HOUSE OF ASSEMBLY

Tuesday 27 February 1979

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

DEATH OF HON. JOHN LEO TRAVERS

The Hon. J. D. CORCORAN (Premier and Treasurer): By leave, and without notice, I move:

That the House expresses its regret at the death of the Hon. John Leo Travers, Q.C., former Justice of the Supreme Court of South Australia and member for Torrens in the House of Assembly from 1935-56, and places on record its appreciation of his public service, and that as a mark of respect to the memory of the deceased, the sitting of the House be suspended until the ringing of the bells.

The Hon. Leo Travers was a judge of the Supreme Court of South Australia from 1962 until his retirement in 1969, and was a very eminent judge indeed. He represented the district of Torrens in this House as a member of the L.C.L. for a term of three years from 1953. I can well remember my father, who was a member of the House in the same period, often mentioning the forceful style of the late Leo Travers and the fact that he did not always strictly toe the Party line.

Before his election to Parliament he was a leading lawyer, specialising in criminal law, culminating in his appointment as a Queen's Counsel in 1953. In the Second World War he served with the A.I.F. as a captain in the Legal Corps and assisted at trials of Japanese war criminals. He was also associated with the Electricity Trust of South Australia, the Council of the University of Adelaide, and the Colonial Mutual Life Assurance Society. He was Chairman of the Parliamentary Salaries Tribunal, the S.A. Wheat Quotas Appeal Tribunal, and President of the S.A. Law Society.

The late Leo Travers was a distinguished South Australian. From my own personal experience he had a warm and outgoing personality. I should like to extend to all members of his family the deepest sympathy of all members of this House.

Mr. TONKIN (Leader of the Opposition): By leave, I second the motion. It was indeed sad to hear of the death of the Hon. John Leo Travers. He was not a member of this House for very long; indeed, he was member for Torrens for one term only, but he certainly made his mark while he was here. His successor, John Coumbe, whom we all know very well, always spoke most highly of Leo Travers. He was an eminent judge, a Justice of the Supreme Court, and he carried out these duties admirably and, at the same time, held other positions, such as Chairman of the Parliamentary Salaries Tribunal, with great distinction. It was a shame in recent years to see that his activity was limited to a large extent by his ill health.

It did not subdue his interests in community affairs, which continued at all times, nor did it stop his mobility. He attended functions, moved about, and took a great interest in what was going on in South Australia. He will be greatly missed. He is to be honoured for the service he has given to South Australia and I, too, extend the very deepest sympathy of members of this side of the House to his surviving family. He will be remembered, with many others, in the fine history of South Australia.

Mr. WILSON: By leave, I support the remarks of the Premier and the Leader of the Opposition, regarding the sad death of the Hon. John Leo Travers, and the tribute paid to him. On behalf of the District of Torrens, I should like to be associated with that tribute, and to pass on to his family the condolences of all people in the District of Torrens.

Motion carried by members standing in their places in silence.

[Sitting suspended from 2.7 to 2.16 p.m.]

PETITION: LEARNING DIFFICULTIES

A petition signed by 227 electors of South Australia praying that the House would urge the Government to increase the level of funding to the Education Department to assist children with learning difficulties, was presented by Mr. Virgo.

Petition received.

PETITIONS: MARIJUANA

Petitions signed by 88 residents of South Australia praying that the House would not pass legislation seeking to legalise marijuana, were presented by Messrs. Mathwin and Becker.

Petitions received.

PETITION: SOUTH AUSTRALIAN WASTE MANAGEMENT COMMISSION BILL

A petition signed by 1 659 electors of South Australia praying that the House would reject the South Australian Waste Management Commission Bill, was presented by Mr. Russack.

Petition received.

PETITION: ABATTOIRS AND PET FOOD WORKS BILL

A petition signed by 133 residents of South Australia praying that the House would not pass the Abattoirs and Pet Food Works Bill until the abattoirs area is precisely defined in that legislation and would exclude the Adelaide Hills from the abattoirs area, was presented by Mr. Goldsworthy.

Petition received.

PETITION: SUCCESSION DUTIES

A petition signed by 29 residents of South Australia, praying that the House would urge the Government to amend the Succession Duties Act so that blood relations sharing a family property enjoy at least the same benefits as those available to other recognised relationships, was presented by Mr. Harrison.

Petition received.

PETITION: MOUNT BARKER SCHOOL CROSSING

A petition signed by 620 parents and residents of Mount Barker and Districts, praying that the House would consider the safety of children by the provision of a pedestrian-activated crossing, with lights, near the Mount Barker Primary School, was presented by Mr. Wotton.

Petition received.

PETITION: INCORPORATED ASSOCIATIONS BILL

A petition signed by 70 residents of South Australia, members of the Holy Cross Lutheran congregation at Birdwood, praying that the House would reject or amend such clauses of the Incorporated Associations Bill to ensure the maintenance of civil and religious liberties, was presented by Mr. Goldsworthy.

Petition received.

PETITION: MOTOR BODY REPAIRS INDUSTRY BILL

A petition signed by 173 electors of South Australia, praying that the House would reject the Motor Body Repairs Industry Bill, was presented by Mr. Chapman.

Petition received.

PETITIONS: SLAUGHTERHOUSES

Petitions signed by 852 residents of South Australia, praying that the House would urge the Government to amend the Abattoirs and Pet Food Works Bill to ensure that local slaughterhouses are allowed to remain operational, subject to prescribed hygiene standards, was presented by Messrs. Eastick and Gunn.

Petitions received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions, as detailed in the schedule on the table, be distributed and printed in *Hansard*.

MONARTO

679. **Mr. EVANS** (on notice):

1. Is it intended to answer part 4 of question No. 524?

2. What is the estimated cost of Monarto from 1 July 1978 to the year 2006?

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

1. The answer to part 4 of the previous question was "No". It was given at the time but inadvertently missed in the course of transmission to the member.

2. Present debts will have all fallen due for payment by the year 2006. In any event, in accordance with the agreement with the Commonwealth Government, certain negotiations are proceeding at the present time.

TEACHER HOUSING

994. **Mr. GUNN** (on notice): What is the Teacher Housing Authority's programme for construction of new houses, or purchase of existing houses, for teachers on Eyre Peninsula for the next 12 months?

The Hon. D. J. HOPGOOD: Housing programmes are prepared on a financial year basis. Progress on the Eyre Region 1978-79 programme is as detailed hereunder:

1. Housing for teachers with dependants—

Tumby Bay Elliston Ceduna	Completed
Streaky Bay Kimba Haslam	Works in process—expected to be completed by 30 June 1979.

2. Housing for teachers without dependants—

Ceduna (3 units) Cummins (2 units) Port Lincoln (3 units)	Completed

Elliston (1 unit)—Order placed with South Australian Housing Trust.

The 1979-80 programme for accommodation for teachers has not yet been finalised. Requests will be submitted shortly by all Regional Directors for collation and preparation of a total departmental programme. It is anticipated that this will be completed by the end of March 1979.

LAND COMMISSION

997. **Dr. EASTICK** (on notice):

1. What amount was paid by the Land Commission for consultancy fees during the 1977-78 financial year and what are the amounts under broad headings of consultancy disciplines?

2. What are the estimated fees for 1978-79 and under what discipline categories?

3. What are the reasons, if any, for variations above 10 per cent in any of the discipline areas?

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

1. and 2.

Consultancy Category	1977-78 Cost $	Estimated 1978-79 Cost $
Urban strategy and structure planning	68 000	150 000
Community centre planning	56 000	20 000
Subdivisional development—		
Project management	70 000	15 000
Planning and surveying	212 000	50 000
Engineering	201 000	50 000
Marketing planning, market research and statistical research	13 000	30 000
Land acquisition	6 000	3 000
Administrative services	22 000	20 000

3. There are general reasons why variations greater than 10 per cent up or down could be expected to occur from year to year. These are as follows:

The commission is a trading organisation and accordingly its planning and development activity needs to respond to changes in the present and projected supply/demand situation.

Most of the commission's projects have lead times greater than one to two years. Hence as a project passes from one phase to another, say, from concept planning to detailed design, there is a significant change in the level of particular discipline resources inputs.

Planning and development projects are by their nature "lumpy" in their consumption of resources and hence significant changes in resource consumption can be expected from year to year.

Some of the commission's investigations are "once only" investigations.

HOUSING TRUST

999. **Dr. EASTICK** (on notice):

1. Does the Housing Trust still maintain development officers, or alternatively what role do such officers now play since that role has been taken over by the Land Commission?

2. What savings, if any, has the Housing Trust made

from changed development procedures involving the Land Commission and, if there are no savings, why not?

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

1. Prior to the formation of the Land Commission, the Housing Trust purchased land required for the trust's building programme. The staff involved worked in the professional sections and, among other duties, planned the subdivisions, co-ordinated the provision of services, and let contracts for the building of houses. Following the formation of the Land Commission, the trust gradually phased out the purchase of undeveloped land in the metropolitan area; however, land is still purchased and developed in country areas for housing and, in both country and metropolitan centres, for industrial purposes.

The professional officers who were previously involved in the purchasing and planning of land for the trust's metropolitan developments still have their other duties to perform and to some extent also are now used in a consultative role to the Land Commission where the trust is purchasing the developed land. As there were no development officers, as such, but rather officers used from the professional areas of the trust's employ, the role taken over by the Land Commission has not had a great effect on officers employed by the trust. There has, however, been some reduction in recent years in the total number employed in the relevant area of the trust's activities.

2. In addition, there have been savings in the better utilisation of money within the trust's programme by reducing the period between the purchase of land and the building of houses.

ALDINGA DRAINAGE

1016. **Mr. WOTTON** (on notice):

1. Has the S.A. Marine Research Advisory Committee (interdepartmental) met since 16 October 1978 and, if not, why not and, if so, when?

2. What is the opinion of this committee on the Aldinga Drainage Scheme which is being implemented at present?

3. What effect on the marine life of the Aldinga reef does the committee consider this drainage outflow of polluted waste-waters will have?

4. Does the committee consider that the drainage problem in this area could be remedied in any other ways and, if so, what other drainage methods could be used?

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

1. Yes. The South Australian Marine Environment Advisory Committee met on 11 December 1978.

2. The committee considered that the drainage scheme which has been adopted was inevitable due to the present stage of urban development and the problem of lack of parctical alternatives for draining this area.

3. The committee considers that the drainage outflow will be localised and slight.

4. Vide 2.

FLINDERS RANGE

1017. **Mr. WOTTON** (on notice):

1. What liaison exists between the National Parks and Wildlife Division of the Department for the Environment and the State Planning Authority?

2. How does the as yet unratified management plan for the Flinders Range National Park integrate with the Class A and B areas of the Flinders Range Development Plan?

3. Will local councils in the area legally be able to give consent to the design and erection of agricultural, and other, buildings in the Flinders Range Development Area, including the Flinders Range National Park, without consulting the S.P.A. and, if so, will local councils therefore have ultimate control over National Parks and Wildlife Division works in the Flinders Range?

4. Will the National Parks and Wildlife Division of the Department for the Environment be able to advise local councils on vitally important environmental problems, such as the siting of tracks, rubbish dumps and other services, and the management of tourists, in the Flinders Range?

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

1. No direct liaison with the State Planning Authority. There is, however, two-way consultation on certain matters of common interest between the National Parks and Wildlife Division of the Department for the Environment and the Department of Housing, Urban and Regional Affairs, which services the State Planning Authority.

2. No development is planned for Flinders Range National Park that is contrary to the intentions of the Flinders Range Development Plan.

3. No. Councils have no control outside of council areas (including the Flinders Range National Park) where State Planning Authority exercises interim control.

4. No. The National Parks and Wildlife Division of the Department for the Environment only has the authority to control development on reserves under the National Parks and Wildlife Act.

COASTAL PLANNING

1018. **Mr. WOTTON** (on notice):

1. Will the Minister direct the Department for the Environment to prepare and release for public information a more up-to-date report on coastal planning along the Metropolitan Coast Protection District than the Pak-Poy Study Report which was published in 1974 and, if not, why not?

2. Does the Minister consider that the public could make more constructive comment on management plans for this Coast Protection District if the study report included current plans for specific localities such as Witton Bluff, Hallett Cove, Port Stanvac, and the Patawalonga outflow area and, if not, why not and, if so, when will plans for such specific localities be available for public perusal?

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

1. No. It is considered that the report prepared by P.G. Pak-Poy and Associates in 1974 is still relevant as a basis for formulation of coastal management policies. Additionally, the study report has been supplemented by more recent experiences gained through the day to day activities of the Coast Protection Board.

2. No. The management plan is the first stage of defining the coastal management strategy for a particular Coast Protection District. As such it is a broad policy document on which subsequent, more detailed plans will be based following approval.

MURRAY RIVER

1023. **Mr. WOTTON** (on notice): Has any plan been considered to re-stock the Murray River with native fish species and, if not, why not and, if so:

(a) is this yet being done;

(b) where is it being done;

(c) is it successful;

(d) will this scheme be broadened, if successful; and

(e) could this scheme give rise to a profitable industry?

The Hon. J. D. CORCORAN: No. On current knowledge it is not practical or desirable to attempt to stock the Murray River with native fish species.

EUROPEAN CARP

1025. **Mr. WOTTON** (on notice):

1. In view of the concern expressed in 1971, when European carp escaped into the Murray River system, what is the current view of the Department for the Environment on this problem?

2. Was an investigating committee set up at this time to assess the problem and, if so:

(a) does this committee still exist;

(b) how often does it meet;

(c) does it only investigate European carp; and

(d) does it consider that European carp have a detrimental effect on the riverine environment and on the indigenous fish species and, if so, what recommendations does the committee have to remedy this situation?

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

1. The Department of Agriculture and Fisheries is maintaining a watching brief on the European carp presence in the Murray River and other fresh water bodies through the work of the Australian Advisory Committee on Endangered Species and Import and Export of Live Fish.

2. A working group of biologists from South Australia, New South Wales, Queensland and Victoria met several times to compare notes on their work on the effects of European carp on the fresh water environment.

(a) No;

(b) See *(a)* above;

(c) No;

(d) No final conlusions have been reached in this regard.

MINING

1032. **Mr. GUNN** (on notice):Has the Government any plans to amend the existing Mining Act or bring in a complete new Act and, if so, will there be any amendments that will have an effect on the opal mining industry and, if so, has the Government had any discussions with representatives of the opal miners, when is it intended to bring in any such legislation, what are the reasons for it, and on whose recommendation?

The Hon. HUGH HUDSON: There are no immediate plans to either amend the present Mining Act or to introduce a complete new Act that will have any effect on opal mining. However, the Mining Act is constantly under review.

BLANCHETOWN WATER SUPPLY

1042. **Mr. GOLDSWORTHY** (on notice):

1. What investigations have been carried out into the provision of a reticulated water supply for Blanchetown?

2. What was the result of these investigations?

3. Does the Government intend to provide such a water supply?

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

1. The Engineering and Water Supply Department has examined the feasibility of several schemes for the provision of a reticulated water supply to proposed and existing allotments in Blanchetown.

2. A final scheme, estimated to cost $288 000 to serve the various allotments concerned, was prepared. Having regard to the cost of the scheme and Government policy, with respect to the provision of water supply schemes to shack and holiday house settlements, it was resolved that the scheme should not proceed.

3. Not at this stage.

TREATMENT OF OFFENDERS BILL

1049. **Mr. GOLDSWORTHY** (on notice): When does the Government intend to introduce the Treatment of Offenders Bill which would allow offenders to do community work?

The Hon. D. W. SIMMONS: Next session.

NOXIOUS WEEDS

1051. **Mr. GOLDSWORTHY** (on notice): What steps does the Government intend to take to control noxious weeds in Cleland Conservation Park and Government forest areas in the Adelaide Hills?

The Hon. J. D. CORCORAN: At Cleland Conservation Park it is proposed to continue a programme of spraying and/or slashing. Other methods of control, including the replanting with native species, are being tried out and, if successful, will form the basis of a long-term weed control programme. Other forest areas are outside the control of the Department for the Environment.

The Woods and Forests Department implements the provisions of the Pest Plants Act, 1975, on forest reserves in the Adelaide Hills and in doing so co-ordinates its control measures with those of local government authorities where campaigns against specific pest plants are undertaken. In addition to regular control programmes, infestations of pest plants are attacked when these are drawn to attention by authorised officers. An amount of $36 050 has been provided for control of pest-plants on forest reserves in the Adelaide Hills during 1978-79.

COOPER BASIN

1052. **Mr. GOLDSWORTHY** (on notice):

1. What is the expected life of the hydrocarbons in the Cooper Basin in view of recent discoveries?

2. Has consideration been given to the export of liquids from the basin if the petro-chemical plant at Redcliff is not established and, if so, what investigations or negotiations have taken place?

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

1. The expected life of Cooper Basin hydrocarbon reserves is naturally a function of the rate of their consumption. However, sales gas reserves that are reasonably reliably known to exist—termed proved and probable reserves—in the South Australian portion of the Cooper Basin at the present time amount to some three and one quarter trillion cubic feet (allowing for production to date). Estimated recoverable reserves of hydrocarbon liquids are about 49 000 000 barrels of crude oil and about 246 000 000 barrels of condensate plus LPG. These reserves will be supplemented by the recent discovery of oil at Strzelecki Field, for which reserve estimates are still in progress.

For the expected growth rate in gas markets, these proved and probable sales gas reserves are sufficient to meet the Sydney market until at least the year 2001, and the Adelaide market until 1987. Continuing exploration by the South Australian Oil and Gas Corporation and by the other producers is confidently expected to extend Adelaide gas supplies through to the year 2005.

2. Discussion has occurred over many years within Government and industry concerning the possible end uses of Cooper Basin liquids. For example, after the withdrawal of I.C.I. from Redcliff negotiations, a joint State/Commonwealth investigation was published in 1976 as the *Cooper Basin Liquids Study*, by the then Commonwealth Department of National Resources. This report (known as the Lawrence Report) considered the principal options available, including the export of liquefied petroleum gas overseas and the export of refinery feedstock interstate to Brisbane or Sydney. The Brisbane option more recently has been investigated on behalf of the Queensland Government and all other options are subject to periodic review.

Studies have shown, however, that no proposed scheme is economically viable unless combined with an ethane-based petro-chemical plant such as Redcliff.

All other studies indicate a rate of return too low for the Cooper Basin producers to be financed. Indeed, the study commissioned by the Queensland Government specifically failed to consider the capital requirements of the Cooper Basin producers under a modified liquid scheme. These capital requirements mean that, if a premium value is not obtained for ethane, the prices for liquids would have to be considerably greater than the current market prices.

It is a matter of interest also that the Lawrence Report ranks a modified liquid scheme based on Port Stanvac as being more attractive than the Brisbane option. Our studies demonstrate also that this is not economically viable.

SPEED LIMIT

1059. **Mr. GOLDSWORTHY** (on notice): Does the Government envisage any change in the maximum speed of motor vehicles on the open road in South Australia?

The Hon. G. T. VIRGO: No.

GRAPES

1062. **Mr. GOLDSWORTHY** (on notice):

1. What was the outcome of the Minister's submission to the Agricultural Council on monitoring grape plantings in Australia?

2. What plans, if any, does the State Government have to control the plantings in South Australia?

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

1. Agricultural Council accepted the proposal by the Minister of Agriculture that a State/Commonwealth working party be set up to plan a statistical programme that will provide basic and comprehensive statistical data on present and future Australian plantings, together with varietal breakdowns and changes as they occur. The statistical data thus compiled will provide the basis for discussions between Governments and industry on the best and fairest method of achieving supply planning of wine grape production to ensure that large varietal surpluses of wine grapes are in future avoided.

South Australia has been appointed convenor of the statistical working party and the Minister has asked his department to give the matter urgent priority.

2. See 1 above.

HOUSING TRUST

1067. **Mr. GOLDSWORTHY** (on notice): Does the Government intend to alter the design of Housing Trust homes in the future to conserve energy, if it is found that a significant energy saving can be achieved?

The Hon. HUGH HUDSON: In support of the long-term need to conserve the State's energy resources wherever practicable, the trust is currently undertaking an experimental project in low-energy housing, in conjunction with the Department of Housing, Urban and Regional Affairs, with a view to incorporating energy conserving features in its future house designs.

This project involves the construction of two houses of the same basic design on adjoining allotments at Seaton-Grange. One house incorporates the use of solar energy for space and water heating, plus other features designed to conserve the use of energy, and the other is of conventional brick veneer construction containing standard appliances. The additional capital cost of the low-energy house is approximately $7 000. Both houses will be fitted with special instruments designed for recording temperatures and other technical data and, with the co-operation of specially selected tenants, will be monitored for a period of 12 months to take in the effect of the four seasons.

This project has received some publicity in the media in recent months, including an article devoted to it in the 22 December 1978 issue of the *Advertiser*. The two houses are now under construction and, together with the landscape treatment, which forms an important part of the design, are scheduled for completion in about the middle of the year. As a matter of interest, the trust sent two of its architects to a solar energy conference held in Melbourne from 18 to 21 February.

SWIMMING POOLS

1078. **Mr. BECKER** (on notice):

1. How many accidents have been reported to the Department of Health and/or the Health Commission involving swimming pool chemicals?

2. What investigations have been carried out upon the safe usage of swimming pool chemicals and have any been found to be injurious to health and, if so, which ones?

3. If no investigations have been carried out, why not, and will such inquiries be now conducted?

The Hon. R. G. PAYNE: The replies are as follows:

1. None. There is no requirement to notify accidents involving swimming pools and consequently the precise number of such accidents which have occurred in South Australia is not known.

