and 3 weeks as expected, had at that stage taken 7½ weeks. No fewer than three paperhangers had been put on the job by the contractor, and the unfortunate tale went on and on.

This person was denied the opportunity of having an inspector go to view the nature of the work at a time when it was, to the contractor, a finished job and he was demanding his money. After representations made to me by the lady and by me to the board, an inspection was undertaken, and I will not go into the finality of that episode. Last week, I received a letter from a young couple, at Kapunda, in my district, stating:

We are writing to you with regard to the result of a two-year battle which we have been having with the builders of our house . . . built just on two years ago. Shortly after we took occupancy of the new residence, several cracks appeared, namely, in the lounge, bathroom, passage and two bedrooms. The builders agreed to "fix" these for us, and in so doing filled the gap with netting mesh and plastered over the cracks. Within a matter of weeks the cracks began reappearing in the places which had been "fixed", which suggested movement of the house. We made the builders aware that there was previously a flour mill standing on the site where our house was to be built and left it to them to supply the suitable foundations.

The builders flatly refused to do any more repairs and demanded the $200-odd which we were holding back from our final payment until things were fixed to our approval. We left the cracks go until we thought that they had settled, and we approached the builders again. They again refused to do anything and suggested we obtain a soil report and also a geologist's report as to where the movement had occurred and where the underpinning should be done. This we did, and it is obvious from the report—

a copy of which they have given me and which was submitted by Gregson and Associates, consulting civil engineers, of Norwood, a reputable firm—

that the foundations were put on filling which the builders put there and not on to solid ground below it. With the soil report as proof of the builders' mistake, and their still refusing to fix the house for us, we took our case to the Builders Licensing Board. At a joint inspection of the damage on July 14, 1976, the inspector from the board agreed that the builders were wrong with their foundations, and also pointed out that the timber in the roof had not been tied as required, but stated that they could not, by law—

that is, the builders licensing law—

make the builders fix it for us—that it was up to them whether or not they would do it for us. Well, need we tell you what the builders' answer on this was!

The writers of the letter then ask a perfectly legitimate question, as follows:

Does this seem fair to you? It is in black and white in the soil report that the mistake is the builders' and the licensing board agrees with this, but there is no law that can make the builders fix it for us. We must, therefore, bear the cost of their mistake, along with digging up our cement paths around the house and tiled verandah which we have done since the house was completed. We trust that you will be sympathetic to our case and perhaps do all that is within your power to bring some justice to our side.

Last Saturday I inspected this house. As the people concerned have claimed, it is a new house. The front entrance is marred by the damage that has been done, and it is obvious that the tiled verandah and the cement work have had to be pulled about to try to put things right, but they are still not satisfactory. It is obvious that part of the wall is suspended above the foundation and that there is considerable cracking in some of the brick work. An amendment that we made to the Builders Licensing Act in 1974 (Bill No. 91 of 1974, at page 405 of the 1974 volume of the Statutes) provides:

The board may upon receipt of a complaint of any person on whose behalf the holder of a licence has performed any building work, or of its own motion, conduct an investigation in order to ascertain whether the holder of a licence has carried out building work in a proper and workmanlike manner.

How will the board determine whether work has been carried out "in a proper and workmanlike manner", if they will not attend, as was the case in the first instance that I mentioned?

Mr. Slater: They did attend afterwards, though.

Dr. EASTICK: There had to be a "pulling of rank", if I may use the term, in that a member of Parliament had to get in touch with the department to get someone to look at the work. Surely that is unnecessary. If Parliament intended that a department be set up to act as a go-between in relation to an aggrieved person and a builder to determine whether there was damage, the intervention of a member of Parliament should not be required. I point out that, in the last case mentioned, there has been an attendance without my intervention. Section 18 (3) of the Builders Licensing Act provides:

If, after making such investigations and receiving such reports as the board thinks fit, the board decides that the building work has not been carried out in a proper and workmanlike manner, it may order the holder of the licence to carry out such remedial work as may be specified in the order within such time as may be so specified.

My only argument, in the limited time available to me, is in relation to why the inspector stated that there was nothing that he and the board could do. I take it that the inspector was speaking on behalf of the board. These matters require serious consideration by the Government.