2. Chlorinating compounds which are strong oxidising agents and liable to explode or cause fire if subjected to heat or contact with reactive materials such as sawdust, oils and grease are the commonest causes of accidents. Various other chemicals in use are toxic if inhaled or poisonous if swallowed and may cause burns to the skin.

Following investigations of many aspects of swimming pool operation and use, regulations under the Health Act applying to the use of public and limited access swimming pools were gazetted on 8 June 1978. These regulations cover many areas of swimming pool safety, including the use of chemicals as sterilants. Public and limited access pools must be adequately sterilised by the use of chlorine

or by an alternative method approved by the Central Board of Health. At present chlorination is the only method which has been approved by the Board.

In 1975 the Department of Public Health carried out an investigation into the packaging and labelling of pool chemicals in common use by commercial operators and private pool owners. Deficiencies were found in the labelling of a number of products and manufacturers were advised to alter labels so that they complied with provisions of the Poisons Regulations under the S.A. Food and Drugs Act. Surveillance is maintained of the labelling and packaging of pool chemicals to ensure that they comply with the Regulations.

Substances used as swimming pool chemicals are poisons and, as such, are considered by the Poisons Schedules Standing Committee of the National Health and Medical Research Council before being scheduled for use. Guidelines for the scheduling of these substances, including requirements for toxicity information, are to be considered by this committee at its next meeting.

Advisory notes detailing the hazards associated with pool chemicals and the correct methods of handling, storing and using a number of chemicals in common use have been prepared by the South Australian Health Commission.

In addition, articles on the use and abuse of pool chemicals have been published by both the S.A. Health Commission and the Swimming Pools Association of S.A. in order to educate the public in the safe handling and storage of pool chemicals.

3. Refer above.

ENERGY RESEARCH

1079. **Mr. BECKER** (on notice):

1. What are the findings to date of the research into alternative forms of energy in this State?

2. Has the $250 000 allocated to this research programme been spent and, if so, how was the expenditure allocated and to whom?

3. Have further funds been requested and, if so, how much?

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

1. It is premature to comment on the findings of the research being conducted into alternative forms of energy. To date, twenty projects have received financial support from the Government on the basis of recommendations made by the State Energy Research Advisory Committee (SENRAC).

A report on the status of the research is being prepared and this is expected to be presented shortly. The report will include details of the projects, the researchers concerned, financial support received, evaluation criteria and comments on the progress.

2. Of the $250 000 allocated for energy research in 1978-79, $240 073 was paid out in grants to researchers in universities, S.A. Institute of Technology, private companies and individuals.

Details of the allocations will be presented in the SENRAC report.

3. A further $250 000 was allocated by the Government for energy research in 1979-80 and, to date, almost $200 000 has been paid out to approved projects.

WOMEN'S SHELTERS

1083. **Mr. BECKER** (on notice):

1. What is the policy of the Government in funding women's shelters?

2. Do all women's shelters accept persons with epilepsy and, if not, why not?

3. How many persons have been refused accommodation because they have stated they suffer from epilepsy?

The Hon. R. G. PAYNE: The replies are as follows:

1. Within the limits of available Commonwealth and State funds, Government policy is to fund women's shelters to develop and operate as independent incorporated bodies where there is an assessed need to assist women in crisis situations. The amount of funding is decided on the basis on numbers accommodated, expenditure patterns and budgets submitted.

2. and 3. Shelters provide for women and children fleeing intolerable domestic situations. There are times when disturbed and ill women cannot be accommodated because of the disruption and distress caused to other residents. On these occasions referrals are made to the appropriate health services. Letters have been sent to each shelter asking them to supply the detailed information sought.

MURRAY RIVER

1095. **Mr. WOTTON** (on notice): Does the Government have any plans to proclaim any section of the banks of the Murray River a national, conservation or recreation park, or game reserve and, if so, what areas are to be proclaimed and when?

The Hon. J. D. CORCORAN: Yes. The dedication of three additional areas is under consideration. A Game Reserve at Lock Luna, hundred of Loveday, additions to Katarapko Game Reserve, hundred of Katarapko, and additions to Pike River Conservation Park, hundred of Paringa.

WASTE DISPOSAL

1099. **Mr. WILSON** (on notice): When does the Government intend to introduce legislation to control waste disposal services?

The Hon. G. T. VIRGO: The legislation was introduced on 14 February 1979.

McNALLY TRAINING CENTRE

1101. **Mr. MILLHOUSE** (on notice): What action, if any:

(a) has the Government taken since 25 January 1979; and

(b) does it propose to take,

to increase security at the McNally Training Centre?

The Hon. R. G. PAYNE: The replies are as follows:

(a) Damage in Sturt Unit has been made good. Armour plate glass in one window has been replaced with lexan.

(b) Planning is at an advanced stage for dormitories in what was known as the general section to be changed to single room accommodation. Some doors and door handles will be changed to prevent barricading.

DENTAL CLINIC

1108. **Mr. MILLHOUSE** (on notice): What proportion of the work of the dental clinic at the Royal Adelaide Hospital is taken up in each of the following areas:

(*a*) conservative;
(*b*) dentures;
(*c*) oral surgery;
(*d*) orthodontics;
(*e*) periodontics;
(*f*) paedodontics; and
(*g*) other (and what) treatments?

The Hon. R. G. PAYNE: The replies are as follows:

	Per cent
(*a*) Conservative	33
(*b*) Prosthetic	12
(*c*) Oral surgery	21
(*d*) Orthodontics	12
(*e*) Periodontics	3
(*f*) Paedodontics	2
(*g*) Examination room (admissions)	10
Dental Radiology	3
Psychiatric hospitals	2
Prisons	2

ETHNIC GROUPS

1112. **Mr. WOTTON** (on notice): What funds were sought by each ethnic community group in South Australia through their application for minor and major grants obtainable through the Community Welfare Grants Advisory Committee and how much was given to each of these groups, respectively?

The Hon. R. G. PAYNE: As no year was specified in the question, the figures provided are for the 1978-79 financial year.

Minor Grants:	Amount Sought $	Amount Granted $
Greek Cultural Dance Group—Whyalla	300	Nil
Greek subcommittee—Richmond Primary School	300	Nil
Hellenic Pensioners Society of Thebarton	300	300
Indian-Australian Association of S.A.	255	50
Indo-Chinese Drop-In Centre	300	300
National Association of Migrant Families (A.N.F.E.)	300	300
Spanish Catholic Mission	300	Nil
Ukranian Women's Association	300	Nil
Sub-Total	$2 355	$950
Major Grants:		
Croatian Welfare and Sports Club—Coober Pedy	3 000	Nil
Cyprian Society	3 000	Nil
Czechoslovak Club	11 250	3 750
Ethnic Communities Council	23 000	8 000
Greek Community of Hindmarsh	3 000	Nil
Hungarian Aged and Invalid Pensioners Association	2 650	1 150
Indian-Australian Association of S.A.	652	Nil
Italian Catholic Federation	19 700	3 562·50*
Italian Federation of Migrant Workers and their Families (F.I.L.E.F.)	11 250	8 250
Latvian guides and scouts	3 740	Nil
Maltese Guild	3 750	400
M.B.M.K. Hungarian Youth Group	2 300	Nil
Migrant Action Committee	61 335	40 000
Netherlands Society in S.A.	16 750	Nil
National Association of Migrant Families (A.N.F.E.)	5 050	4 600
Port Pirie Greek Orthodox Community	750	Nil
Sts. Constantine and Helen Youth Group	3 750	2 160
St. Spyriodon Greek Orthodox Community	9 750	Nil
Serbian Community of S.A.	2 099	1 200
Serbian Orthodox Church and School Community of St. SAVA at Adelaide	50 000	2 000
Slovak Club	5 750	2 000
Spanish Latin-American Mothers Association	8 590	5 000
Ukranian Women's Association	3 750	2 500
Yugoslav-Australian Association	7 000	5 000
Sub-Total	$261 866	$89 572·50
Totals	$264 221	$90 522·50

*First quarter only—balance still pending decision.

BRIDAL CREEPER

1118. **Mr. WOTTON** (on notice):

1. Will the Minister treat the development of measures to control bridal creeper as a matter of urgency and, if not, why not and, if so, how soon will this plant be classed as a community pest plant and treated accordingly?

2. Will the Minister direct his department to undertake a public information service to acquaint members of the public as to the dangers of growing this plant, even before it is classed as a pest plant?

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

1. Development of measures to control bridal creeper depends on a better understanding of the biology of the plant which may indicate a weak link in the plant's physiology or life cycle for attack. If such a weak link can be detected, control measures will be devised as a matter of urgency. It is expected that bridal creeper will be amongst the first community pest plants to be proclaimed.

2. Yes.

FLINDERS RANGE

1119. **Mr. WOTTON** (on notice):

1. How much work still requires to be done before the complete Flinders Range management plan can be drafted?

2. Will there be a period for public comment on this plan and, if not, why not, and if so, how long?

3. When is it anticipated that the complete Flinders Range management plan will be released.

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

1. The draft of the Flinders Range National Park Management Plan is currently being assessed within the department.

2. Yes. Two months.

3. As soon as possible.

RESERVES ADVISORY COMMITTEE

1120. **Mr. WOTTON** (on notice):

1. What are the names of the five members of the newly appointed Reserves Advisory Committee?

2. What are their qualifications, respectively?

3. Have they already met?

4. How often will they meet?

5. Will the existing trusts appointed under the National Parks and Wildlife Act liaise with the Reserves Advisory Committee?

6. What specific matters will be discussed and decided upon, mutually between these two bodies?

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

1. & 2. Dr. P. Davis, Ph.D., M.Sc., A.S.T.C., A.R.A.C.I.; Mr. J. Sibly, B.A.Hons., Dip.Ed., Dip.T.; Mr. S. Jericho, practical experience; Mr. N. Winn, A.A.S.A., A.I.M.A.; and Dr. T. J. Fatchen, Ph.D., B.Sc.Hons.

3. No.

4. As required.

5. Yes.

6. Issues relating to management plans and other matters as required.

CLARE WATER SUPPLY

1132. **Dr. EASTICK** (on notice):

1. What is the source of supply for reticulated water to the Clare township and surrounds?

2. What tank or tanks maintain the supply and what is the capacity of each?

3. Is the present arrangement adequate for all immediate and foreseeable requirements or are any restrictions currently in use or contemplated and, if so, what are the details?

4. What has been the consumption for the area each month for the period from 1 January 1977 to 31 December 1978?

5. Is there a programme of upgrading for the reticulation facilities including pumps, tanks, pipelines or otherwise and, if so, what is it and when is it expected that the programme or any part of it will be implemented?

6. Has there been any review of the likely needs of the district since the decision to make Clare a regional centre and, if so, what are the details?

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

1. Murray River.

2. One reinforced concrete surface tank of 4·5 M*l* capacity. One reinforced concrete surface tank of 9·0 M*l* capacity. One reinforced concrete surface tank of 2·25 M*l* capacity.

3. Yes.

4. Consumption in megalitres.

	1977	1978
January	88·4	101·1
February	87·6	96·3
March	76·5	93·9
April	48·6	45·1
May	32·2	26·7
June	20·6	19·9
July	17·8	22·8
August	27·9	23·7
September	26·2	22·9
October	47·5	24·9
November	65·8	51·2
December	46·7	78·1

5. A major part of the upgrading programme was completed when the rising main from Hanson to Clare was upgraded and in service late last year.

Subject to the availability of funds, a second gravity trunk main from the summit tanks to the northern end of the township will be constructed during the 1979-80 year.

6. No.

REDCLIFF

1133. **Dr. EASTICK** (on notice):

1. When did the Government first seriously question the viability of the Redcliff project and what was the reason for the uncertainty?

2. For what period did the Connor restriction that L.P.G. fractions could only be used for motor spirit obtain, and what was the additional cost to the project of using these fractions for motor spirit?

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

1. The Government has not questioned the viability of the Recliff project. Major studies by Dow Chemical, the Cooper Basin producers and the Government are still in progress, but on the basis of the studies conducted so far, the Government has no reason to doubt the commercial viability of the project as proposed by Dow.

2. The restriction that L.P.G. fractions could only be used for motor spirit applied for the whole period that a project was under consideration by the I.C.I. consortium. The Commonwealth Government advised Dow and the State on 7 July 1976 that this requirement no longer applies.

GOVERNMENT FISHERIES VESSELS

1135. **Mr. BLACKER** (on notice): Are Agriculture and Fisheries Department vessels subject to the same survey and licence requirements as other fishing vessels and, if not, in what way do these requirements differ?

The Hon. J. D. CORCORAN: Department of Agriculture and Fisheries vessels are subject to the same survey requirements as fishing vessels operating under the Survey and Equipment of Fishing Vessel Regulations. Those vessels not surveyed because of their small size are licensed under the Boating Act.

1136. **Mr. BLACKER** (on notice):

1. Who are the skippers of each of the Agriculture and Fisheries Department research and patrol vessels?

2. What are their respective qualifications?

3. How much sea time did each of the skippers have prior to being employed by the department.

4. In the event of the designated skipper being unable to put to sea, who then is in command of the vessel?

5. Does that person or those persons have appropriate qualifications?

6. Has the department or the Minister issued any permits to enable any patrol or research vessel to put to sea without a fully qualified skipper and, if so, when and where did that occur and on how many occasions?

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

1. M. W. Swaffer, Master, *Joseph Verco* (Research); J. Ormerod, Master, *Wurrabinya* (Patrol).

2. Relevant certificate of service or competency with tonnage endorsements under the Manning of Fishing Vessels Regulations.

3. M. W. Swaffer, 11 years; J. Ormerod, four years.

4. An approved Master with relevant experience and qualifications.

5. Yes.

6. No.

SCHOOL BOOKS

1137. **Dr. EASTICK** (on notice):

1. Has the 1979 work programme of schools been adversely affected by the late arrival of books and materials from the State Supply Department and, if so, what are the details?

2. Has any explanation been given for the late supply of books and materials ordered on time in the last term of 1978 and, if so, what is the explanation?

3. What action has been or will be taken to prevent a recurrence in the future?

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

1. No reports have been received by the Education Department that would suggest schools have been adversely affected by the late arrival of books and materials.

2. The late receipt of free text books from overseas sources, together with the large volume of requisitions received for the supply of exercise books and similar material, has created a high work load peak in the State Supply warehouses. During the Christmas school holidays, deliveries could not be made to many schools because of problems in gaining access to school properties and carriers unable to accept goods. The State Supply Division of the Department of Services and Supply has employed additional persons in assembling orders.

3. Action has been taken by the Education Department to provide the State Supply Division of the Department of Services and Supply with earlier advice of primary schools text book requirements for 1980 than was the case in 1978 for 1979 requirements.

DUKES HIGHWAY

1138. **Mr. NANKIVELL** (on notice):

1. Have plans been completed for the widening and re-routing where necessary of Highway No. 8 (Dukes Highway) between Tailem Bend and the Victorian border?

2. When is it expected that work will be commenced on this project?

3. What will be the priority of works when the work commences?

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

1. Yes.

2. July 1979.

3. Completion in four years, subject to the availability of funds.

SOUTH ROAD CLEARWAY

1139. **Mr. CHAPMAN** (on notice):

1. Does the Government plan to extend its 12-hour clearway proposal on South Road beyond 31 March 1979 and, if so, what extension of hours is planned and when is the extension to be introduced?

2. Do all councils adjacent to South Road approve an extension of the clearway hours and, if not, which councils have advised the Government that they oppose extending the application of the proposal?

3. Have the reported effects of an extension of clearway hours on South Road businesses and the surrounding community been properly evaluated and, if so, by whom will a report of that evaluation be made?

4. Will that report be available to the Parliamentary Library?

5. Has the possibility of further unemployment due to the effect of a clearway on businesses along the affected section of South Road been investigated?

6. What evidence is available to indicate the extent, if any, of that unemployment?

7. If no independent study has been done to identify the impact on the South Road residential and business community, does the Minister intend to have an independent evaluation made before the clearway hours are extended and, if so, will the Minister authorise such a study?

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

1. The matter is still under discussion with the councils and the South Road Association.

2. The Corporation of the City of West Torrens is opposed to the proposal. The Corporations of the Cities of Marion and Mitcham have agreed in principle but have requested deferment until 31 December 1980 and 30 June 1981 respectively. The Corporation of the City of Unley has agreed, provided that its section of South Road is not treated in isolation.

3. to 7. The South Road Association has proposed the engagement of a consultant to study the effects of the proposed extended clearway hours but no decision has yet been taken, and the extent of the study, its terms of reference and the distribution of its findings have not been determined.

1140. **Mr. CHAPMAN** (on notice):

1. Is it planned to introduce clearway restrictions on any sections of South Road other than the Anzac Highway to Daws Road section and, if so, when is it planned to do so, and over which sections?

2. Is the Anzac Highway to Daws Road section of South Road currently causing the worst traffic bottlenecks on the entire length of South Road and, if not, how will any extension of clearway hours on the Anzac Highway to Daws Road section help in relieving those bottlenecks?

3. What evidence is available which identifies the worst traffic bottlenecks on the whole of South Road?

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

1. Yes. Extended clearway hours have been proposed between Anzac Highway and the Torrens River. Introduction of the measure has been deferred until March 1979, and it is probable that a further deferment will be necessary.

2. Yes. The traffic congestion and incidence of accidents is greatest on the section between Anzac Highway and Daws Road. The extension of clearway hours on this section of South Road is expected to result in a significant reduction in accidents and congestion.

3. Traffic volumes and accident statistics.

TEACHER HOUSING

1141. **Dr. EASTICK** (on notice):

1. What has been the reaction of members of the teaching profession who occupy Teacher Housing Authority homes to the January 1979 announcement that "Cabinet has determined that revised rentals . . . will be effective from 22 December 1978"?

2. As private landlords bound by the provisions of the Residential Tenancies Act must give tenants not less than 60 days notice of a rental increase, why was this courtesy not accorded to members of the teaching profession?

3. What consideration was given to the adequacy of individual accommodation, for example, state of repair, paintwork, insulation, draughtiness, etc., prior to individual rentals being raised and, if no such consideration was given, why not?

4. What is the average percentage increase and how

does it compare with the inflation rate for the 12 months to 31 December 1978?

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

1. The timing of the commencement date was discussed with representatives of the South Australian Institute of Teachers. Although the Institute of Teachers accepted the increase as inevitable, it was also noted that, as a result of the 42-week scheme, the increase would not affect teachers until the pay period ending 15 February 1979.

2. Cabinet has determined that the date of operation of this rental increase shall be the first pay week ending on or after 21 December 1978, thus meeting the spirit of the Residential Tenancies Act in requiring two months notice of rental increase which was expected on 1 September 1978.

3. Each Teacher Housing Authority residence was individually inspected by the Government rent-setting body so that such factors were taken into account in the determination of rent for a particular residence.

4. The average percentage increase applicable for Teacher Housing Authority residences from 22 December 1978 was 20 per cent. This compares with the inflation rate for the 12 months ended 21 December 1978 of 6·6 per cent (Adelaide). The Teacher Housing Authority rent increase resulted from a general rent review which assessed Teacher Housing Authority rentals to equate with four-fifths of the general level of rent charged by the South Australian Housing Trust for a comparable standard of housing. The latest increase was based on Housing Trust rent levels as at 31 March 1978. Consequently, there is still a lag between the Teacher Housing Authority rentals and the level of rentals charged by the Housing Trust at the date of operation.

1142. **Dr. EASTICK** (on notice):

1. What number of homes are controlled by the South Australian Teacher Housing Authority and what is their regional distribution?

2. What variations of rental have occurred since inception of the authority and what are the details of each change?

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

1. Attached is a schedule summarising the houses controlled by the Teacher Housing Authority and the type of housing relevant for both the Education Department and the Department of Further Education.

2. The table set out below schedules the rental variations which have occurred since the inception of the Teacher Housing Authority.

Date of Operation	Percentage Variation Increase	Details of Variation
1.9.76	19	Housing component of the c.p.i. for the 12 months ended 31 March 1976.
Dec. 76	25	Introduction of 42 weeks scheme.
1.10.77	13.2	Housing component of the c.p.i. for the 12 months ended 31 March 1977.
22.12.78	20 (approx.)	General rent review in accordance with Cabinet approved policy.

The rental variations applicable from 1 September 1976 and 1 October 1977 equate with the housing component of the c.p.i. for the 12 months ended March quarter prior to the increase.

The rental variation applicable from December 1976 is related to the Teacher Housing Authority's policy of spreading the 52 weeks rent for a residence over a 42-week period covered by the school term periods. This policy was implemented by the authority, with the approval of the Education Department, the Further Education Department and the S.A.I.T.

The most recent increase applicable to the Teacher Housing Authority residences became operative from 22 December 1978 and amounted to about 20. The increase was in compliance with the Cabinet approved policy relating to rentals for Government owned housing. This policy states that all rentals assessed for new houses or revisions of existing rents are to be based on four-fifths of the general level of rents charged by the South Australian Housing Trust for a comparable standard of housing. The Housing Trust recommends to the Public Service Board at three yearly intervals any adjustment considered necessary to meet this criteria. The latest rental increase is a general rent review in accord with this policy resulting from the physical inspection of every individual residence. Annual adjustments of Government employee housing rents will be adjusted on the basis of the increase in the housing component of the c.p.i. from March to March quarter after allowing for any significant difference between the "housing component" and the "all groups" figures for the c.p.i., and the actual increases in Housing Trust rents, during the previous year.

It should be noted that the Teacher Housing Authority has effected upgrading works to a number of residences since the last rent review (1977). Rental adjustments, as a result of these upgradings, are adjusted by the authority in the annual review, not progressively during the year, as a result of administrative economy.

Region	Murray Lands	River-land	North-ern	Central Northern	Central Eastern	Central Western	Central Southern	South Eastern	Yorke and Lower North	Eyre	TOTALS
TYPE OF HOUSING											houses
T.H.A.	122	90	256	97	37	17	66	177	161	115	1 138
S.A.H.T.	43	45	253	4	5	3	5	71	23	43	495
Privately leased	8	24	36	5	Nil	3	5	25	18	21	145
Aboriginal Schools	2	—	35	—	—	—	—	—	1	7	45
Totals	175	159	580	106	42	23	76	273	203	186	1 823
D.F.E.											
T.H.A.	2	3	51	1	2	1	3	26	2	5	96
S.A.H.T.	—	—	26	—	—	—	—	1	—	—	27
Aboriginal Schools	—	—	1	—	—	—	—	—	—	—	1
Totals	2	3	78	1	2	1	3	27	2	5	124
Combined Totals	177	162	658	107	44	24	79	300	205	191	1 947

COMMUNITY DEVELOPMENT

1144. **Dr. EASTICK** (on notice):

1. What action has the Government taken to ensure that local government is encouraged to play an increasing role in community development and what has been local government's reaction to any such promotion?

2. When is it expected that changes in representation on Community Councils for Social Development will be effected and will the changes be the same for all Councils for Social Development, or will autonomy of direction and purpose be afforded such councils, participating organisations and individuals, including local government?

3. Have local government authorities been given a deadline to agree to change and is that deadline 30 June 1980?

4. Why has it been deemed necessary to threaten local government into decisions affecting their future relationship with Community Councils for Social Development and who made such decision and how was it transmitted to local government?

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

1. The Premier wrote to each local government authority in November 1978 and this will be followed up shortly by a letter from the Minister of Community Development inviting a specific response. The Minister has also addressed the Western and Southern Regional Organisation of Councils and has made contact with many local government bodies. Reaction has been uniformly favourable.

2. Representational changes on Community Councils for Social Development have already begun and will differ in response to local needs.

3. The date of 30 June 1980 is the date which has been set for a review of the operations of all Community Councils for Social Development.

4. The information on which the honourable member bases his allegation of "threats" to local government would be appreciated.

MONTACUTE ROADS

1147. **Mr. GOLDSWORTHY** (on notice):

1. Does the Highways Department intend taking steps to upgrade Corkscrew Road, Montacute and, if not, why not?

2. Are there any proposals to include Corkscrew Road in any extension of the Montacute to Kangarilla scenic route?

3. On what occasions has the District Council of East Torrens sought financial assistance for the sealing of either or both Corkscrew and Valley Roads, Montacute?

4. How much was sought and why were the applications not successful?

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

1. No. The road has a low priority.

2. Corkscrew Road is part of the scenic route.

3. No applications have been received for at least five years.

4. See 3 above.

CUDLEE CREEK ROAD

1148. **Mr. GOLDSWORTHY** (on notice): In view of the number of fruit transports it carries and its importance to the fruit industry, has the Highways Department any plans to seal the Cudlee Creek to Lenswood Road?

The Hon. G. T. VIRGO: No.

NOVAR GARDENS BUILDINGS

1149. **Mr. BECKER** (on notice):

1. What were the terms of the contract for purchase of land and buildings for use by the Police Department, previously owned by the Lightburn group of companies at Novar Gardens, in relation to vacating of premises by Lightburns and/or tenants, and are the terms of vacation being met and, if not, why not?

2. Can the Minister assure the House that if the terms of contract have not been met in regard to vacation a reasonable rent is being charged and received and, if so, how much and if not, why not?

3. If an occupancy extension has been requested:

(a) which companies have made such requests;

(b) how much land and building space is involved; and

(c) what now is the date of vacation?

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

1. Vacant possession was to be given on 31 January 1979. No. Consideration is currently being given to terms for the extension of possession with respect to minor areas of the property.

2. The terms associated with the continued occupation of portions of the premises will be the subject of a formal submission for my consideration in due course. I am satisfied that such terms will be commensurate with the circumstances which apply in this instance.

3. *(a)* Lightuburn & Co. Ltd., Fish Farms Pty. Ltd.

(b) Lightburn & Co. Ltd.—a portion of the workshop building. Fish Farms Pty. Ltd.—a small laboratory and approximately 0·25 ha of vacant land.

(c) Lightburn & Co. Ltd.—end of February 1979. Fish Farms Pty. Ltd.—June 1979.

WHYALLA INDUSTRY

1156. **Mr. DEAN BROWN** (on notice):

1. What new industrial ventures were proposed by the Whyalla Working Party during 1978, and how many jobs were potentially involved in each venture?

2. How many of these ventures have now commenced and how many persons are currently employed in each venture?

3. Is the rolling stock proposal likely to now proceed and, if not, why not, and when will a final decision be made on this proposal?

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

1. Establishment of a salt refining and packaging plant—job potential 40. Salt refining and packaging plant is in the course of construction and will be fully operational in the next few months.

Manufacture of steel sleepers by B.H.P.—job potential six to 30. Sleepers being produced on trial.

Rolling heavy railway rails by B.H.P.—job potential not known. Approximately 20 to 30 people being employed with makeshift facilities at present time.

Use of blast furnace slag for building industry—job potential not known. Investigation still under way.

There are three confidential projects being negotiated by the Economic Development Department involving approximately 200 jobs for two years and approximately 100 jobs indefinitely.

2. See 1. In addition, assistance has been given to Whyalla contractors to enable them to obtain work in other States.

3. The original proposal for rolling stock was not accepted. A further submission was forwarded to Canberra in January 1979. The matter is still under consideration.

GARY CHEMICALS

1157. **Mr. DEAN BROWN** (on notice):

1. Has the South Australian Development Corporation approved an application by Gary Chemicals Proprietary Limited for financial assistance to relocate their factory into South Australia at Murray Bridge and, if not, why not?

2. How many persons will be employed at this factory in the third year of operation if the relocation proceeds?

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

1. No. The application did not meet the criteria laid down by the Industries Development Act.

2. The application indicated about 30 to 40 people.

FROZEN FOOD FACTORY

1159. **Mr. DEAN BROWN** (on notice):

1. What person or persons are now responsible for the overall management and direction of the Government Frozen Food Factory?

2. Where Messrs. Allert and Heard paid by the Government to advise on the management and control of the factory and, if so, on what terms were they brought in to advise and what will be the total cost of their services?

3. Does the Royal Adelaide Hospital obtain food from the factory and, if not, why not?

4. Does the Northfield Mental Hospital obtain food from the factory and, if not, why not?

5. Does the Queen Elizabeth Hospital obtain food from the factory and, if not, why not?

6. What equipment is currently lying idle at the factory and what was the capital cost of this equipment?

7. Was the number of man hours of cleaning staff at the factory recently reduced and, if so, what was the magnitude of the reduction?

8. What measures are being taken to improve the efficiency and economics of operating the factory?

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

1. S.A. Frozen Food Operations Pty. Ltd., a wholly-owned subsidiary of the South Australian Development Corporation.

2. No.

3. Yes.

4. Yes.

5. The Queen Elizabeth Hospital is presently building a freezer and converting existing facilities to enable it to utilise the service offered by the Frozen Food Factory.

6. The heat exchanger is presently idle because of some technical problems which the plant engineer is investigating.

The special diet line has not yet been used and the dough sheeter is not presently used because of the low volume produced in the bakery.

The capital cost of the equipment not being used was approximately $130 000.

7. Yes. One cleaner resigned on December 22 1978 and has not been replaced.

8. The South Australian Development Corporation, having only recently received its brief, is investigating every opportunity to increase the volume of production at the factory and so give a greater utilisation of plant capacity. Improved management controls have been introduced which have resulted in cost savings, particularly in the areas of production and distribution.

DENVAR NOMINEES

1160. **Mr. DEAN BROWN** (on notice):

1. Did the South Australian Development Corporation make or guarantee a loan to Denvar Nominees Pty. Ltd. and, if so, how much money was involved and in what form?

2. In granting the financial assistance did the S.A.D.C. receive a personal guarantee or security from a third party and, if so, who was that third party, what was the guarantee and what was the amount involved?

3. Has Denvar Nominees Pty. Ltd. gone into liquidation and, if so, how much money of the original loan has so far been claimed under guarantee?

4. Is the corporation having difficulty in exercising the security over the loan and, if so, for what reasons?

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

1. The South Australian Development Corporation made a loan of $95 000 to Denvar Nominees Pty. Ltd.

2. The S.A.D.C. received a joint guarantee for the full amount of the loan and interest from a third party, supported by a mortgage over real property belonging to that party. Consistent with the practice adopted by lending institutions generally, the source of securities is treated by the corporation as a matter of confidentiality between the guarantor and the corporation.

3. No.

4. No.

RAFFLES

1161. **Mr. DEAN BROWN** (on notice):

1. Will the Government abolish the levy or tax imposed upon moneys collected in the conduct of raffles for all voluntary associations and charitable bodies?

2. Why does the Government impose such a tax or levy on such associations and bodies?

3. Is the Government aware that many voluntary organisations and charitable bodies receive no financial assistance from the State Government, but still are obliged to pay the tax or levy?

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

1. No. The Government does not intend to abolish the fees payable for the issue of licences, under the Lottery Regulations, to voluntary associations and charitable bodies for the conduct of raffles, etc. The fees levied are minimal in relation to the turnover achieved.

2. To cover the administrative and regulatory costs in respect of lottery licences issued to over 10 000 associations in South Australia.

3. Yes. However, the Lottery Regulations were amended in April 1978, to waive the payment of licence fees on anticipated proceeds under a general lottery licence by which organisations are permitted to run lotteries offering prizemoney in excess of $400. Instead, fees are payable on actual gross proceeds following the termination of a lottery. This has resulted in substantial savings to associations, including voluntary and charitable organisations, which conduct lotteries under a general licence.

INDUSTRIAL DEMOCRACY FILM

1165. **Mr. DEAN BROWN** (on notice): Has the South Australian Film Corporation produced, or is it producing, a film on industrial democracy and, if so:

(a) what is the cost of producing the film;

(b) for what purposes will the film be used;

(c) who will be responsible for the distribution of the film; and

(d) will the Premier release a transcript of the film for examination by members of Parliament and, if not, why not?

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

1. Yes.

2. The contract for production of this film was let to a local company after competitive tenders had been invited.The corporation follows normal commercial practice in treating tender and contract prices in confidence. As with previous Parliamentary questions about the cost of the corporation's documentary films, whether commissioned by State Government departments and instrumentalities or by commercial organisations, the Government shares the corporation's view that production costs should not be published.

3. The film will serve as a starting point for discussion of the principles of industrial democracy. It will illustrate the need for and value of worker participation with management, in breaking down mutual distrust and misunderstandings.

4. The corporation will hold the copyright and be responsible for making prints available to organisations throughout Australia that wish to buy copies. Prints also will be available for free borrowing by organisations registered with the corporation's film library. The Unit for Industrial Democracy will use prints to support its work in encouraging discussions of the principles illustrated in the film.

5. Scripts of corporation documentary productions are not released in advance, no matter who commissions their production. The corporation does plan, however, to invite members of Parliament to a special preview of the film when it is completed.

WATER TREATMENT

1166. **Mr. DEAN BROWN** (on notice):

1. What was the total construction cost of the Hope Valley water treatment plant, what is its capacity to treat water, who designed it, and who constructed it?

2. What is the anticipated total construction cost of the Anstey Hill treatment plant, what will be its capacity to treat water when completed, who designed it, and who is constructing it?

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

1. $19 600 000. 273 megalitres per day design capacity. Engineering and Water Supply Department.

Construction of the buildings and structures was undertaken by the Engineering and Water Supply Department. The mechanical and electrical equipment was supplied and installed by F. R. Mayfield Pty. Ltd. The filtered water storage tanks were constructed by McMillan Industries Pty. Ltd.

2. $15 650 000. 313 megalitres per day design capacity. James Montgomery Consulting Engineers Inc.

Construction of buildings and structures is being carried out by the Engineering and Water Supply Department.

MR. D. DALL

1168. **Mr. DEAN BROWN** (on notice): Was Mr. D. Dall sent to Malaysia at the instruction of the South Australian Government and, if so:

(a) What the the purpose of his visit.

(b) What was the total cost of professional fees, travel, accommodation and other expenses for the entire trip.

(c) Was Mr. Dall examining the management and finances of the Panelex factory in Penang.

(d) Will Mr. Dall undertake further work in relation to these Malaysian projects; and

(e) For how long was Mr. Dall in Malaysia?

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

Mr. Dall was not sent to Malaysia at the instruction of the S.A. Government.

(a) Mr. Dall goes to Malaysia in his capacity as partner responsible for a consulting assignment to the Penang Post Commission being carried out by Price Waterhouse & Co., chartered accountants.

The assignment was negotiated by the Singapore and Sydney offices of the firm, which has allocated staff from the U.K., U.S.A., Kuala Lumpur, Singapore and Australia to carry out the project.

(b) n.a.

(c) n.a.

(d) n.a.

(e) n.a.

CLARE POLICE STATION

1171. **Dr. EASTICK** (on notice):

1. By what means were the bricks surplus to requirements vide Question on Notice 899 removed from the construction site of the Clare police station, by whom and to where?

2. What was the cost of removal of the bricks from the site to their present and/or any other site?

3. Are the circumstances of the movement of the bricks the normal procedure for such surplus stock and, if not, why not, and what is the explanation?

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

1. The bricks were removed from the site by the siteworks contractors, Mid-North Excavators, and stored initially in the contractor's yard at Clare. They were subsequently transported by departmental transport to salvage.

2. No costs were incurred in transporting the bricks to the contractor's yard. As the subsequent transporting of the bricks by departmental transport also included other plant and materials, the cost apportioned to the bricks alone has been estimated at approximately $24.

3. No. The bricks were removed in this instance to clear the site to enable the contractor to have complete unhindered access and to maintain activity on site in order that the contractor's programme could be maintained.

ABORIGINAL AND HISTORIC RELICS

1172. **Mr. WOTTON** (on notice):

1. Does the Protector of Aboriginal and Historic Relics personally attend Relics Advisory Board Meetings?

2. Did the Relics Advisory Board meet between April and August of 1978?

3. Why have no Aboriginal and historic sites been proclaimed during the last two years?

4. Why has the Relics Unit staff been very drastically reduced recently?

5. Why has the Aboriginal Trainee Scheme been allowed to lapse and:

(a) why was a teacher for the trainee scheme not reappointed in September 1978: and

(b) has a teacher now been reappointed?

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

1. The Protector of Relics is not specified as a member of the Aboriginal and Historic Relics Advisory Board

under the provisions of the Aboriginal and Historic Relics Preservation Act. The Protector or his representative attends meetings of the Board at the pleasure of the Chairman.

2. No.

3. No Aboriginal or historic sites have been proclaimed during the last two years because inadequate protection is provided under the Aboriginal and Historic Relics Preservation Act, 1965.

4. There has been no change in the number of permanent staff in the Relics Unit in recent years.

5. The Aboriginal Trainee Scheme has not been allowed to lapse:

(a) the teacher in question was not re-appointed because he returned to the teaching profession of his own volition and refused an offer of secondment to the training programme;

(b) efforts are being made to appoint an appropriate training officer.

PETERBOROUGH HOUSING

1173. **Mr. GUNN** (on notice):

1. What are the reasons for the delay in normal maintenance being carried out on teacher accommodation at Peterborough?

2. Is there a shortage of funds for this purpose within the Teacher Housing Authority?

3. Does the Teacher Housing Authority intend to build any new accommodation in Peterborough during the current financial year?

4. If tenants spend their own funds on accommodation are they reimbursed by the authority?

5. Is the rent charged by the authority based on Housing Trust rates, or does the authority set its own charges?

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

1. The S.A. Housing Trust inspector working for the Teacher Housing Authority has advised that he regularly visits schools and Principals in the Peterborough area and any matters regarding maintenance are fully discussed with Principals and teachers whenever possible. The inspector has advised that during his visit to Peterborough in the week ending 16 February 1979 no formal complaints regarding delays in maintenance were expressed to him. In fact it is considered that as a result of vacancies occurring through staff changes over the Christmas vacation period, maintenance at Peterborough is as up to date as is possible when consideration is given to the funds restrictions facing the Authority.

The Teacher Housing Authority has not received any formal complaints regarding the delay in non-urgent maintenance being effected.

2. The Board of the Authority is concerned that the rent received from tenants of residences is insufficient to cover the cost of providing and maintaining the accommodation.

3. The Education Department has requested provision of a residence for a married teacher (person with dependants) at Peterborough or Jamestown in the 1978/79 programme, but the priority for the request is lower than for some other projects in the Region.

4. Tenants who effect works on accommodation are reimbursed by the Authority providing the following criteria is met:

(a) Works are within the standards determined by the Authority for its accommodation.

(b) The work is effected in a tradesman like manner.

(c) Work is subjected to inspection by the Maintenance Inspectors of the South Australian Housing Trust working on behalf of the Authority.

(d) Prior approval is given by the Authority for the undertaking of such jobs.

5. Rentals applied to Teacher Housing Authority residences are in compliance with the Cabinet approved policy relating to rentals for all Government owned housing.

This policy states that all rentals assess for new houses, or revisions of existing rents, are to be based on four-fifths of the general level of rents charged by the South Australian Housing Trust for a comparable standard of housing.

CARTAGE RATES

1175. **Mr. RODDA** (on notice): Will the Government include stock fodder and hay as exempt commodities for cartage under the Road Maintenance (Contribution) Act and, if not, why not?

The Hon. G. T. VIRGO: No. Exemptions from the payment of contributions are set out in the First Schedule to the Road Maintenance (Contribution) Act and are principally the carriage of items of a perishable nature derived from primary production. Stock fodder and hay are not perishable items.

SCHOOL AUTONOMY

1178. **Dr. EASTICK** (on notice):

1. Does the school principal have complete autonomy in determining the allotment of staff within his school timetable and what is the particular policy on the subject?

2. Have there been instances of interference from Regional Office level and, if so, what are the circumstances of each such involvement and how does such direction relate to school autonomy?

3. Is any alteration of "school autonomy" contemplated and, if so, in what direction, when and for what reason?

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

1. Education Regulation No. 121 (1) *(a)* states—

"That Principals and Head teachers shall be responsible under the Act to the Director-General for the management, organisation and administration of the school and the welfare and development of its pupils".

The Freedom and Authority memorandum issued in 1970 states—

"That the Principal is in undisputed control of the school", but that this was within the broad framework of the Education Act, the general curriculum approved by the Director-General of Education and the general policy set by the Director of the appropriate Division and communicated to the school.

This delegated authority has been interpreted by Regional Directors to mean that they may, usually through their Regional Principal Education Officers offer advice and make suggestions where they see fit, on matters such as school organisation and in particular the timetabling and allocation of staffing responsiblities.

At no stage, have instructions been issued to Principals on these matters. The practice, however, has always been to use a consultative approach which has obviated the need for direct confrontation.

2. As far as can be determined, there have been no directives issued by any officer from a Regional Office that compromise the Principal's authority in a school. Certainly

Regional Directors have sought to influence Principals in matters of organisation where the school policy is not seen to be in the best interest of the children or of the Department as a whole. For example, Primary and Junior Primary staffing has been based on the assumption that growth will occur up to and including the end of the 2nd term. Where Principals have chosen to organise classes so that it could be difficult for new children coming into the school to be immediately integrated into the programme, these Principals have been alerted to the possible effects of the organisation and practices they are pursuing. In one secondary school, whose estimated enrolment for 1979 exceeded the actual enrolment by 85 students, three teachers were required to transfer. In this case one teacher who had not turned up was not replaced, and two teachers accepted relocation. In this process, Regional P.E.O.'s went to the school and gave a number of suggestions as to how this change could be effected. The Principal was asked to think about the suggestions and advise the Regional Office of the decision that he made.

In a primary school where it was clear in 1978 that due to falling enrolments, a teacher had to be moved, the Principal and his wife, who were the remaining teachers at the school, were given advice by the Regional P.E.O. as to possible re-organisation within the school in the interests of the students. In each case it would be difficult to describe the involvement of the Regional Office as an interference, but rather as fulfilling an advisory role consistent with the lines of responsibility under the Act. In all cases quoted, the Principal could have chosen to ignore the discussions.

3. There are no changes envisaged to the freedom and authority of school Principals from a regulatory or policy point of view. However, the basic tenet of the original Freedom and Authority memorandum that was underlined in the postscript to Principals from the immediate past Director-General is that greater consultation within the school community, is an essential part of any Principal's decision-making process. In similar fashion, the decision-making of Principals will be the poorer if they choose not to consider the advice and ideas that come through Regional P.E.O.'s and Regional Directors.

LONG SERVICE LEAVE

1181. **Mrs. ADAMSON** (on notice):

1. What were the total number of days and the value of long service leave due to:

(a) primary;

(b) secondary; and

(c) further education

teachers at 31 December 1978?

2. What were the total number of days and the value due, at the end of each of the months January to November, 1978?

3. What are the projections for total number of days and value of long service leave due in each of the months January to December 1979?

4. How many teachers expended their long service leave within:

(a) 6 months; and

(b) 12 months,

of it falling due in each of the years 1977 and 1978?

5. Since 1975, how many teachers have delayed taking up their long service leave by:

(a) more than 1 year;

(b) more than 2 years;

(c) more than 3 years; and

(d) more than 4 years?

6. How many teachers have lodged requests for deferment of long service leave in 1975-76 to 1978-79, respectively?

7. Of these requests for deferment, how many have been granted, or conditionally granted, and how many refused and what are the details?