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

Mr. HARRISON (Albert Park): I wish to speak of problems being experienced by constituents of the Albert Park district in relation to noise and smell pollution. Departmental investigations undertaken by officers of the Public Health Department showed that the people who had complained had a genuine grievance, and notices were sent to the industries concerned, instructing them to take the necessary action to eliminate noise and smell pollution.

For instance, Jarvis Industries Proprietary Limited had to eliminate motor whine by engineering noise control, silence a front-end loader by fitting a noise attenuating muffler, cease the operation of a noisy hired compressor, make alterations to the property by an extension, about 9 metres long, to the existing grinding plant in a north-westerly direction, and construct a warehouse between the extension and Ledger Road to act as a noise buffer.

Apart from this, an 18 metre extension had to be made to the north-west end of the storage shed. A new storage shed had to be constructed parallel to and south of the existing grinding plant. This will extend to within 4·5 metres of the Ledger Road boundary, and will also act as a noise barrier to the people living in the southern end of Tunbridge Street, Woodville South. These measures have greatly overcome major problems.

Charlick Plastics created a noise problem that was to be overcome by replacing defective glass in skylights and windows. The air compressor unit, too, was to be enclosed using fibre board with a felt backing, and an order was to be placed for a new static eliminator. When installed, these units will solve the problem, and the rectification work will be assessed by officers of the Public Health Department to ensure the company has complied with the orders given.

Gliderol Industries Proprietary Limited created a noise problem. The company was directed to restrict the use of its guillotine operation to between 8 a.m. and midday. The company had been using the guillotine during three shifts a day. The company said that it would be moving its plant and machinery to Holden Hill. Beverley residents can now rest in peace, but I sincerely hope that when the plant and machinery is transferred to Holden Hill it will be installed in a proper building in which to operate the industry.

Another major complaint involved a company's spending thousands of dollars to comply with the recommendations resulting from investigations made by the Public Health Department. Why a company must wait until it is caught before trying to remedy the problem has me beaten. The problems of noise and smell pollution faced J. Gadsden Proprietary Limited. A deputation of constituents who saw me and the Minister of Health brought about an inspection of the complaints by the Public Health Department. The complaints were found to be justified in all cases. Gadsden's was instructed to increase the height of the chimney stack on the can coating and drying line to no less than 2 metres above the highest structure within 30 m of the plant. A strong odour was emanating from this chimney stack, to the discomfort of people in the area. The company was also instructed to remove all chinaman hat vents on chimney stacks, and it was suggested that they be replaced with vertical discharge caps.

I appreciate the thoroughness of the investigation carried out by officers of the Public Health Department, and assure members that all complaints were justified and have now been rectified. What irks me is to think that regulations and laws exist that should have controlled these problems, yet some companies tried to carry on their business without ensuring that safety regulations were complied with and that noise problems were not detrimental to the people living in areas where these industries operated.

Jarvis Industries Proprietary Limited, which caused many problems, was operating in the district of the member for Semaphore. It transferred its business to a site in Beverley, an industrial area. However, the mere fact that it is an industrial area does not give these firms the right blatantly to break all the regulations governing noise and pollution. The company concerned built its factory, and went into full production before taking all safety measures or trying to cope with smell and dust nuisances. About $10 000 to $15 000 worth of protective devices had not been installed in its machinery. When the Health Department inspectors ascertained this, the company was ordered immediately to solve these problems before proceeding further with production. It was permitted to work only during the day. These things cause many problems for ratepayers and the over-worked staff of the Public Health Department. With an inquiry of the magnitude of the one to which I have referred, I understand that many hours work is done by the department's inspectors.

I refer now to public transport. The establishment of West Lakes has given rise to many problems in this regard. At the same time, however, because of the need for public transport in that area, residents in the adjacent suburbs of Seaton and Albert Park and those living on Grange Road now have what I consider to be an efficient public transport system, with which they are indeed pleased. As I have said previously, the success of such schemes depends, unfortunately, on the support of the travelling public. I appreciate the manner in which the residents of Albert Park are supporting these public transport moves. They look to the future with concern regarding the extension of the Queenstown bus service to Port Adelaide and Largs Bay. The Minister has said that this service will commence as soon as a number of buses roll off the production line under a contract that the Government has let, as a result of which there will be more buses for public transport.

Motion carried.

At 5.24 p.m. the House adjourned until Tuesday, August 10, at 2 p.m.