8. Has the Public Actuary or any other authority indicated the percentage and actual cost increase eventually payable by the Government as a result of deferral from each of the years 1975-76 to 1979-80, respectively, for primary, secondary or further education teachers, respectively, and if so, what are the percentages and actual cost increases and, if not, why not?

9. Was the sum of $9 000 000, designated "Government contribution pursuant to Superannuation Act" on page 89 of the 1978 Auditor-General's Report, the total amount due for all Education Department staff, or was it an estimated amount and, if the latter, what were the factors used to calculate the estimate and how accurate is the amount in relation to actual Government commitment?

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

1-5. Because the number of days and value of long service leave is not automatically recorded for each teacher as it progressively becomes due, it is not practicable to provide the information sought for these questions at short notice. It would be necessary for a large team of officers from the Payroll Services Section to spend many months to manually extract the information and compute the answers from approximately 20 000 leave record cards. Existing workload commitments are such that this task would cause a major disruption to essential ongoing duties and could only be undertaken by extended and continuous overtime, at a total estimated cost in the vicinity of $150 000.

6. Current legislation does not make it obligatory for teachers to take long service leave as it becomes due. Consequently teachers are not required to lodge requests for deferment.

7-8. See 6.

9. This amount represents actual payments made by Treasury, through the Superannuation Fund, to all former Education Department employees who have retired (or their dependents) and who are in receipt of a superannuation pension.

COPLEY BY-PASS

1182. **Mr. GUNN** (on notice):

1. Have final plans and specifications been drawn up and approved for the Copley by-pass and, if so, are they available to the public?

2. Have arrangements been made so that existing businesses in the Copley area will not be disadvantaged by the by-pass arrangements?

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

1. Final plans and specifications have not yet been drawn up and approved.

2. See 1.

OPERA THEATRE

1192. **Mr. MILLHOUSE** (on notice):

1. What has been, so far, the cost of renovating the Opera Theatre for the State Opera?

2. How is that cost made up?

3. What is expected to be the final cost?

4. What was the original estimate of cost of renovating the theatre and when was it made?

The Hon. R. G. PAYNE: The honourable member should address all questions on the arts to the Minister of Community Development in lieu of the Minister of Community Welfare. The replies are as follows:

		$
1.	$1 402 305.	
2.	Backstage	352 960
	Auditorium	308 840
	Front of house	479 440
	External	88 239
	Furnishings	25 000
	Fees	147 826
		1 402 305

3. $1 865 000.
4. *(a)* $1 450 000.
(b) 11 September 1978.

NEAPTR

In reply to **Mrs. ADAMSON** (14 February).

The Hon. J. D. CORCORAN: All submissions that were made to the Transport Department in response to the draft E.I.S. have been examined by both the Transport Department and the Environment Department, and the comments arising therefrom, together with the submissions, are presently being printed and as soon as they are ready they will be made public.

ARCHITECTS ACT

In reply to **Mr. EVANS** (22 February).

The Hon. J. D. CORCORAN: Since the meeting with the Building Designers Association and others on 15 January 1979 the file relating to this matter that was lost at that date has been reconstructed. Further meetings have been held with the building designers and the architects in an effort to finally resolve the situation of the former. The delay caused by the loss of the file, which was out for attention at that stage, has unfortunately precluded a decision being put into effect before the end of the current Parliamentary session, but the undertaking given by me to the parties involved that the Government would declare its intentions before the end of March will be honoured. It may, unfortunately, be necessary to extend the present exemption to later this year to enable legislative effect to be given to the decision.

MEMBERS OF PARLIAMENT (DISCLOSURE OF INTERESTS) BILL

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

MINISTERIAL STATEMENT: QUESTIONS ON NOTICE

The Hon. J. D. CORCORAN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. J. D. CORCORAN: I wish to assure all members that any Questions on Notice that have not been answered so far will be answered by letter, as soon as possible, after the House rises.

MINISTERIAL STATEMENT: NORTHERN FLOODING

The Hon. D. W. SIMMONS (Chief Secretary): I seek leave to make a statement.

Leave granted.

The Hon. D. W. SIMMONS: Because of the severe flooding which took place in Northern parts of the State late last week, the Premier on Saturday requested me to obtain a report on the situation in various areas, including Andamooka and Whyalla.

The Police Department, later that day, reported to me that the situation in Whyalla was satisfactory, but that at Andamooka communications had been cut; the road to Woomera was expected to be impassable for a week and the main air strip might be unusable for up to four weeks. It was expected that the emergency landing strip might be suitable for use by a light aircraft in two or three days provided no more rain fell. It was reported that there had been no property damage, although minor flooding had been caused to three houses, and the food position was satisfactory. It was further reported that no assistance was required at that stage.

Yesterday, I obtained a further report from the Police Department and was notified that the weather had improved but that communications were still likely to be cut for some time. It was further reported that there was a shortage of perishable foods, such as bread, milk, and butter, and that a helicopter was available at Woomera to transport supplies of these goods to Andamooka, if necessary, at the Government's expense.

I have today given instructions that the necessary air-lift should take place. The foods required are available at the Australian Services Canteen at Woomera, and the types and quantities involved have been decided on in consultation with the appropriate people at Andamooka. I have been informed that, provided there is no further rain, it should be possible for four-wheel drive vehicles to get through to the township by next Friday. The situation will be kept under review by me, acting on advice by the Police Department.

MINISTERIAL STATEMENT: SOUTH AUSTRALIAN MUSEUM

The Hon. J. C. BANNON (Minister of Community Development): I seek leave to make a statement.

Leave granted.

The Hon. J. C. BANNON: The report of the Museum Board, which I have tabled, contains a number of criticisms of the situation at the South Australian Museum. In particular, it comments on accommodation, for both staff and the collections, the provision of funds and manpower, and the future policy direction of the museum. The report covers the period 1 July 1977 to 30 June 1978. Since that time, both my predecessor as Minister responsible for the museum (the Minister of Education) and I have taken a number of steps to ensure, first, that the pressures on accommodation are eased; secondly, that funds are provided to deal with immediate problems; and, thirdly, that policies for future development are formulated.

For the information of the House, I wish to place on the record the details of the steps we have taken. A central problem is that of accommodation. I have had the opportunity to tour the museum and have seen at first

hand the cramped conditions for staff and the inadequate storage facilities for the museum's valuable and unique collections. The report correctly draws the Government's attention to this situation.

To overcome this problem the former Further Education Department complex on Kintore Avenue has been made available for museum use. The Public Buildings Department has assigned a supervising architect to co-ordinate the necessary alterations, and funds have been provided for his initial feasibility study. In addition, agreement with the Environment Department has led to the museum having exclusive tenure of a warehouse area at Fullarton Road, Kent Town. The Public Buildings Department has been requested to carry out the necessary alterations to ensure that the collection held there will be properly stored.

The improved accommodation which will result from the acquisition of the former Further Education Department complex will also mean that the old Armoury Building, referred to in the report, can be vacated and much needed restoration work begun. The condition of this building, which is of great historical importance, is dealt with in the report. Its repair and renovation was not possible while it was occupied, although some work has commenced on the external features, such as the chimneys. The museum also expects that the information and education service will have improved facilities as a result of the extra accommodation.

An archivist and her assistant, employed under a State Unemployment Relief Scheme project, early last year began to evaluate the condition of the Museum Archival Documentation Collection. These records are vital, and in many cases they describe and explain the unique ethnological collection. The project drew attention to the advanced state of deterioration of the archives. As further SURS money was not available to complete the project, following the enforced cutback of the scheme due to the attitude of the Federal Government, Cabinet provided a special grant of $33 500 for the restoration and repair of the collection.

The future of the South Australian Museum is, in every respect, an exciting one. The museum contains collections and exhibits which are renowned internationally for their unique character. Unfortunately, they are rarely seen by the people of South Australia. Now, as part of the Community Development Department, the museum faces the challenge of developing its collections and exhibiting them in such a way that they become a real community resource.

A major study is to be undertaken as a matter of urgency into:

1. the existing structure and functions of the museum and its present operation, including the housing and conservation of collections;
2. the development of future display and exhibition policies and the facilities needed to achieve these policies; and
3. the feasibility of reorganising the ethnographic collection.

By arrangement with the Australia Council and the Commonwealth Minister for Home Affairs and the Minister for the Capital Territory, Mr. Ellicott, we have obtained the services of Mr. Robert Edwards, Director of the Aboriginal Arts Board of the Australia Council, to undertake this study and report on future action. Mr. Edwards will commence his study shortly and hopes to report in time for preliminary action to be taken in the 1979-80 financial year.

I have also approved terms of reference for another study which will provide advice on how the Government can co-ordinate and assist the efforts of the many local, regional and specialist museums throughout the State. The details of this inquiry and who is to conduct it will be announced shortly. The South Australian Museum is one of Australia's major scientific and cultural institutions. Its collections are internationally recognised as unique, and its staff is well known for its professionalism and dedication. The Government is fully committed to ensuring that the museum maintains its distinguished position.

QUESTION TIME

SUCCESSION DUTIES

Mr. TONKIN: I was hoping this afternoon that I would be able to ask a question of His Majesty King Simeon, but I thought that it would be ruled out of order. I hope that the Minister of Mines and Energy takes some steps to correct that situation as soon as possible.

Can the Premier say whether the Government will now undertake to abolish succession duty in South Australia in view of the recommendations of the Tasmanian board of inquiry into the effect of probate duty abolition in Queensland that were adopted recently by the Tasmanian Government?

In September 1978, the report of an inquiry chaired by Mr. Graham Blackwood, a former President of the Taxation Institute of Australia, was tabled in the Tasmanian Parliament. After investigating the effects of probate duty abolition in Queensland, the board said on page 11 of its report:

> We visited some resort areas in Queensland and found that quite massive funds were flowing into them from all States, particularly Victoria and South Australia.

The report goes on to estimate that at least $11 000 000 has flowed into Queensland from Tasmania, and suggests that an even greater amount has left South Australia.

In answer to a question asked by the Deputy Leader last week, the Premier genuinely misled the House when he said that Victoria had not abolished succession duties. In fact, Victoria has abolished succession duties between blood relations and relations by marriage. The position in South Australia where children are taxed on the inheritance from their parents is causing severe disadvantage to small businesses, the rural community and the thrifty and discourages investment in this State, and accelerates the exodus to the other States.

The Hon. J. D. CORCORAN: The Leader of the Opposition seems to persist in saying that the Victorian Government has abolished death or succession duties, or whatever you like to call them. The estimated collection of death duties or succession duties in Victoria for this financial year is $50 000 000, and so far $35 000 000 of that $50 000 000 has been collected. Is that the abolition of death duties the Leader is talking about?

The Premier of Victoria has said (and I said this in the House last week and the Leader is now accusing me of misleading the House about it) that the Victorian Government has abolished succession duties between spouses and children. Some succession duties still remain in Victoria, and the Premier of Victoria has said that when it is possible to do so his Government will abolish them. "When it is possible" is the qualification. I want to emphasise that in this State there are no succession duties payable between spouses. Thus, if a husband left his wife $10 000 000 there would be no tax on that estate.

Mr. Goldsworthy: What about children?

The Hon. J. D. CORCORAN: If the Deputy Leader

wants to do away with succession duties, I suppose that is the next step. The principle that applies in regard to this tax so far as this Party and Government are concerned is that it is one of the last remaining wealth taxes that we have. The Leader of the Opposition, followed by his Deputy, and I take it all members on his side of the House, is telling the Government to get rid of that wealth tax and to replace it with something else. In other words, the $17 500 000 we are collecting annually in this State from this tax should be replaced by another tax. The Leader does not have the intestinal fortitude to come out and say with what it should be replaced. He says that this is not his responsibility; he will leave it to the Government. The Government has made its decision: it will retain succession duties in their present form. I told the House last week that it is not proposed to alter or increase the rate applying to succession duties in the next financial year. I also told the House—

Mr. Goldsworthy: It's—

The SPEAKER: Order! There are far too many interjections; there must be one question at a time. The honourable Deputy Leader will have a chance to ask a question.

The Hon. J. D. CORCORAN: —that I will examine the matter with the Under Treasurer and a further detailed examination will be given to the question of hardship. That will not take place until the Budget is considered later this year. I want to emphasise that, if this $17 500 000 is taken away from the State, one alternative is that some other form of tax must replace it, and this would fall far more heavily on working people or those with modest incomes. If one cares to examine it, and I have not done so thoroughly yet—

Mr. Tonkin: You'd better.

The Hon. J. D. CORCORAN: I do not need any advice from the Leader of the Opposition; if I was seeking advice, I would certainly not turn to him. So far I have found that, of those fortunate enough to leave an estate, more than 50 per cent pay no tax at all. If we categorise further, it would probably be found that the next 30 per cent paid about $500 to $1 000; and so it would go on. Thus, this tax falls most heavily on the wealthy people of South Australia who can most afford to pay it, and the Opposition says that this is wrong.

Members interjecting:

The Hon. J. D. CORCORAN: "Hear, hear!" says an Opposition member. The suggestion is that this tax should be spread amongst the poorer people. The Opposition will not say what the tax should be replaced with, but one assumes that it will want some other form of tax introduced, because it would not have the courage to cut services by $17 500 000 in any one year.

Mr. Becker interjecting:

The SPEAKER: Order! The honourable member for Hanson and other members must cease interjecting.

The Hon. J. D. CORCORAN: The member for Hanson has given me the lead.

Mr. Becker: It's easy to do.

The Hon. J. D. CORCORAN: Will he tell me what he would do? This $17 500 000 goes into general revenue, from which is paid salaries and wages of people who are employed by the State Government to provide services that the Opposition continually demands to be upgraded. The member for Hanson is telling me how to fix it; he has been to the lavatory and he has got it from the lavatory wall. We will hear what he has to say.

The other alternative to cover the loss is to have a mix. I am not afraid of the campaign being conducted at the moment, although not by the Liberal Party. It is ironical and probably coincidental that that should occur at the same time as the Norwood by-election. I wonder how much money the Liberal Party is contributing to that campaign. It would be interesting to know. It is a pity that we do not have public knowledge of where funds are going, but it is my bet the Liberal Party is tickling the peter and paying a little bit into the campaign to get it going.

I am not afraid to go to the people of Norwood and tell them what the principles of this Party and the Government are regarding this tax. Some outlandish statements are being made, such as, "This tax is killing this State." I would hate to see something half alive. I would like any member here to demonstrate to me (and I saw this suggested in an article today) that people are flooding to Queensland; they cannot keep them out of Queensland. The population figures show that that is not true. From my own experience I cannot point to one person who, for that single reason, has shifted from South Australia to Queensland or to any other State.

Mr. Dean Brown: I can—

The Hon. J. D. CORCORAN: Yes, of course you can, but no specific case is even stated. Many people retire to Queensland for other reasons.

Members interjecting:

The SPEAKER: I do not intend, during Question Time, to allow interjections.

The Hon. J. D. CORCORAN: This campaign is a political gimmick to try to attract support by misleading the public, and advertisements have appeared in newspapers, authorised by the organisation conducting that campaign, and backed by the media (and God almighty why wouldn't it be backed by the media because it is in their interests to get rid of this tax, because wealthy people in this State want to become wealthier). They are backing this campaign, and they do not deny it—they cannot deny it.

It is a campaign designed to hoodwink, by the use of misleading statements and, indeed, deliberate untruths, the people of the electorate of Norwood about this tax. They are not going to be successful, no matter how hard they try. I am prepared to stand up as Premier of this State and Leader of this Government and explain our position exactly and accurately. I ask the Leader to do the same.

1980 FESTIVAL OF ARTS

Mr. KLUNDER: My question, which is directed to the Minister of Community Development as the Minister responsible for the arts policy, concerns the 1980 Festival of Arts, and is divisible into four parts, as follows:

1. Is the Government satisfied with arrangements completed so far by the Festival Board and its Artistic Director for the 1980 event?
2. Are contracts for overseas and local performances up to the timetable achieved in previous festivals?
3. Are sponsorships being satisfactorily arranged in line with an earlier approach last year to prospective sponsors?
4. Has the Government any doubts about planning for the festival being suitably advanced?

I refer the Minister to an article in today's *News* in which doubts have been cast on the 1980 festival. My question is designed to air this matter so that it can be straightened out before the waters can be further muddied by those in another place who get mileage out of throwing dirt.

The SPEAKER: Order! The honourable member is commenting.

The Hon. J. C. BANNON: If the honourable member

for Newland had simply raised these questions unexpectedly, I would be very disappointed in him, but, as he pointed out in his explanation, he had already seen these questions raised prominently in the press by a member of another place. I think it is as well that they be aired in this House. They can be, and should be, answered shortly. Yes, we are satisfied with arrangements so far completed for our 1980 festival. Yes, contracts for visiting performers are up to the timetable achieved in earlier years. Yes, sponsorships for performances are proceeding satisfactorily, and the Government has no worries about the way planning is presently proceeding for the festival.

Unfortunately, it is difficult to leave it at that, because of the considerable publicity given by the afternoon newspaper, and no doubt elsewhere, to the statements of the Hon. Mr. Hill, a member of another place. Mr. Hill states that he only wants to clear the air. In fact, he is clouding the issue. The Adelaide Festival of Arts is one of the city's most honoured successful and attractive institutions. Not only is it the major cultural event of the Australian artistic calendar but also it attracts many interstate visitors as well as international attention. It has enjoyed wide community support, and it will continue to do so unless confidence is eroded by such publicity being given to the unsubstantiated allegations and doubts that have been raised today.

I can give a positive assurance that planning for the 1980 festival, whatever the knockers say, is as far advanced at this stage as with any earlier festival; that, despite Mr. Hunt's late appointment as Director. He has said that the programme will be released on schedule in September, as is usual. The Government is always open to any approach from the Festival Board of Governors if any special problems arise with which they feel we can assist. So far they have not done so. I think the disgraceful hounding of Christopher Hunt should stop and that he should be left to get on with the job.

There is always, in matters relating to the securing of artistic performances of international standard, much delicate negotiation. Nothing is gained by intruding into that territory. As with the artistic attractions, so with fund-raising from private sponsors; any unfounded public criticism, particularly if politically motivated, as in this case, can seriously jeopardise successful negotiation. The funding of the festival has always been a co-operative, community effort by the Government, private business and the paying public. Intending sponsors can be assured that the indications are that the 1980 Festival of Arts will be as successful as have been any in the 20 years of its history.

Criticism during an actual festival period is a good and healthy thing if one looks at the artistic attractions and makes some critical assessment of their standard and worth, but to make the sort of criticisms that are being made at this stage, well in advance of the festival programme being released, can only be damaging to confidence in the festival, to potential sponsors and to the success of that festival. I hope it will stop.

LAND TAX

Mr. GOLDSWORTHY: Will the Premier investigate the operation of the equalisation factor in relation to valuations for land tax purposes, with a view to instituting appeal provisions where obvious inequities exist? Also, will he investigate the situation in Victoria and Western Australia, where land tax is not levied on the principle place of residence, with a view to granting this concession in South Australia?

The equalisation factor which was introduced to reduce the big jump in valuations that was occurring on the quinquennial assessment of valuations, has given rise to some obvious inequities where the factor has applied to the whole of a local government area. As an example of the current situation, I will refer to three residences in the Burnside residential area and then to one in my own district.

The equalisation factor operating in Burnside is 2·02, and the assessment is multiplied by that factor. The first residence had an unimproved value, as a result of the operation of the equalisation factor, of $80 800. The house changed hands towards the end of 1977 for a sale price of $86 000, which means that actual improvements on the land were valued at about $6 000. The unimproved value of another house in that area was $70 700. At the end of 1978 it was sold for $79 800, which means that at the end of last year the house and improvements were worth only $9 800, and it was a superior residence. Another house in that area actually diminished the value of the property: the operation of the equalisation factor meant that the unimproved value of the residential block was $47 571, and the house and land were sold in March last year for $46 000. That meant, in effect, that the house and improvements had downgraded the value of the property, and that is nonsense.

I have received a letter from a constituent in my district, complaining bitterly about the operation of the equalisation factor this year, because it has meant an increase in land tax for one year of 71·8 per cent. To highlight what is happening to properties, I refer to his situation. In 1970-71 he paid no land tax. The following year he paid $2·84, and the next year $7·98. In 1973-74 he paid $7·98, and in 1974-75 it jumped to $56·10. In 1975-76, for some reason it dropped to $25·04. In 1976-77 it went up to $266·49. In 1977-78 he paid $286·64, and this year he paid $492·46. In a letter that I received from this consitiuent, he said:

> I wish to register my extreme disgust at the continued escalation of the land tax on my property as shown on the attached sheets. The most recent increase of 71·8 per cent is more than I can stand, and if this trend continues I shall be forced to sell up and move to sunny Queensland.

The Leader has referred to the impact of succession duties on the householder (not on the wealthy, but on the householder), so the average householder's children will be paying succession duties on an average house. It is all right for the Premier to talk about the wealthy, but land tax charges also apply to these properties, and they are causing people to write the type of letter to which I have just referred. These letters are being received by members on this side of the House, and I would be surpirsed if members on the other side are not receiving similar complaints.

The Hon. J. D. CORCORAN: The honourable member would be aware that I played a fairly prominent part in having equalisation factors established in relation to water rates in the first instance, but, from what he has said, there must be something wrong. Is he sure that he has not mixed improved and unimproved values?

Mr. Goldsworthy: No.

The Hon. J. D. CORCORAN: Was there in this case any appeal made on behalf of people—

Mr. Goldsworthy: There is no provision for appeal on their equalisation.

The Hon. J. D. CORCORAN: I understand that, but it is not entirely the equalisation factor, as the honourable member would appreciate. I am talking about the initial valuation. I am wondering whether any appeal was made when that was received. The situation here seems odd. Certainly, I will have made the inquiries that the

honourable member has requested of me, and get him a report as soon as possible. I will give it to him in writing if there is no time to give it to him before the House rises.

Mr. Goldsworthy: And you will investigate the second part, knocking out the land tax on residential properties?

The Hon. J. D. CORCORAN: I said nothing of the sort.

Mr. Goldsworthy: That was the question.

The Hon. J. D. CORCORAN: I am sorry. That is not my intention. I will take up the inquiries the honourable member has made in relation to the individual properties concerned.

TAPLEY HILL ROAD

Mr. GROOM: Will the Minister of Transport give urgent consideration to upgrading the priority for the installation of a pedestrian crossing along Tapley Hill Road, Glenelg North? The Minister will recall that, shortly after the last State elections, I made representations to him concerning the pedestrian crossing. The result was a decision to install the pedestrian crossing during the 1979-80 financial year, more probably towards the latter end of that financial year. Last Friday, a distressing incident occurred when a nine-year-old girl going home from St. Leonards Primary School was struck by a vehicle while crossing the road and was very seriously injured. The continuous stream of traffic combined with the comparative narrowness of the road, and the shadows of the trees bordering the road, make crossing the road an increasingly hazardous exercise.

The Hon. G. T. VIRGO: I shall look at the question the honourable member has raised. The difficulty, as outlined in the correspondence I have had with him, is that the demand far exceeds the supply, both in equipment and in funds. However, in the light of the incident that occurred last week and the ever-increasing flow of traffic on Tapley Hill Road, I shall be pleased to look at the situation and to let the honourable member know whether we can upgrade it.

WATER ALLOCATIONS

Mr. ARNOLD: Will the Premier give an assurance that objections lodged by private irrigators against their proposed new water allocations will receive full and just consideration by the Water Resources Branch of the Engineering and Water Supply Department, and will he extend from 9 March until the end of March the time for lodging objections? In the past few days, private irrigators have received notification of their proposed new water allocations. In many instances, the extent of the reduction in the allocations has left families stunned. If the new allocation remains unchanged, many properties along the Murray River in South Australia will be rendered non-viable, first, because of the purchase price, and, secondly, because of the future potential for viable returns. In just about every instance that has been brought to my notice, valid reasons have been given why the full water entitlement has not been used at this stage. It would take far too long to quote the many cases I could cite. I seek an assurance from the Premier that every case will be given due and just consideration, so that the hardship that could eventuate from this move will be avoided.

The Hon. J. D. CORCORAN: The first assurance I want to give is that any objections lodged by irrigators in connection with this matter will receive full and just consideration. I think the letter sent out indicated that the formula would not be rigidly adhered to, because in some cases that would not be just. I think that that indication was given.

The decision to set 9 March as the date by which people should appeal was taken to allow time for proper assessment, and being able to finalise the matter before the issue of applications for licence renewal for the 1979-80 year has a bearing on the matter. In view of the time factor, which is a little tight, and for the reasons I have stated, namely, that we want to be as flexible as possible and to give just and due consideration, I will see to it that any propositions given after that date will be given due consideration.

YOUTH EMPLOYMENT

Mr. ABBOTT: Can the Minister of Labour and Industry say whether the report in today's *Financial Review* concerning the Special Youth Employment and Training Programme is factual and, if it is, will the so-called new administrative arrangements severely limit the number of young people to whom the States can give work experience? The report states:

> The Federal Government has restricted State Government use of the Special Youth Employment and Training Program (SYETP).
>
> The move was made at a meeting of Commonwealth and State Labour ministers in Melbourne last Friday which included the Federal Minister for Employment and Youth Affairs, Mr. Viner, Industrial Relations Minister, Mr. Street, and Productivity Minister, Mr. Macphee.
>
> The tightening of the States' access to the scheme was made because of the Commonwealth's belief that States were using it to subsidise the wages of young people they would normally employ.
>
> The Commonwealth took a hard line in the meeting and, although all States complained about the new restrictions, which Commonwealth position papers called "new administrative arrangements," the only concession by Mr. Viner was to consider any complaints given by the States in writing.
>
> This, according to State officials, could severely limit the number of young people the States can give work experience.
>
> In this context the move by the Commonwealth at last week's Labour Ministers' meeting can be regarded as a hardening of attitude to SYETP and an attempt to rein in funds.
>
> The Government has seen the cost of SYETP soar from about $45 000 000 in 1977-78 to an expected $80 000 000 in 1978-79.
>
> And while the cost has risen, so have the complaints about the scheme's abuse by employers who use it as a wage subsidy rather than for job training.

The Hon. J. D. WRIGHT: In my view, the report is misleading. It virtually says that there is now a discrimination between trainees for Government departments as opposed to trainees for private enterprise. The matter was thorougly discussed at last Friday's conference, because of two factors, namely, the new guidelines laid down by the Federal Government. I will not read them all; I will read only those I consider to be pertinent. Following a review of the SYETP, the Government late last year reaffirmed its policy, which makes assistance under SYETP available only to those young people who, in addition to meeting the eligibility criteria, are disadvantaged in obtaining employment if they do not meet (this is the crunch) the normal entry requirements for the particular occupation. New administrative procedures have been introduced to ensure that this aim is met. All of the State Ministers were vitally concerned in this area, because all States had taken advantage of this scheme. I

know that last year South Australia was able to find 160 jobs for trainees, 97 of whom were eventually retained in State Government departments. New South Wales, Victoria and Tasmania were also vitally interested, because of their interest in the matter.

I took up the matter with Mr. Viner, on the basis that, if we had to carry out that provision, it would not be possible to find employment in South Australia in other than blue collar areas, as most of the people employed under the training scheme previously were white collar workers in clerical and administrative areas, and that would mean a total discrimination against females in employment, because obviously females do not work in large numbers in the blue collar areas.

Mr. Viner accepted that criticism and undertook to review the situation. An important part of the guidelines states that arrangements exist whereby State Governments can negotiate for the Commonwealth to employ and train young people under SYETP. It is a condition of these arrangements that the positions must be specially created and not part of the regular establishments of the organisations involved. That was clearly directed not at State Government but at private employers who were not creating new positions but were employing young people under the SYETP scheme, getting four months assistance from the Federal Government, and then putting them into the position that was already vacant. That is not and has never been the aim of SYETP: its aim is to give training to young people and then, if a position is vacant in the department or some other department or area, they have had some work experience so they will be able to compete on the open market for employment. That was made clear, and I support that view.

In no circumstances has this State Government deviated from that guideline. Any position that was created in the State was a new position, and each new employee was told that there was no guarantee of permanent employment for them either within the Government or with an outside employer. However, we were successful with 160 of these people.

The article in today's *Financial Review* seems to imply that the guidelines for Government departments are different from those applying to private enterprise. I do not believe that is the case. I believe that the guidelines apply to private enterprise as much as they do to the Government, and I expect private enterprise to abide by them as does the Government. In order to be absolutely sure about this position, I have had my officers investigate this matter fully with Mr. White who is the Acting Director in Adelaide (he has recently taken over from Mr. Turnbull in the C.E.S.), and he has told us there is no changed position relating to guidelines.

The only thing that has change in the administration of the SYETP scheme is that, rather than having the whole matter fixed up after a person is employed, on an officer to officer level, (the director of my department used to deal with Mr. Turnbill in his office), negotiations and the contact by letter will now have to be on a Minister to Minister level. There is no difference in the existing guidelines: they apply to private employers and to the Government alike. In future the matter can be fixed up simply by a Minister writing to the Federal Minister. In April we will be trying to find positions for another 60 trainees.

PART-TIME WORK

Mrs. ADAMSON: As my question relates to a matter of policy, I direct it to the Premier. Does the Government intend to persist in its declared support for permanent part-time work, which has been expressed in this House by the former Premier and Minister of Labour and Industry, in view of the decisive defeat by the Australian Labor Party convention on 18 February of a resolution calling on the Party to promote job sharing and permanent part-time work, and, if the answer is "Yes", how is it intended to overcome this breach of Party policy?

The Hon. J. D. CORCORAN: Of course, the best way to overcome the problem would be to promote full-time employment. One of the things I would ask the member for Coles to do is support me in any approach I might make to Mr. Fraser, her Prime Minister in Canberra, to ensure that he changes the fiscal policies he has been following over the past few years to see whether or not we can get the economy moving again to the extent that full-time employment can be offered.

This problem as the honourable member knows (and no doubt she has raised the matter for this purpose), is complex and difficult. I am not trying to dodge the issue when I say, as I have said before, that Party policy is a guideline. We have to look at what has already been done within the Public Service, and particularly at what has been done in the Education Department, and take that into account before we can make a firm policy. That question is being looked at at the moment.

STATE CLOTHING CORPORATION

Mr. MAX BROWN: Will the Premier discuss with the State Clothing Corporation the requirements for the possible extension of the clothing factory in Whyalla? It has recently been reported that the clothing corporation has broken even financially in its first six months of operation in Whyalla, which I believe is a very good thing. It currently employs about 40 people. The building it presently occupies was to be a temporary building. I hope that the Government will be prepared to give every assistance to the possible expansion of the factory in the near future.

The Hon. J. D. CORCORAN: I am delighted to hear from the honourable member that the operations of this factory have broken even financially for the first six months of the financial year. I am sure that will be disappointing to members of the Opposition. I will have to be extremely careful about any statement I make about an expansion of this corporation or it will be seen as another socialistic intrusion into the field of private enterprise.

Mr. Dean Brown: You realise it hasn't even broken even?

The SPEAKER: Order! Interjections are out of order.

The Hon. J. D. CORCORAN: I am aware that the premises occupied by the factory are of a temporary nature. I will obtain a report for the honourable member and, if I cannot get it before the Parliament rises, I will write to him and let him know the answer.

MINISTER OF AGRICULTURE

Mr. GUNN: In view of the Premier's statements soon after he was elected Premier and his statements a few moments ago, that he wants to see the economy improved, particularly in South Australia, will he, when he carries out his Ministerial reshuffle, remove the present Minister of Agriculture from that position, and also appoint a new Premier's Agricultural Adviser and get rid of Mrs. Chatterton?

The Hon. G. T. Virgo interjecting:

The SPEAKER: Order! I call the honourable Minister of Transport to order.

Mr. GUNN: The Premier will be aware that the Minister of Agriculture and Fisheries has antagonised, and interfered in, every section of the industry under his control. He has lost the confidence of the people and is regarded in many circles as a laughing stock and a joke.

The SPEAKER: Order! The honourable member is now commenting.

Mr. GUNN: In view of the Premier's concern to improve the economy (which would be shared by everyone), will he take a positive step be removing the Minister?

The SPEAKER: Order! The honourable member should not be attacking a Minister in another place.

The Hon. J. D. CORCORAN: The honourable member is well known for using coward's castle to do just what he has done. While listening to the honourable member I was thinking what a tremendous adviser he would be to assist me in the difficult task I have of allocating portfolios and Ministers to those portfolios.

The Hon. G. T. Virgo: He would be a good adviser to Goebbels.

The Hon. J. D. CORCORAN: No, I do not think Goebbels would have had him for a moment. I am disgusted to think that the member for Eyre should make the comments he has made about the Minister of Agriculture. He knows as well as I that the Minister is very intelligent and able, and young, and, because he has occasionally displayed different views from those of people who are closest to him in the scene of his portfolio, he has been criticised. That is accepted, but the honourable member must appreciate, if he examines what the Minister of Agriculture has done, that he has been putting forward a view, and has listened to constructive criticism, not the sort of observations made by the honourable member this afternoon. The Minister has adjusted very well. I am not disposed to say to the honourable member or anybody else what I intend to do regarding the portfolios held by Mr. Chatterton.

Regarding the employment of Mrs. Chatterson, since I have been Premier of South Australia, I have received, almost daily, informative reports from her about this area. I am surprised about the amount of work that she does. A decision about her future will be made in due course. I am not prepared to tell the member for Eyre what my intentions are regarding Mrs. Chatterton's employment.

DOMICILIARY CARE

Mrs. BYRNE: Will the Minister of Community Welfare ask the Minister of Health to supply a report on the operation of the Eastern Regional Geriatric and Medical Rehabilitation Service, Eastern Domiciliary Care Service, over the past 12 months, with special emphasis on operations in the Tea Tree Gully district?

The Hon. R. G. PAYNE: I will be delighted to ask my colleague to furnish a report. I think it was in the eastern region that first attempts were made in the domiciliary care area. Those attempts have succeeded and there has been as much expansion as possible with the available funds. I will obtain an informative report.

DRUGS

Mr. WOTTON: Can the Attorney-General say when I will receive a reply to a letter that I forwarded to him enclosing a petition from the Murray Bridge Italian community? Will he immediately institute a system of surveillance in the Murray Bridge district as recommended in the petition? On 26 September last, I forwarded a petition to the Attorney-General's office, part of which stated:

> We the undersigned being members of Murray Bridge's Italian community and mostly glasshouse growers of Murray Bridge and district seek protection against the present spread of cultivation and usage of drugs. Thus, we petition the Attorney-General for South Australia to institute a system of surveillance in our district and, in doing so, institute a positive form of protection against those of dubious intent who try and capitalise on the gullibility of individual members, and therefore of the community as a whole.

The Hon. PETER DUNCAN: This is the first occasion since I have been a Minister that any member has indicated that he has not received a reply from my department. I have not seen the letter or the petition referred to. I will ask whether it was received. It may have been sent to the Chief Secretary because it seems it would be more in line with the responsibility of the Police Department.

Mr. Wotton: We received an acknowledgment.

The Hon. PETER DUNCAN: The honourable member now tells me that he received an acknowledgment. That indicates that the department—

The SPEAKER: Order! Question Time has ceased.

PERSONAL EXPLANATION: KING SIMEON

The Hon. HUGH HUDSON (Minister of Mines and Energy): I seek leave to make a personal explanation.

Leave granted.

The Hon. HUGH HUDSON: Much to my distress, last Friday on page 2 of the *Australian* a photograph of myself appeared with a caption indicating that the photograph represented King Simeon of Bulgaria. The article that accompanied that photograph referred to the deprived king. If the word had been "depraved" I might have taken further action. However, I took the article so seriously that I have written to the Editor of the *Australian* in this vein: "Dear Sir, I am not prepared to accept promotion to royalty without the accompanying emoluments and accoutrements of office."

Unfortunately, the appearance of this photograph has set other rumours going and I received yesterday a note from members of the forecasting unit of the Department of Housing, Urban and Regional Affairs, asking me to clarify my position. I replied by sending a copy of the letter I had written to the Editor of the *Australian,* and stating that, as those involved were forecasters, they should gaze into their crystal ball to see what might happen to the emoluments and accoutrements of office; I offered them employment as honorary astrologers if they produced a satisfactory result on my behalf.

PERSONAL EXPLANATION: KAURI TIMBER

Mr. EVANS (Fisher): I seek leave to make a personal explanation.

Leave granted.

Mr. EVANS: Last Wednesday, when speaking on the South Australian Timber Corporation Bill, I stated that I believed that the company that the Government was negotiating with, at that time with the intention of acquiring some equity, was Kauri Timber, and I said that

that was one reason why the Government wished to establish a timber authority. On the same day, the Minister in charge of the Bill stated that about 18 months ago the company approached the Government to ask whether the Government was interested in buying shares of the company. I have been informed by that company that no negotiations are at present taking place between Kauri Timber and the Government, and that at no time did members of Kauri Timber approach the Government about its taking shares or other interests in that company. In fact, the Government approached Kauri Timber. That company would like to give a guarantee to its employees that it will continue with its present occupation, that it will consolidate, and that it has sold all the outlets it will sell and no other selling will be undertaken. The company wants me to emphasise that the Government approached it, and that at no time did it approach the Government.

DANGEROUS SUBSTANCES BILL

Returned from the Legislative Council with amendments.

COMPANIES ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

ROAD MAINTENANCE (CONTRIBUTION) ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

LEGAL SERVICES COMMISSION ACT AMENDMENT BILL

Returned from the Legislative Council with an amendment.

DOOR TO DOOR SALES ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

At 3.20 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

PITJANTJATJARA LAND RIGHTS BILL

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

That the time for bringing up the report be extended to the first day of the next session and that the committee have leave to sit during the recess.

Motion carried.

LEVI PARK ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's message intimating that it insisted on its amendments to which the House of Assembly had disagreed.

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

That disagreement to the Legislative Council's amendments Nos. 1, 2 and 3 be insisted on.

The argument has already been adequately put, and there is no point in going over it again. Hopefully, a conference can be held.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs. Hemmings, Russack, Slater, Virgo, and Wilson.

Later:

A message was received from the Legislative Council agreeing to a conference, to be held in the Legislative Council conference room at 12 noon on Wednesday 28 February.

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

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

Motion carried.

CHILDREN'S PROTECTION AND YOUNG OFFENDERS BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1—in the title—After "children;" insert "to provide for the protection of the community and the treatment of young offenders;"

No. 2. Page 5, line 20 (clause 8)—Delete "or magistrate".

No 3. Page 5 (clause 9)—After line 38 insert subclause as follows:

"(3a) In addition to the powers conferred by subsection (3) of this section, the Children's Court shall have the following powers:

(a) in relation to any proceedings under Part III of this Act, the power to hear and determine any matter *ex parte* in such circumstances as the Court thinks fit; and

(b) in relation to any proceedings to which subsection (3) of this section applies, any prescribed power."

No. 4. Page 5, lines 39 to 42 (clause 9)—Leave out all words in these lines and insert subclause as follows:

(4) The provisions of the Justices Act, 1921-1976, shall, subject to this Act and the regulations, apply *mutatis mutandis* to and in relation to any proceedings in the Children's Court upon a complaint against a child and, for the purposes of any such proceedings (other than a preliminary examination), the Children's Court shall sit as a court of summary jurisdiction.

No. 5. Page 7, lines 27 to 29 (clause 13)—Leave out all words in these lines and insert subclause as follows:

(2) The application shall be served personally or, in relation to a guardian, by post addressed to him at his last known place of abode or employment in any case where—

(a) it is not practicable to serve the application upon the guardian personally; or

(b) the whereabouts of the guardian has not, after reasonable inquiries, been ascertained.

No. 6. Page 8, lines 41 to 43 (clause 15)—Delete "unless the Court has, by order, dispensed with service of the application upon any such party whose whereabouts is

unknown to, and is not after reasonable inquiries ascertainable by, the applicant" and insert "in the manner provided by subsection (2) of section 13 of this Act".

No. 7. Page, lines 12 to 15 (clause 15)—Leave out all words in these lines.

No. 8. Page 9, lines 18 to 20 (clause 16)—Leave out all words in these lines.

No. 9. Page 10, line 4 (clause 19)—After "purpose" insert "by the Minister".

No. 10. Page 10, line 7 (clause 19)—Delete "and" and insert "or".

No. 11. Page 10, line 7 (clause 19)—After "physical" insert "or mental".

No. 12. Page 11, line 17 (clause 23)—After "purpose" insert "by the Minister".

No. 13. Page 12, line 6 (clause 25)—Delete "any prescribed offence under" and insert "any offence, other than a prescribed offence, under the Motor Vehicles Act, 1959-1978, or".

No. 14. Page 12, line 38 (clause 28)—Leave out all words in this line and insert subclause as follows:

(4) There shall be no appeal against a decision of a screening panel.

No. 15. Page 14, line 35 (clause 35)—Delete "and".

No. 16. Page 14 (clause 35)—After line 38 insert paragraph as follows:—"and

(d) must explain to the child the implications to the child according to whether he is dealt with by the panel under this Division or his case is brought before the Children's Court."

No. 17. Page 15, line 28 (clause 36)—Delete "or".

No. 18. Page 15 (clause 36)—After line 30 insert paragraph as follows:

or

(d) the panel is of the opinion that it is in the interests of the child, or the interests of the community, to do so.

No. 19. Page 16, line 33 (clause 42)—After "with a person" insert "(where practicable)".

No. 20. Page 17, lines 9 to 11 (clause 44)—Delete "for a period not exceeding twenty-eight days, to be detained in a place (other than a person) approved by the Minister" and insert:—

(i) where the Court has committed the child to an adult court for trial pursuant to any of the provisions of this Part—until the child is released or delivered in due course of law; or

(ii) in any other case—for a period not exceeding twenty-eight days.

to be detained in a place (other than a prison) approved by the Minister.

No. 21. Page 17, lines 24 to 29 (clause 46)—Leave out all words in these lines and insert clause as follows:

46. (1) Subject to section 47 of this Act, where a child who is charged with an indictable offence requests trial by jury in an adult court, the Children's Court—

(a) if it is satisfied that the child has received independent legal advice with respect to the implications to him of trial in an adult court, shall conduct a preliminary examination; and

(b) if it is then satisfied that there is a case to answer, shall commit the child for trial in the appropriate adult court.

(2) A child may not make a request under this section—

(a) if an application made by the Attorney-General under section 47 of this Act is pending determination; or

(b) if, pursuant to such an application by the Attorney-General, an order has been made that the child be tried in an adult court.

No. 22. Page 17, lines 39 to 42 (clause 47)—Leave out all words in these lines and insert subclause as follows:

(3) Where a member of the police force who has laid a complaint against a child is of the opinion that the child is one in respect of whom the Attorney-General is likely to exercise his powers under this section, that member may notify the Children's Court accordingly and the Children's Court shall not proceed to deal further with the child until the Attorney-General advises the Court that no such application is to be made, or until any such application is determined or withdrawn.

No. 23. Page 17, line 44 (clause 47)—After "is made" insert "and furnish a copy of the statement of any proposed witness for the prosecution".

No. 24. Page 18, lines 7 and 8 (clause 47)—Leave out all words in these lines.

No. 25. Page 18—After line 8 insert new clause 47a. as follows:

47a. *Committal to adult court by the Children's Court*—The Children's Court may, at any time during the course of proceedings against a child charged with an indictable offence, commit the child to the appropriate adult court for trial or sentence, as the case may require, if the Court is of the opinion that it is desirable in the interests of the administration of justice to do so.

No. 26. Page 18—After line 11 insert new clause 48a. as follows:

48a. *Provisions in relation to pleas in the Children's Court*—(1) Where a child is charged with any offence, he shall, unless he is to be tried in an adult court pursuant to this Act, plead guilty or not guilty to the charge at the commencement of his trial in the Children's Court, and the Court shall proceed to deal with the matter summarily.

(2) Where a child has pleaded guilty to a charge of an offence, the Court may, at any stage of the proceedings, if it is of the opinion that the child may not be guilty of the offence charged, order that the plea of guilty be withdrawn and a plea of not guilty be entered.

(3) Where the Court has exercised its powers under subsection (2) of this section, the child is not entitled to plead *autrefois convict* by reason of his plea of guilty.

No. 27. Page 18, lines 15 to 25 (clause 49)—Leave out all words in these lines.

No. 28. Page 20, line 11 (clause 50)—After "licence" insert "except for such purposes (if any) as may be specified in the order".

No. 29. Page 22, line 12 (clause 55)—Delete "or".

No. 30. Page 22, line 15 (clause 55)—After "in that court" insert "or upon committal by the Children's Court for trial in that court,".

No. 31. Page 22 (clause 55)—After line 15 insert paragraph as follows:

or

(c) has been committed by the Children's Court for sentence by an adult court,

No. 32. Page 26 (clause 64)—After line 37 insert subclause as follows:

(3) An order shall not be made under subsection (1) of this section unless the Commissioner of Police has received reasonable notice of the application and has been given a reasonable opportunity of making such representations to the Court as may be relevant to the application.

No. 33. Page 29, line 12 (clause 76)—After "from any" insert "final".

No. 34. Page 29 (clause 79)—After line 40 insert subclause as follows:

(2a) Where an application has been made under this section for reconsideration of a sentence of detention, the Court may upon application by or on behalf of the child, release the child from detention upon bail upon such conditions as the Court thinks fit.

No. 35. Page 30, line 7 (clause 79)—Delete "of an order".

No. 36. Page 30, line 8 (clause 79)—Delete "that order" and insert "the order in respect of which reconsideration is sought".

No. 37. Page 34, line 32 (clause 91)—Delete "lawyers" and insert "counsel or solicitors".

No. 38. Page 34, line 44 (clause 92)—Delete "Subject to this section, a" and insert "A".

No. 39. Page 34, line 46 (clause 92)—Delete "or before an adult court pursuant to this Act" and insert "other that proceedings under Part IV of this Act".

No. 40. Page 35, line 1 (clause 92)—Delete "the result" and insert "a report".

No. 41. Page 35, lines 3 and 4 (clause 92)—Leave out all words in these lines.

No. 42. Page 35, line 6 (clause 92)—Delete "the result" and insert "a report".

No. 43. Page 35, line 17 (clause 92)—Delete "ten" and insert "one".

No. 44. Page 36, line 33 (clause 99)—After "or other place", insert "has within the period of fourteen days preceding the date of the application, been found guilty of assaulting any person employed, or detained, in that training centre or other place,".

Amendment No. 1:

The Hon. PETER DUNCAN (Attorney-General): I move:

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

This amendment deals with the long title of the Bill. The Government believes that it is quite unnecessary. Any legislation that covers criminal matters, as does this Bill, is enacted to ensure protection of the community as a whole. No other Bill dealing with criminal matters, such as the Police Offences Act or the Criminal Law Consolidation Act, or any any other Bill to my knowledge mentions protection of the community in the long title. This, of course, is presumed to be the fundamental basis of the legislation. There seems to be no reason to make an exception to this practice in relation to young offenders. The reference to the treatment of young offenders is also unnecessary, as it is already adequately covered in the long title through the reference to rehabilitation of children.

Mr. MATHWIN: I support the Legislative Council's amendment. As I understand, long titles are used by courts on many occasions. They may be referred to by the court to gain information as to what the Bill is about. The title provides the court with that information, and it is often referred to by a judge or magistrate. Clause 7 *(e)* states:

where appropriate, the need to protect the community, or any person, from the violent or wrongful acts of the child.

That is in this Bill, so there is no reason why it should not be used in the title. The Bill also states:

to provide for the protection of the community and the treatment of young offenders.

That is an obvious implication in the Bill, and I believe it ought to be incorporated in the long title.

Motion carried.

Amendments Nos. 2, 3, 4, 5, 6 and 7:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendments Nos. 2, 3, 4, 5, 6 and 7 be agreed to.

Motion carried.

Amendment No. 8:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 8 be disagreed to.

This amendment seeks the deletion of subclause (2) of clause 16. The intention of subclause (2) is to ensure that cases in the Children's Court (as it will be known) will not be prolonged. It is in the interests of justice that a child is dealt with as speedily as possible. The subclause ensures that this Bill will occur and that no undue delays will take place. Most cases will be dealt with under subclause (2) without reference to the senior judge. Where this is not possible reference to the senior judge will ensure that he is aware of any difficulties arising in the administration of the Children's Court system.

Mr. MATHWIN: I support the amendment. Subclause (2) of clause 16 restricts the power of the court to adjourn if it sees fit and that is most unusual. I would have expected the Attorney-General to support that reasoning.

The Hon. PETER DUNCAN: What the honourable member has said is quite incorrect. Wherever a trial by jury is held (in other words, in the senior adult courts), the matters are determined there and then while the jury is there, and the matter is not adjourned. The Juvenile Court will be dealing with similar serious matters without a jury. Therefore, the same sort of principles should apply as apply in the serious cases heard in the adult courts. For that reason, the Legislative Council's amendment cannot be entertained.

Motion carried.

Amendment Nos. 9, 10, 11, 12, 13, 14, 15 and 16:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendments Nos. 9, 10, 11, 12, 13, 14, 15, and 16 be agreed to.

Motion carried.

Amendment Nos. 17 and 18:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendments Nos. 17 and 18 be disagreed to.

These amendments deal with clause 36. The proposed amendments would make the whole system of dealing with young offenders unnecessarily complicated and cumbersome. Under the present Act, juvenile aid panels have this proposed power. However, the Bill introduces the new concept of screening panels, which will make the decision as to whether the child is to be dealt with by a children's aid panel or the Children's Court. To empower the childrens aid panels to refer a matter to the Children's Court, where it is of the opinion that it is in the interests of the child or the interests of the community, to do so, implies that the screening panel is either incompetent to make that decision or, alternatively, that the decision should be reviewable. The proposed amendments would mean that in cases where the children's aid panel decides to refer the matter to the court on this basis, the child and the parents are put in a situation where the length of time before the matter is finally dealt with is greatly increased. It creates a high level of uncertainty for both the child and his parents and, in the Government's view, this would be highly undesirable.

Mr. MATHWIN: I support the amendments, which will mean that more information can be used by the panel in its responsibilities to the child and to the community. I see no argument against new paragraph (*d*). The main emphasis is on the interests of the child and of the community. I hope the Attorney-General will see that these amendments will provide for a more flexible situation.

Motion carried.

Amendment Nos. 19, 20 and 21:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendments Nos. 19, 20 and 21 be agreed to.

Motion carried.

Amendment No. 22:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 22 be agreed to with the following amendment:

After "child" last occurring insert "except by way of remand".

The proposed amendment will make it clear that the Children's Court has the power to remand a child pending the decision of the Attorney-General, as to whether an application is to be made and pending the determination or withdrawal of any such application. This relates to the power given in the Bill to the Attorney-General to apply to court to have matters which would normally be heard in the Juvenile Court dealt with in the adult court.

Motion carried.

Amendments Nos. 23 and 24:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment Nos. 23 and 24 be agreed to.

Motion carried.

Amendment No. 25:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 25 be disagreed to.

This amendment proposes a new clause 47 *(a)*. The proposed amendment implies that the Attorney-General should not be solely entrusted with the responsibility of applying for a matter in the Children's Court to be heard in the appropriate adult court. In other words, that there should be at least two ways in which the matter could be referred to the appropriate adult court, other than at the request of the child. In the Bill, the Government has gone to considerable pains to establish a Children's Court which is fully competent to hear serious matters. Those matters will be heard by judges who have the same status as judges of the Local and District Criminal Court. Acceptance of the amendments would denigrate from the status of the Children's Court and judges who sit in that court. Further, the proposal that the Children's Court may, at any time during the course of the proceedings, commit a child to the appropriate adult court creates a great deal of uncertainty for the child, for his counsel and, for that matter, for the court. It is quite contrary to all current concepts of justice and procedures in the adult sphere. Also, it is quite contrary to all concepts of justice in the British system of justice. Once a person is put on trial he should be dealt with by the court before which he is tried, and that court should dispose of the matter.

Mr. MATHWIN: I support the Legislative Council's amendment, because I believe new clause 47a will assist the Children's Court in referring matters to the adult court.

Motion carried.

Amendment No. 26:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 26 be agreed to, with the following amendment:

Line 5—Delete "his trial" and insert "the hearing".

The proposed amendment to amendment No. 26 is to make the wording of clause 48a compatible with the wording used throughout the rest of the Bill. It is merely a procedural matter.

Motion carried.

Amendment No. 27:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 27 be disagreed to.

The amendment is to clause 49 (2), (3), (4), and (5), the intention of which is to ensure that matters in the Children's Court are decided speedily, in the interests of the child and of the community. I believe the Bill should be passed into law as it stands.

Mr. MATHWIN: I support the Legislative Council's amendment, mainly because of the evidence given to the Select Committee by Judge Newman. This clause restricts the court. From what Judge Newman said, it would be impossible at times to comply with the provisions of subclause (2). Wrong information and wrong evidence could be given, and wrong decisions could be made, perhaps to the detriment of the child concerned. On page 26 of the evidence of the Select Committee, in relation to clause 49, Judge Newman said:

I am probably not the best person to argue this before you, because it directly concerns me and all those who sit in the Children's Court: it is the imposition of the time limit under which one must operate in that jurisdiction and only in that jurisdiction, because no-one else has been singled out for such a time limit.

No other court, apparently has been singled out for such a time limit. The Hon. Mr. Blevins asked Judge Newman why he said that he was not the best person to speak on this matter, and Judge Newman replied:

It might look as though I am pushing my own barrow. I might be seen to be saying that I am a lazy beggar and do not like having time limits put on me, and therefore I will argue to get out of it. I do not think that is the truth. If we have this time limit, it will lead to much difficulty.

The Chairman asked Judge Newman whether he thought this was not a practical solution to the problem, and Judge Newman replied that it would not work. He should know, and I suggest the Attorney-General should be well acquainted with the situation. Judge Newman is in charge of the Juvenile Court, and that was his opinion. In reply to questions from the Hon. Mr. Griffin, Judge Newman said:

When I was first a magistrate and feeling my way, I needed a lot of time. People churn out judgments and they get turned over rapidly and clutter up the upper courts, achieving nothing. I have been 11 years on the bench. In my early stages I made haste slowly, and probably people were not pleased with having to wait some weeks for their judgment. In the end, I knew what I was talking about. I think my appeal record probably indicates that I have been very careful about my judgments. I have had six or seven appeals in 11 years. I do not know how many were successful, but they were few.

I think this will encourage people to give badly-considered judgments. Also, it does not give any opportunity to study the law. It is a very different situation from a higher court, where you have had preliminary examination, where the issues are at least reasonably clear in everyone's mind, where counsel is obliged to give lists of authorities which will be relied on in argument, and where things move in a fairly leisurely pace.

It will not work in a court of summary jurisdiction—

again, emphasising that this will not work—

where people just come in and the matter starts from scratch. You have to deliver your verdict not later than 5 o'clock in the afternoon of the first working day after the next trial finishes. That means that we can no longer operate in the normal way in which a court of summary jurisdiction operates.

On page 27, Judge Newman said:

If I am obliged to consider a point of law that is going to take me time, I must deliver my judgment not later than 5 o'clock on the next day. That means I must cancel whatever I had down for the following day and get on with writing my judgment.

This seems to back up the judge's statement that this provision will not work. On page 28 of the Select Committee evidence, Judge Newman said:

Also, I am alarmed that it looks as though the finger is being pointed at the Children's Court as being notoriously

> behind in its judgments. If one wants to point a finger one must start with the Supreme Court and work throughout the system to find delays that are considered to be excessive. However, to start off by attacking the Children's Court makes us look like the most active defaulters, and I believe that is not true.

This is a matter of some consequence, and it is important that the Attorney-General should reconsider the situation, especially since the Upper House is trying to correct the situation by striking out subclauses (2), (3), (4), and (5) of clause 49. Judge Newman obviously is most concerned about the situation. I have not had this evidence before me for any length of time.

Mr. Millhouse: It's probably a good thing you haven't, or you might have been even longer talking about it.

Mr. MATHWIN: My hairy friend from Mitcham is back. It is nice to see him after so long and he is looking sunburnt.

The CHAIRMAN: Order! The honourable member should discuss the amendment, and not take any notice of the honourable member's interjections, which are out of order anyway.

Mr. MATHWIN: If the Attorney-General has not read Judge Newman's evidence, he should do so, because it relates to the problem before the Juvenile Court. Judge Newman said that what is suggested would not work.

Mr. WOTTON: I believe that there are persuasive reasons why the time limit should not be imposed. If the process is used at all, it must result in difficulties. I believe that to have a time limit at all would not be in the best interests of the defendant.

The Hon. PETER DUNCAN: I will reply to what members have said when quoting Judge Newman, because I do not accept the comments he made to the Select Committee of another place. This provision is intended to ensure that, when the Children's Court is dealing with a matter that would normally be heard in the adult court by a judge and jury, the verdict of the court will be brought in promptly, as it would be in all cases where a jury is involved. In all of those cases, the jury is required to bring in its decision within a limited time.

Mr. Mathwin: That's a different set-up.

The Hon. PETER DUNCAN: It is not a different set-up.

Dr. Eastick: They don't write the judgment.

The Hon. PETER DUNCAN: No, but the judge in all instances comes down immediately and deals with the matter. Few cases go before the courts in which the judge adjourns the matter and says, "We'll consider further matters subsequently." In all instances, the question of guilt or innocence in a jury trial is determined by the jury within the period set by the Rules of the Court or the Statute. That is what we are doing here. Clause 49 (5) provides:

> Any verdict of the court in relation to an indictable offence (other than a minor indictable offence) must be accompanied by a statement of the reasons of the court in reaching that verdict.

In other words, the Bill already draws a distinction between cases that would normally have a jury determining them, and cases in the Magistrates Court. All of the comments of the judge in relation to the practice in a Magistrates Court are not relevant to the Bill as it stands.

The real argument, I regret, which I believe has persuaded His Honour, is the argument that was approached directly by the Hon. Mr. Blevins in his question. He asked the judge what really was the basis of this objection. If one really looks at it, one will see that the basis of the judge's objection is that judges of his status in, for example, the Local and District Criminal Court or, more particularly, magistrates are not required to do this.

It is definitely in the interests of justice that courts should not be able to prolong the decision as to the verdict. After all, I think it is not unreasonable, as the Bill stands, that we require the court to bring in a decision as to guilt or innocence no later than 5 p.m. on the day following the conclusion of the trial. Subclause (3) provides:

> Nothing in this section renders invalid any verdict given after the expiration of the period referred to in subsection (2) of this section.

If there is some extraordinary reason why it is necessary for the court to deliver its verdict later than that time, flexibility exists in the Bill as it stands to be able to deal with that situation. I do not agree with Judge Newman on this matter. I believe that the recommendation of Mr. Justice Mohr, in the Royal Commission, that this provision should go in the Bill is the correct approach to take, taking all relevant interests into account, particularly the interests of the accused who, after all, stands the ordeal of the trial and must await the determination of his guilt or innocence. It is in the interests of justice that we should require the courts to be speedy in determining the question of guilt or innocence, and that is specifically what clause 49 is intended to do.

Mr. McRAE: I support the notion of a speedy determination of these matters. In answering the criticisms that have been levelled, I will explain, from practice in the Criminal Courts, what is the load on a judge in the Criminal Court and that of a judge in the District Court, compared to the proposed load in the Children's Court. In all cases of a jury trial, either in the Criminal Court or in the District Court, it is incumbent on the judge, first, to direct the jury as to the law and, secondly, to sum up to the jury as to the facts. The judge is the judge of the law, and the jurors are judges as to the facts. Nonetheless, it is a clear duty on presiding judges in the Criminal Courts to put before the jury a fair and adequate summary of the evidence in the light of what has been put by the Crown and by the accused, together with any comments that the presiding judge might like to add.

In some cases, that is onerous. The only way in which it can be done, without delaying the criminal list, is for the judge to concentrate, as the trial goes on, and to make appropriate notes as to the facts. During the trial, he must acquaint himself with the various points of law. On conclusion of the evidence, he immediately proceeds (in 90 per cent of cases) to address the jury. He may sum up to the jury for two, three or four hours in order adequately to deal with the matter. I suppose that it could be said, "Yes, but in so doing, he has not actually written and typed out the judgment." In most cases, he has all the basic notes before him.

Let us assume that the evidence concludes at noon, the judge retires until 2.15 p.m., and then proceeds to sum up to the jury. It is inconceivable that, in a long case, he would not have before him in hand-written or note form a considerable body of the material about which we are talking.

Mr. Mathwin: He must have lunch.

Mr. McRAE: That is so. No-one is taking lunch away from the judge of the Children's Court by this procedure. It seems to me that that is probably the key answer to the problems that have been raised. If it should be that, in rare circumstances, the deadline cannot be complied with, there is the escape route, which has been pointed out.

Mr. MATHWIN: It seems that the first concern of the Attorney-General and the member for Playford was the speeding up of the courts. In his evidence Judge Newman was asked whether there would be cases on which he would not be able to bring down a judgment by 5 p.m. on

the next day. He answered:

> You will have people resorting to devices. They will say, "I will not let you finish your final address today. We will adjourn for a month while I consider what you have said so far." You can put this through, but it will not work. I am alarmed by it. If it is the policy that all courts should have a time limit placed on them, that is fine. However, I do not see any justification for singling out the Juvenile Court.

When he was asked whether he was suggesting that subclauses (2) and (3) should be deleted altogether, he answered "I am". When he was asked whether that would be subclauses (2) and (3), he answered, "Yes, as well as subclauses (4) and (5)". He went on to say:

> You must credit your judicial officers with some feeling of responsibility. I do not think I can put it any higher than that. To wave a stick, like you do at naughty schoolchildren, and say that this must be done within a certain time limit is a little demeaning.

That shows you how much the judge was concerned about this matter. When asked whether he objected to the principle of judgments being delivered *ex tempore,* Judge Newman answered:

> It is something you must leave to the discretion of the person appointed to the position. If they are able, they will give a judgment instantly, and, as I say, this is what usually happens. However, this puts a time limit on everything, including the most complex trial. I object to this because you are really saying that you do not trust the people within the court to do the job.

He was asked whether he saw this as an attack on the courts, and he answered, "Yes." Obviously coming from one side of the table, the question was asked:

> That is quite wrong. The principle is not to attack your court but to assist children.

Judge Newman then said, "I see it as an attack on the court." It is quite obvious that Judge Newman sees this as creating problems within the court. He feels that the Government has no confidence in the courts, and above all, he says this will not work. That should be sufficient reason for the Attorney-General to accept the amendment.

The Committee divided on the motion:

Ayes (25)—Messrs. Abbott, Bannon, Broomhill, Max Brown, and Mrs. Byrne, Messrs. Corcoran, Drury, Duncan (teller), Groom, Groth, Harrison, Hemmings, Hopgood, Hudson, Klunder, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (17)—Mrs. Adamson, Messrs. Allison, Arnold Blacker, Dean Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Mathwin (teller), Nankivell, Russack, Tonkin, Venning, Wilson, and Wotton.

Majority of 8 for the Ayes.

Motion thus carried.

Amendment No. 28:

The Hon. PETER DUNCAN: I move:

> That the Legislative Council's amendment No. 28 be agreed to.

Motion carried.

Amendments Nos. 29 to 31:

The Hon. PETER DUNCAN: I move:

> That the Legislative Council's amendments Nos. 29 to 31 be disagreed to.

These amendments are to clause 55 and amendments Nos. 29 and 30 are consequential on amendment No. 25. The proposed additional paragraph *(c)*, amendment No. 31, is also consequential and enables the Children's Court to hear a matter, make a finding of guilt and refer the matter to the adult courts for sentence. This procedure would create even further uncertainty for the alleged offender and his counsel and is contrary to any procedures in adult courts.

Motion carried.

Amendment No. 32:

The Hon. PETER DUNCAN: I move:

> That the Legislative Council's amendment No. 32 be disagreed to.

Amendment No. 32 is an amendment to clause 64. The proposed additional subclause is quite unnecessary in the Government's view. The court will have the facts of the original case before it, together with the report of the Training Centre Review Board. If the child has committed an offence since release from the training centre the matter will have been dealt with either by the court itself or by the Children's Aid Panel. In addition, the police will be notified of any applications as a matter of course and under the current provisions can be called as witnesses during the hearing of the application. As this matter will be dealt with by regulation, it is not necessary to have special provisions in the Bill.

Mr. MATHWIN: I support the amendment. It was interesting to hear the Attorney say that this matter would be dealt with by regulation. One would think it would be an advantage to have a provision in the Act. This clause will support the police and they should have some say regarding a child's release from a training centre. Nothing like the Parole Board is involved.

I hope that the Attorney might one day support an amendment put forward by this side.

Motion carried.

Amendments Nos. 33 to 36:

The Hon. PETER DUNCAN: I move:

> That the Legislative Council's amendments Nos. 33 to 36 be agreed to.

I point out that, in agreeing to so many of the Legislative Council's amendments, I have shown the flexibility of the Government and it's preparedness to be reasonable.

Motion carried.

Amendment No. 37:

The Hon. PETER DUNCAN: I move:

> That the Legislative Council's amendment No. 37 be disagreed to.

This amendment relates to clause 91. It is the policy of the Government to make legislation as legible as possible to the man in the street. The term "lawyers" is a more commonly used term in the community at large, and in law has basically the same meaning as "counsel or solicitors." Therefore, the Government believes that the term "lawyers" should be used. The amendment has no doubt been prompted by the Law Society's anxiety to ensure that traditional language is to be used and that the mystery that usually surrounds this sort of language will be contained in the Bill. The Government does not intend to bow to that pressure.

Mr. WOTTON: I am disappointed that the Attorney-General has adopted the attitude that he has. He implies that this matter is not terribly important, but the term is contained in the Statutes and it is very important to use the precise term. The Juvenile Courts Act of 1940 was understood by people generally. The term used in that Act was "counsel or solicitors." I am not aware of any Act in South Australia in which the term "lawyer" is used. If the Attorney can indicate such an Act, I will be interested to see it. The Attorney says it is important that people understand the legislation. Most of those examining this legislation will understand what the term "counsel or solicitors" means.

Mr. WILSON: I am concerned that the law should be understood by the layman. I have discussed this matter with a learned and senior member of the Attorney-

General's profession. I am not a lawyer, but in the opinion of this person the word "lawyer" means "solicitor, barrister, notary, attorney or proctor".

If that is so, it militates against the Attorney-General's argument. I would be the first to support the Attorney if the word "lawyer" meant exactly that same as "counsel or solicitors", but apparently it does not.

Mr. McRAE: The term "lawyer" must mean legal practitioner, and in turn "legal practitioner" is interpreted to mean "solicitor, barrister, attorney or proctor". One can be a solicitor without being a barrister, and vice versa; the terms are exclusionary. However, one cannot be a barrister without being a lawyer, a solicitor without being a lawyer or an attorney or proctor without being a lawyer. The member for Torrens and the member for Coles recently made a plea for greater clarity. This amendment is a blow for not only clearer verbiage but plain English, and we need more of that.

Mr. WILSON: Could the Attorney tell us, laymen as we are, whether a legal practitioner is an academic lawyer? Is a person such as Professor Castles regarded as a lawyer for the purposes of this legislation?

The Hon. PETER DUNCAN: I think that Professor Castles was admitted to the bar in Victoria, and he would be embraced by the term of lawyer.

Mr. WILSON: What about an academic lawyer who was not admitted to the bar?

The Hon. PETER DUNCAN: The term "lawyer" is understood by the community at large to cover persons who are solicitors, barristers, attorneys or proctors. I do not know of any proctor in South Australia who would not be also at least a solicitor. I certainly do not know of any attorney in South Australia who would not be a solicitor. The term "lawyer" is a catch all phrase that covers the four other groups. The term "lawyer" covers the four professions of old, and it is not long ago that the Statutes of South Australia spelt out each and every one of those professions when dealing with these matters. The use of the term "proctors" has almost merged with the term "solicitor", and the word "attorney" has fallen from use, except in the title of the office that I now hold. We are slowly improving the language of the law and getting it to the point where it is simplified so that laymen can understand what is meant by Statutes.

Motion carried.

Amendments Nos. 38 to 43:

The Hon. PETER DUNCAN: I move:

> That the Legislative Council's amendments Nos. 38 to 43 be disagreed to.

The effect of amendments 38 to 42 is that the reporting of matters in the Children's Court in relation to offenders would almost be the same as in adult courts, except that the offenders would not be identified. It undermines the policy that different procedures are required for dealing with young offenders from those required for dealing with adults, in order to assist in the rehabilitation process.

In addition, there is a growing body of opinion that the publication of the proceedings of a case before a person has been found guilty is contrary to the notion of justice. Accordingly, the Government is not prepared to accept these amendments and the intention behind them.

Amendment 43 proposes a reduction of the fine from $10 000 to $1 000. That is unacceptable, because it is an inadequate deterrent to contravention of clause 92, especially to large media companies such as television and radio stations and metropolitan newspapers. The penalty given is a maximum, not a minimum; therefore, it is expected that the court would impose a lower penalty on, say, a small country newspaper for contravention of the section than it would on a large metropolitan newspaper. We believe that $10 000 is reasonable, given that sufficient deterrent is desirable when dealing with these matters.

Mr. WOTTON: I am sorry that the Attorney is not prepared to accept this amendment. Members on this side regard this as an important matter. If the Government does not agree, that is to its disadvantage. These amendments are to enable a report of the proceedings and their result to be published, provided that the name of the child is not given and that the child is not identified in any way.

We believe that it is essential that the identity of the child is not stated and brought to the notice of the public. We believe that, in the interests of the community, the general public should be made aware of the offences that are being committed, particularly serious offences. The Opposition feels strongly that allegations have been made in the past regarding penalties handed out, particularly in relation to serious offences. If the public was allowed to know what was going on, it would be a different situation.

It is all very well for the Attorney to say that it is possible to obtain this information from the Juvenile Court Report, but we all appreciate that that report is usually 12 months late, at least. While we believe that the welfare of the child is important (and we have indicated that on numerous occasions), it is also important that the welfare of the community is protected. I believe that the community is entitled to know what the trends relating to child crime are. We believe that the press should be able to publish details indicating what is happening with juvenile crime at present.

Mr. MATHWIN: These amendments relate to clause 92. Subclause (1), when amended, will read:

> A person shall not publish, whether by radio, television or newspaper or otherwise, a report of any proceedings before the Children's Court, other than proceedings under Part IV of this Act.

Subclause (2) will provide:

> Unless otherwise ordered by the court, the report of any proceedings under Part IV of this Act may be published in accordance with this section.

The rest of that subclause is deleted. Subclause (3) will read:

> Unless permitted by virtue of an order under sub-section (4) of this section, a person shall not in publishing a report of any proceedings—

and so it goes on. In subclause (5) the penalty is reduced from $10 000 to $1 000, which is a fair amount of money by anybody's standards. I believe that reports and results of proceedings should be published. The names of the children or the people involved should not be published, so that the child is not identifiable.

One would not argue that some bad offences are committed by young children, particularly recidivists. The community has every right to be aware of what is going on. The press should have the right to be present and to give a full picture; that is what the freedom of the press is all about. The press reports give a reasonably full picture of what is happening. It does not report names or make people easily identifiable, and I believe the press is doing a good job in this area.

Subclause (3) covers this matter adequately. The annual Juvenile Courts Report, when it is given to us, is history. One gains little information from it because it is much too late. I believe it is the right of the press to be able to report to the public. The public should know of the trends in crime and should know how the system is working, or whether or not it is working. The welfare of the child should be of concern, but the public should also be considered. I ask the Attorney why these matters should be kept secret. At page 15 the report given to the Select

Committee by the Police Department states:

> It can be accurately assumed that matters before the court are of community interest. By having a knowledge of these matters the public is made aware of crime trends, and enables the public to take prevention measures with regard to protection of life and property, and/or seek adequate legislative measures. Members of the public who may have been involved either as a victim or otherwise, are able to be informed of the progress of the matter before the court, and of its result. It is considered healthy for the community to be aware of the general character of its 'children'. There have been instances of public apathy relative to commission of offences by juveniles due to lack of information as to the non-availability of result of action taken. This is likely to be overcome if publication of proceedings and results were possible.
>
> It is not suggested that except in special circumstances at the discretion of the court, particulars which could lead to the identification of a child before the court, be published. However, a report of the nature, etc., of the offence concerned, is advocated. The following amendment, which is a re-statement of the present situation under the Juvenile Courts Act, is proposed:

The evidence goes on to provide the Select Committee with what the Police Department believed would be the type of amendment that the Government and the House should accept. I strongly suggest that the Government should reassess this situation and agree to these amendments relating to clause 92 and dealing with the report of proceedings in the Juvenile Court. Provided there is no identification of the children involved and no names of acquaintances, school, places of business where these people might congregate, are mentioned, it is fair and above board that the public should be made aware of the situation relating to juvenile crime in this State.

Mr. WOTTON: I emphasise the Opposition's concern regarding the Government's attitude in this matter. We believe the Government will be creating an injustice in the community by not agreeing to the amendment moved by the Opposition in this Chamber and in other place. We believe in this matter strongly. I am very sorry, and I

The Committee divided on the motion:

Ayes (25)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan (teller), Groom, Groth, Harrison, Hemmings, Hopgood, Hudson, Klunder, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (16)—Mrs. Adamson, Messrs. Allison, Arnold, Blacker, Dean Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Nankivell, Russack, Venning, Wilson, and Wotton (teller).

Majority of 9 for the Ayes.

Motion thus carried.

Amendment No. 44:

The Hon. PETER DUNCAN: I move:

> That the Legislative Council's amendment No. 44 be agreed to.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 1, 8, 17, 18, 25, 27, 29, 32, 37, and 43 was adopted:

> Because they would undermine the whole policy behind the Bill.

Later:

The Legislative Council intimated that it disagreed to the House of Assembly's amendments to the Legislative Council's amendments Nos. 22 and 26, and that it insisted on its amendments Nos. 1, 8, 17, 18, 25, 27, 29, 30, 31, 32, 37, 38, 39, 40, 41, 42 and 43, to which the House of Assembly has disagreed.

Consideration in Committee.

The Hon. PETER DUNCAN (Attorney-General): I move:

> That disagreement to the Legislative Council's amendments Nos. 1, 8, 17, 18, 25, 27, 29, 30, 31, 32, 37, 38, 39, 40, 41, 42 and 43 be insisted on.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Mrs. Byrne, Messrs. Groom, Mathwin, Payne, and Wotton.

Later:

A message was received from the Legislative Council agreeing to a conference, to be held in the Legislative Council committee room at 9.15 a.m. on Wednesday 28 February.

The Hon. PETER DUNCAN: I move:

> That Standing Orders be so far suspended as to enable the conference with the Legislative Council to be held during the adjournment of the House and the managers to report the result thereof forthwith at the next sitting of the House.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

In Committee.

(Continued from 23 February. Page 2933.)

Remaining clauses (8 to 11) and title passed.

Bill read a third time and passed.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 14 February. Page 2640.)

Mr. RUSSACK (Goyder): This Bill is consequential on the passing of the Local Government Act Amendment Bill. It repeals sections 82, 83, and 84 of the principal Act, dealing with the standing of vehicles, and so on. We will not oppose the second reading of the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Repeal of ss.82, 83 and 84 of principal Act."

Mr. RUSSACK: Do I understand that, with the repeal of these sections, the responsibility will be covered by regulations?

The Hon. G. T. VIRGO (Minister of Transport): Yes.

Clause passed.

Clause 4—"Regulations."

Mr. RUSSACK: Referring to paragraph (caa), do I understand that that provision relates to the driver and owner penalties referred to in the Local Government Act Amendment Bill, just passed?

The Hon. G. T. VIRGO: That is true. I referred to the proposed regulations, which is all they are at this stage. That will provide a defence where an owner can show that the vehicle is illegally used or stolen.

Clause passed.

Title passed.

Bill read a third time and passed.

POLICE OFFENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

Continued from 14 February. Page 2640.)

Mr. RUSSACK (Goyder): We support the Bill, which is consequential on the passing of the Local Government Act

Amendment Bill.

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

SOUTH AUSTRALIAN WASTE MANAGEMENT COMMISSION BILL

Adjourned debate on second reading.

(Continued from 14 February. Page 2638.)

Mr. RUSSACK (Goyder): This Bill has caused much concern. Many quarters in the community have levelled at this Bill criticism similar to that levelled at other measures presented recently in this House. It is not a straightforward Bill, but a controversial one, which is being rushed through before people have an opportunity to investigate it thoroughly. The report of the Waste Disposal Committee dated December 1977, referring to an interim management commission, page 73, line 3, states:

> This report presents recommendations for the establishment of an organisation most appropriate and economic to manage waste disposal within the Adelaide metropolitan area and other areas of the State as may be determined. The committee hopes that the report will be distributed widely to expose the recommendations to the ideas of others, and thereby strengthen the foundations from which an organisation arises. Even if accorded legislative priority, many months are likely to elapse between the publication of this report and the passage of a Bill giving effect to Government waste management policies. The committee considers interim arrangements to be necessary pending the establishment of the proposed South Australian Waste Management Commission or similar body.

Then appears the following recommendation:

> That pending the establishment of the South Australian Waste Management Commission, an Interim Waste Management Committee, responsible to the Minister of Local Government, be formed with the following membership: two Government representatives and two members representing local government.

I understand that that has been done. Yesterday, I tried to obtain a report from the Interim Waste Management Committee, but I was told that, under one of the terms of reference, the interim committee was given the task of working with the Parliamentary Counsel to prepare the Bill. That point concerns me. No further indication was given to those involved of what was to be included in the Bill, other than that the Bill was introduced on 14 February. Admittedly, that is 13 days ago, but, within the past two or three days, those who will be affected most deeply by the Bill have realised its implications and would like additional time in which to consider the Bill, the constitution of the commission, what the commission may do, the technical committee to be established and what its purpose will be, and to get some indication of what the costs might be. There is no indication as to cost, what it will cost free enterprise, local government and the ratepayer, or what responsibility the Government is prepared to accept as regards the financial aspects of the scheme.

We have had other Bills in this session that have been as contentious as is this one, but they were withdrawn, because of keen public objection to and concern about the legislation. The feed-back on this Bill is now coming through, not only from private people but also from free enterprise, industrial operators and local government. Acceptance or otherwise varies in different quarters according to the circumstances.

I will consider three major interests, one of which is local government. The Bill is yet another opportunity to take from local government responsibilty that could well remain with it. Local government must be assured that costs will be kept at an absolute minimum. We have seen advertisements in the press expressing concern that rates and fees will rise drastically.

The Hon. G. T. Virgo: You've seen the denials, too.

Mr. RUSSACK: Yes, I have seen the Minister's denials. I have inquired and obtained quotes from other States. I expect that it depends on the basis on which the quotes are given.

The Hon. G. T. Virgo: There was a fair bit of vested self-interest in those advertisements.

Mr. RUSSACK: There could be. There is vested interest if people are affected by any legislation or consideration. Local government must be assured that costs will be kept to an absolute minimum. The Government has overlooked, I believe (and it is the opinion of many others, too), the capacity of local government. True, some local government bodies have been found wanting as regards the disposal of waste in their areas; however, others have acted most responsibly, and we should look to the latter as the possibility that can be exercised by local government in the acceptance of its duties in this way.

We could look to a couple of examples in relation to local government. I bring to members' attention the East Torrens destructor operation, which has been going for years and which has been a most satisfactory venture. There is also the Southern Metropolitan Regional Organisation, which is also concerned about this matter. The organisation apparently took note of what was said over the years and saw the need to do something about the waste in its region. It has done something about it: to the extent that about $300 000 will be invested in its waste disposal unit. The organisation has acquired 50 acres of land, at a cost of $127 000, and it is establishing works costing $195 000. In the meantime, it is paying about $10 000 a year to the Land Commission for the use of land. I understand that certain specified loam at $8 a tonne is being transported from the Salisbury area. I am aware also of what local government bodies in other regions have done. These people are not saying that there should not be some overall consideration or direction. However, they say that they consider that they should be enabled to continue with their own ventures. Concerning the Western Australia situation, page 26 of the report states:

> In 1973-74, the Metropolitan Refuse Disposal Planning Committee adopted the report of a technical sub-committee recommending, among other things, the formation of a "statutory waste authority" with the sole purpose of community waste disposal. The report recommended also that collection services should remain a local authority responsiblity. A report commissioned by the Metropolitan Region Planning Authority reached similar conclusions. Both reports were sent to all local authories for comment. Draft legislation was drawn up for an authority comprising a Chairman and 13 members, of whom eight were to be elected local authority members selected by the Minister. In the face of local authority opposition the draft legislation was not proceeded with. Instead, the Metropolitan Refuse Disposal Planning Committee was replaced by the Waste Advisory Committee, supported by a technical committee.

In Western Australia local government has been given the interest in this matter. At page 43, the report states:

> The committee preferred Ministerial responsibility to rest with the Minister of Local Government. This Minister and the office of local government should become the focal point for Government agencies directly and indirectly concerned with waste management. Locating responsibility with the Minister of Local Government should facilitate the

> rationalisation and co-ordination of waste management services without any undue professional bias. The recommendation recognises the operational and service nature of waste management and the important role of councils in this field, both now and in the future. Council interest and commitment should be enhanced by the committee man being responsible to the Minister of Local Government. The committee considers that combined council waste management services in the Adelaide metropolitan area and some country areas could solve the problem of raising standards while holding cost increases to a minimum. Such developments are likely to be facilitated through the involvement of the Minister and the office of local government.

I read that in an endeavour to emphasise the point that local government has a big interest in this control, so much so that the committee considered who should have the Ministerial responsibility — the Minister of Health, the Minister for the Environment or the Minister of Local Government. It came down strongly in favour of the Minister of Local Government. I appeal to the Government to keep local government at its right level and to be given its correct authority. I like the arrangement in Western Australia where there is an advisory commission with a technical committee, with local government carrying out the advice of those two committees.

The committee also considered free enterprise. On page 53 of its report the committee states:

> The committee restates the view that waste management services are primarily local and area responsibilities and should continue to be provided by councils and private enterprise. Therefore, the proposed commission should not become a major provider of these services. But it should not be denied the right to become a waste management operator when appropriate, desirable or necessary; for example, to establish a pilot project, to operate temporarily an unsatisfactory waste disposal facility, to assist a council or group of councils to establish a waste disposal site, to operate a central facility handling special wastes. Wherever possible the proposed commission should work through established organisations providing waste management services.

If the commission acts on the recommendation of that committee, it will be retaining the services of local government and free enterprise and endeavouring to expand them in a way that will be satisfactory to all concerned. It cannot be doubted that free enterprise has developed and administered the transportation and the disposal of industrial and commercial waste. We all know that because of modern industry and modern commercial practices there is an ever-increasing volume of waste, not only in packaging and metals but also in liquids. I suggest that free enterprise must be maintained in the whole programme of the commission and, although the legislation allows for that, free enterprise is becoming sceptical of the Government's attitude. Some people fear that the Government eventually will legislate for free enterprise to be phased out or squeezed out. Is it any wonder that today free enterprise feels that way?

Mr. Groom: What is free enterprise?

Mr. RUSSACK: Free enterprise is a situation in which a person has the freedom to express himself or develop his potential within the community. Freedom is not the right to do as we like; but it is the liberty to do as we ought.

Mr. Groom: Do profits come into it?

Mr. RUSSACK: Profits come into everything. It does not matter who operates a business enterprise—there must be profits. In this State if the Government enters into business and it does not pay, the taxpayers of South Australia have to pick up the tab, as they have had to do many times recently.

Dr. Eastick: Bob Hawke recognises the term.

Mr. Keneally: You like the State Government to pick up the tab for those industries that don't make a profit, but the ones who do you call entrepreneurs.

The SPEAKER: Order! This is not Question Time.

Mr. RUSSACK: I think there was once going to be a great big enterprise called Burkes. That was going to start off in Melbourne and then spread right around Australia. It is no wonder that the free enterprise people in South Australia are becoming sceptical, and they fear that this measure will ultimately either phase them out or squeeze them out. The provisions in this Bill allow the commission to extract from all those who would be involved all the technical and administrative procedures that have been adopted over the years.

The third important consideration is that of the position of the Government. The Government in South Australia is a great generator of waste. However, it seems to be free from any financial responsibility under this legislation. We are saying that the Government should shoulder its share of the responsibility for the collection, transportation and disposal of waste in South Australia. Clause 4 *(e)* provides that one of the objectives of the Bill is to encourage the participation of local authorities and private enterprise in overcoming problems of waste management.

The Hon. G. T. Virgo: There's not much wrong with that.

Mr. RUSSACK: That is quite good, provided the Government at the same time is included along with local authorities and private enterprise in attempts to overcome problems of waste management.

The Government wants to share the benefits, but it does not want to share any financial responsibility. I recommend strongly that the Government should be involved in the financial sharing, because Government departments are generators of waste. The Government would probably say that the council in the area involved would be responsible, but if this is so the Government should pay an *ex gratia* sum. The Government says that councils receive grants. The Government should accept financial responsibility in this field. It says that it wants to participate, so it should pay its share of the cost. Local government does not want to see any section of the community saddled with the financial burden of this commission. If I am wrong in my assumptions, I expect the Minister to correct me.

Mr. McRae: Would you agree that there are enormous problems for people in the northern areas of Adelaide?

Mr. RUSSACK: Yes, I agree, if you are you speaking of Wingfield. I realise that there is a pollution problem for those in the area. Regarding burning, there could be some advantages, as well as disadvantages. There are two dumps in that area. One uses an earth-fill system and excavation is carried out to a considerable depth. I have not seen this; I am only going on hearsay. The rubbish can be smelt, spontaneous combustion has taken place, and smoke can be seen.

The Hon. G. T. Virgo interjecting:

Mr. RUSSACK: The Minister says that a person there lights the tip. A report compiled in England suggests that the best way to dispose of rubbish is by burning. In this way, rubbish is about 90 per cent reducible.

The Hon. G. T. Virgo: Not burning like that; it is a different type of burning.

Mr. RUSSACK: I have not inspected this personally.

The Hon. G. T. Virgo: You should have done it on your last trip.

Mr. RUSSACK: I am interested in the environment, and the member for Murray, who will speak later, will deal

with this aspect.

The Hon. G. T. Virgo: He took the adjournment.

The SPEAKER: Order! The member for Goyder has the floor.

Mr. RUSSACK: Everybody has the right to express their convictions and thoughts. I believe that rubbish can be delivered to this dump on 365 days a year. This is not allowed in other dumps, because of the affect of the weather. After being treated, the compacted waste can be used for filling elsewhere. That land can ultimately be used for industrial purposes. A petition was presented to the House today containing about 1 700 signatures of people who deposited rubbish at the tip last weekend.

Mr. Whitten: You tell me how they obtained those signatures, because I know.

Mr. RUSSACK: The weekend previously—

Mr. Whitten: I didn't think you would tell us.

Mr. RUSSACK: I challenge the member for Price. Another petition contains over 1 500 signatures, which were obtained the week previously.

Mr. Whitten: The same method.

Mr. RUSSACK: The honourable member may know more about the petition than I. I was presented with a petition, which I accepted.

The Hon. G. T. Virgo: You haven't checked the *bona fides*.

Mr. RUSSACK: I can say that the areas canvassed were Clearview, Henley Beach, Klemzig—

The Hon. G. T. Virgo: Have you checked them?

Mr. RUSSACK: If the Minister told me something and said that it was right, I would accept his word until it was proven wrong. A gentleman handed me this petition and told me certain things, which I accept until they are proven wrong.

The Hon. G. T. Virgo: This is Mr. Paul.

The SPEAKER: Order! The honourable member for Goyder has the floor.

Mr. RUSSACK: I have not said that I oppose the Bill.

Mr. Keneally: Oh, good!

Mr. RUSSACK: If the member for Stuart thinks I am opposing it, he might be wrong. About 3 000 signatures were collected over two weekends, and I accept that these were collected at the dump.

Regarding the price of waste disposal relating to a 6ft. x 4ft. trailer, prices have been quoted from an industrial source in Melbourne. At the Sunshine dump the charge is $3, and at Broadmeadows, $1·75. At Sydney, at Pymble, $2·50, and Artarmon, $1. In Sydney the common price is $1. In Brisbane, the highest price was $1·20 and the lowest 60c, and in Perth most tips charge from 50c to $1. Through the Parliamentary research service, I inquired about the cost of dumping a 6ft. x 4ft. trailer load of domestic rubbish at controlled tips in Brisbane, Sydney, Melbourne and Perth. Brisbane City Council charges 60c a cubic metre for loose domestic rubbish. A trailer of the size mentioned, loaded to just under 18 inches, would be equivalent to 1 cubic metre and would cost 60 cents. If loaded to a depth between 18in. and 2ft. 11in., the cost would be $1·20. In Sydney, the cost is $2. For dumping a smaller trailer load at those tips, the cost of $2 is the maximum charged by any council. Other council charges are 50c or $1 a load.

In Melbourne, tips are controlled by the city councils. Charges at five representative council tips covering a 6 ft. x 4 ft. trailer are: at Oakleigh City Council, $2 for ratepayers for a 1·5 cubic metre load and non-ratepayers, $3; at Knox City Council, only ratepayers are permitted, and trailers up to a cubic metre cost $2; at Springvale City Council, 80 cents a trailer load; at Nunawading City Council, a trailer load of one cubic yard costs $2·75; at Broadmeadows City Council, for ratepayers only it is free.

In Perth tips are controlled by local councils. Charges given relate to the use of tips by non-ratepayers. Ratepayers use their local council tips free of charge. The charges given are for a 6 ft. x 4 ft. trailer with sides not higher than 2 ft.: Stirling City Council, $1 per cubic metre or part thereof; Cockburn City Corporation, 50 cents per trailer load; Nedlands (Disposal Authority), $1 per small trailer load; and Canning Town Council, 50 cents per small trailer load. It is interesting to note that Perth charges are the cheapest. There the authority and a technical committee advise local government. The service to all ratepayers is free.

Industrial waste disposal in Brisbane costs 21 cents per cubic yard; in Sydney 60 cents; Melbourne, 26 cents; Adelaide city, about 8 cents, and 16 cents at the Noarlunga tip. Those prices have been questioned; some consider that they are much dearer. As I mentioned earlier, it is imperative that the commission keeps the price to an absolute minimum so far as local government is concerned. I have a copy of the following letter that the Minister received from the Southern Metropolitan Regional Organisation:

> We would like to place on record clearly that the Southern Metropolitan Regional Organisation (S.A. No. 4.) Inc., is aware of the need to improve standards and to plan for the future problems which we will obviously be faced with. While accepting this, we are, however, concerned that the achievement of this goal is based on the effective participation of the waste industry in determining the policies required to meet the general objective.
>
> We do not, however, accept the Bill as proposed. The Bill appears to attempt to railroad a commission through. The importance of the issue we believe requires that the Bill receive more consideration. Given the variation between the report and its recommendations and the Bill, we believe the perfunctory treatment should cease. Accordingly, we recommend that the Bill be laid on the table of the House and that the Local Government Office on behalf of its Minister seek to negotiate during the Parliamentary recess with the Chamber of Commerce and Industry representing the waste industry, and local government representing the community.
>
> The central question is not one of whether in fact planning and co-ordination should take place, but rather how such planning and co-ordination can be achieved administratively. The Australian experience has offered three administrative models of how such objectives can be achieved. We believe that the alternatives approached have received cursory treatment. In light of objectives raised by local government and industry the possible alternative administrative approaches should be reassessed. In today's economic climate and in light of all levels of government responsibility to minimise costs through maximising efficiency any legitimate attempt to rationalise government should be examined.

I now refer to certain clauses of the Bill that will be dealt with more fully in the Committee stages. The Bill gives the Minister a signal responsibility. Clause 7 (3) provides:

> The Commission shall be subject to the control and direction of the Minister.

The Hon. G. T. Virgo interjecting:

Mr. RUSSACK: It may be a normal clause nowdays. I took the opportunity to look at the Electricity Trust of South Australia Act, which was introduced in 1946. It has a board of five members, but it does not state that it must be under the control and direction of a Minister. I am sure that nobody could say that the Electricity Trust of South Australia has not been a great success and a boon to South Australia. That is perhaps the sort of provision that should

be in this Bill. The participation of all aspects of the community is the reason for the Electricity Trust's success. I turn now to the composition of the commission. I find it very much different from what the committee recommended. Referring to the members of the commission clause 8 (1) provides:

> *(a)* one shall be a member of a council selected by the Minister from a panel of three such members nominated by the Local Government Association of South Australia;
>
> *(b)* one shall be a person actively engaged in some aspect of waste management selected by the Minister from a panel of three such persons nominated by the South Australian Chamber of Commerce and Industry;
>
> *(c)* one shall be a person selected by the Minister from a panel of three persons nominated by the United Trades and Labor Council of South Australia;
>
> and
>
> *(d)* four shall be persons nominated by the Minister.

In effect, the Minister selects the whole seven members.

The Hon. G. T. Virgo interjecting:

Mr. RUSSACK: Well the Minister selects four.

The Hon. G. T. Virgo: They're nominated by the organisation.

Mr. RUSSACK: They are nominated but you select one out of the three.

The Hon. G. T. Virgo: That is a Tom Playford-ism. He introduced that years and years ago.

Mr. RUSSACK: Well, the recommendation of the committee, which was laid down in December 1977, page 41, paragraph 4.6, states:

> That the members of the board of the South Australian Waste Management Commission be: the Director of the South Australian Waste Management Commission (Chairman); one elected representative from councils in the Adelaide Metropolitan Area nominated by the Minister of Local Government from a panel of names submitted by the Local Government Association of South Australia Inc.; one elected representative from country councils nominated by the Minister of Local Government from a panel of names submitted by the Local Government Association of South Australia Inc.; two members, one of whom shall be engaged actively in commercial waste management services, nominated by the Minister of Local Government from a panel of names submitted by the South Australian Chamber of Commerce and Industry; and two members nominated by the Minister of Local Government.

There is an amendment on file which endeavours to amend that clause to bring it somewhere into line with the committee's suggestion.

There does not seem to be any reference to a person with the qualifications involving commercial and industrial waste disposal. It is to be hoped that somewhere along the line a person who will be fully involved in the commercial and industrial side of the industry will be elected to the commission. Under clause 15 *(u)* the Minister has fairly sweeping powers, as follows:

> The terms and conditions upon which members of the technical committee hold office shall be determined by the Minister.

Clause 16 provides:

> A member of the technical committee shall be entitled to receive such allowances and expenses as may be determined by the Minister.

That gives the Minister fairly wide powers to hire and fire, and to set different rates of pay for each member of a technical committee, if he so wishes. We do not consider that the Minister is not capable, but those powers are too wide and should be considered further. Clause 40 relates to the appeals: the situation is really an appeal from Caesar to Caesar.

Mr. Goldsworthy: Who is that?

Mr. Becker: You wouldn't call the Minister Caesar?

Mr. RUSSACK: The Minister has the final say on whether an appeal is upheld or whether it is rejected. An appellant has no further right to present his grievance to any other person. Clause 40 *(i)* provides:

> Upon an appeal, the Minister may, on the recommendation of the arbitrator, confirm, modify or reverse the decision of the commission and that decision shall be final.

We do not accept that; we consider that there should be some other means of appeal through a court of full jurisdiction. We will support the Bill to the second reading stage. I am disappointed that the Minister has not yet replied to my request, or given any indication that the Bill will remain on the table or that we will interrupt its progress so that further consideration can be given to it. I have given notice of motion that, contingently on the Bill being read a second time, I will move that Standing Orders be so far suspended as to allow the Bill to go to a Select Committee.

Mr. Mathwin: Good idea.

Mr. RUSSACK: It is a good idea, because, as I mentioned earlier, the people involved have not had an opportunity to give their version of and their reactions to the Bill, between the time when the report was laid down in December 1977 until now, when the Bill has been prepared. As I say, we will support the Bill to the second reading and then endeavour to improve the Bill in Committee so that we can give an assurance to free enterprise that it will be workable and will allow for full consideration for local government. We hope the Government will assume its full responsibility in relation to the financial situation.

Mr WOTTON (Murray): I support the second reading of the Bill, and I support, in principle, the idea behind it. Also, I support the comments made by the member for Goyder. I am extremely anxious to see this Bill go before a Select Committee. It is all right for the Minister to shrug his shoulders and pull a funny face, but it is very important (and I think the Minister would agree), that the people affected by this Bill should have their say. The Government have procrastinated about this Bill since 1973. The Governor in his opening speech to Parliament in 1973, said that the Government would set up a Waste Management Commission. We have seen much legislation introduced at the end of a session and an attempt made to bulldoze it through, and this is just another example. Fortunately, the Government has thrown out much of legislation which might cause a bit of a ripple in the electorate, but on this occasion it has decided to bulldoze this very important Bill through this House.

The Hon. G. R. Broomhill: It is being bulldozed, or delayed?

Mr. WOTTON: I point out to the honourable member that it is important for the future of waste management in this State that appropriate time be given to work out the best form for this Bill, and I do not believe that has happened in this case.

I have studied the report very closely, and in many cases it is difficult to appreciate that the report and this Bill are talking about the same thing. For the Minister to say that this Bill has come about as a result of the report is quite farcical. The Government has done very little to consult with private enterprise and local government authorities on the Bill. It is all very well for the Minister to say that we do not need a Select Committee—

The Hon. G. T. Virgo: I did not. I am going to do so later on.

Mr. WOTTON: That is all I wanted to know. I

presumed the Government had refused to put this Bill before a Select Committee. The Minister might change his mind if we keep saying the right thing.

The SPEAKER: Order! The honourable member cannot discuss that motion.

Mr. WOTTON: I do not intend discussing that motion Mr. Speaker, because the matters I want to deal with are important and I do not want to waste time. The Government has done very little, if anything, to consult with private enterprise and local government about this Bill. It is all very well for the Government to say that it has gone to the people through the report, the setting up of a working committee, and the work that has come forward, but that report is very different from the Bill we now have before us.

As I say, I agree with the principles behind this legislation. I commend the member for Goyder on the remarks he has made. I, too, feel very strongly that the Crown, for example, should be bound. It is a big generator of waste, and I believe it should pay. I agree that there is a real need to improve the standards of waste management and that there is a real need to plan for future development and for problems that will be facing us in regard to waste.

The problem of waste management is becoming a major issue in our society, a matter about which the Government must make major decisions. I do not believe that the matters covered in the legislation deal effectively with the decisions that must be made. It is all bound up with the aim of resource recovery, and at a time of growing energy shortage that is a very real need.. The need to manage and to profit from urban industrial and agricultural waste is a most important point that needs to be emphasised at this time. It is an issue of such importance that it should not be looked at simply along Party-political lines, but should be attacked on a co-operative basis. It should go ahead in the most economical but progressive way possible, with support and suggestions from both sides of the House. I hope this would be able to happen, and this is another reason why I believe that this legislation should go to a Select Committee.

Huge amounts of garbage are generated by industrialised communities. Each year, more than 700 000 tonnes of rubbish is handled in Adelaide alone—and that does not include liquid wastes. This theme was enlarged upon in an editorial in the *Advertiser* in March of last year, as follows:

> As more households are formed and manufacturers use more and more packaging, inevitably the amount of rubbish will increase.

The important thing is to attempt to conserve our resources by using less packaging and by recycling the materials that are wrapped around almost every product we buy today.

One of the most important issues in the world today is energy. I will not spend much time on the need to conserve energy, but every day in the newspapers we see more and more worrying statements about the uncertainty of oil supplies from the Middle East, for example. Taking all these facts into consideration, we must cast around for all sources of energy that can possibly be utilised. One of these is energy from waste, and very little is being done by the Government to look closely at that matter.

I suggest that any advisory committee that may be set up under this Bill should have strong technical and environmental expertise. It should urgently monitor all overseas work, studying it in the light of our own South Australian situation. There is a very real need to reduce collectively the volume of our community wastes, to recover from them as much as possible of the useful resources, and to generate energy in the future. I would hope, if this legislation passes, that the committee would urgently consider these aims.

I have looked closely at what has been happening in other parts of the world regarding methods of waste disposal. We read in *Time* magazine of 9 January 1978 that in New York "garbage can be golden". The article states:

> Such glowing descriptions of refuse, which is more conventionally considered a smelly, unsightly and unwanted by-product of urban life, underscore the increasing popularity of trash as fuel in a U.S. facing growing shortages of energy. Today, 16 full-fledged plants are in operation using varied technologies, another 12 are under construction, and many more are in different stages of planning. The latest and largest municipality to turn to garbage power is New York city which, in December 1977, announced that it was negotiating with Manhattan-based Ashmont Systems to build a plant on the grounds of the former Brooklyn Navy Yard. The facility would take in 2 400 tons of garbage a day and supply heat and electricity for nearby industrial users.

Another plant is planned to use 3 000 tonnes a day of city garbage. Chicago, Milwaukee, and New Hampshire all produce energy from waste, while a more advanced system converts garbage into a fine brown powder called Eco-Fuel, which can be stored without decomposing and which is used with oil, coal and natural gas. I could go on for a long time—

Mr. Keneally: And you do, too.

Mr. WOTTON: Yes, because it is a matter with which I am particularly concerned. I wish Government members showed some signs of being concerned. Let us look at what is happening in Australia. Brisbane has a circulating fluidised sand bed incinerator. I have seen it, and I believe it is set up in the Brisbane abattoirs.

The Hon. G. T. Virgo: I m not too keen on certain things in Brisbane.

Mr. WOTTON: I do not think the Minister has any right to be concerned or otherwise about what is happening in Brisbane, except what is being done there environmentally regarding waste management. He has much to learn about what some of the other States are doing in this field. I was referring to the incinerator, which has been set up in the Brisbane abattoirs and which efficiently burns industrial, sewage, and animal waste. If the Minister has visited Queensland, he should see what is happening there.

Members interjecting:

The SPEAKER: Order! There are far too many interjections.

Mr. WOTTON: In Sydney, the Metropolitan Waste Management Authority leases out recycling depots at each of its regional waste disposal sites. This proves most successful. Only last week, we contacted Mr. Connolly, the Director, who also attributed great success to a hot line for putting potential users of waste in touch with one another. This hot line is operated by the authority. It does not sound much, but at least something constructive is being done, and it has worked well.

In Sydney, an industrial waste exchange has been set up. All of these schemes help to reduce considerably the amount of waste which eventually must be disposed of. Closer to home, Melbourne has a successful waste exchange organised by the Environmental Protection Authority. I have looked at it.

The Hon. G. T. Virgo: It is not a waste management committee but an environmental organisation.

Mr. WOTTON: That is what I said. It is organised by the Environmental Protection Authority. We are looking, in this legislation, at employing thousands of people, but the Melbourne exchange takes one man about three daays a month, or 6 per cent or 7 per cent of his time, for efficient operation. The city of Knox, east of Melbourne,

has confronted a problem common to many local government bodies faced with the high cost of waste disposal and the disappearance of sites suitable for sanitary landfill by introducing recycling and resale of materials separated at their source, a project which is now paying off economically. This is something that should be treated seriously. The people of Knox say that public awareness of the need to recycle has improved dramatically since 1975, when their scheme began. The community generally is willing to participate in recycling.

Such projects and schemes should be closely and urgently examined by the South Australian Government. Instead of proscrastinating and going on about the need to do something, and setting up commissions that will cost a great deal of money, the Government should be looking at the practical means of doing something about it, looking at projects and schemes which would work in well with regional organisations that already exist in South Australia. An editorial in the *Advertiser* in March 1978 states:

> It is vital that the new authority has the wholehearted support of local government, and that the Government does not see the new body as an intrusive, all embracing organisation which will control the entire range of waste disposal services in the State. The most appropriate role for the commission would seem to be in co-ordination and research, assisting rather than directing, co-ordinating rather than controlling. Such an approach would give the greatest chance of this urgent problem being tackled in an effective, practical way.

I am sorry that the Government has not heeded that editorial, because I believe that the legislation is control, and very little else.

The Hon. G. T. Virgo: We take our decisions in the Cabinet room, not in the *Advertiser* board room.

Mr. WOTTON: If the Minister's Party is taking decisions in the Cabinet room, he should look again at the people who are advising him, because I believe that the advice he has been given in this regard is so way off that it does not matter. I will not discuss what happens in the Cabinet room. I support the second reading. The member for Goyder will move amendments in Committee, and I hope that the Government will see fit to support them.

Mr. EVANS (Fisher): I recall that I came here as a garbage collector. I was referred to as that by some members and by one ex-member at the time.

The Hon. G. T. Virgo: You've an interest to declare.

Mr. EVANS: I do, and I will make that point. I knew that that dig was likely to occur, whether or not I spoke, so I thought that it would be wise of me to speak and to show whether I have an interest in the field. If anyone wishes to check it out, he may do so, to see that I have told the truth.

My father's estate has on it a dump in an old quarry, from which our family eked out a living in years gone by, by producing building stone. That dump is now operating within the community of Stirling, and it is the only dump operating there. It started originally by some member of the family deciding to collect garbage from households in small quantities; I think it started with one household, and developed into almost 300 households. The local council decided to call tenders for people to collect the garbage in the community. My family won the tender, and at that time I was part of the business. Subsequently, council again called tenders for a contract to follow on after a few years, and another contractor gained the contract for collecting garbage in the area. He still has the contract. He carts material outside the Stirling council area into, I believe, the Wingfield dump. The local dump at Stirling is still managed by members of my family, but I have no financial interest in it. My mother has a life interest in the property and, on her death, I will have a share in any sale of the property that occurs, because of the property. That is my total interest in it. For that reason, I will not vote on the Bill.

Mr. Keneally: Have you looked at Standing Orders?

The SPEAKER: Order! The honourable member for Fisher has the floor.

Mr. EVANS: The Bill will have an effect on my own area. Three councils, namely, Meadows, Mitcham and Stirling, are situated in my district. Whilst overseas, in 1974, I inspected methods of disposing of waste, but I was more concerned with resource recovery. I hope that, if we establish an authority in this State, we will call it a resource recovery unit or another name along those lines to suggest that, as a society, we are not saying that, because one individual throws away an item, it is automatically waste. We should be saying that it is a resource which could be recovered. I would have hoped that we would take that approach with this legislation. The Government has decided not to do that. I suppose that, if the Bill is passed, the name will be the name in the Bill as it is passed.

In the case of Meadows, I believe that it has good control of waste and resource problems. However, it may have a problem in the future, as it is a rapidly growing council as regards population: it is one of the fastest growing councils in the State. Its problems could be difficult to solve in the future.

I believe that we all recognise that the Mitcham council operates efficiently. It uses the land fill method, even for organic material, and it is worth remembering that, in the House no less than six years ago and on at least one occasion since, the present Minister of Local Government has stated clearly that he believes that the land fill method is still the best, most efficient, and cheapest for a city of Adelaide's size. I still support that contention, and I hope that the Minister does, too. It does not mean that you must have holes to fill. You can excavate, fill the holes you have created, and raise the levels of low land to make it higher land so that it will be useful in future. It has been done in many countries, it could be done in Australia, and it could be done in the northern part of the metropolitan area if we so chose.

In the Stirling council area, household rubbish is carted out of the area. The dump is open on certain days of the week, particularly on weekends, for members of the community to take their materials there. The Electricity Trust, the Engineering and Water Supply Department, and the local council find it a convenient place at which to dump material. The dump still burns the treetops and other flammable material as a method of disposal, but it is not done on a seven-day a week basis, as is the case with some other dumps. The material is burnt infrequently and, when it is, some of the near neighbours (but there are not many of them) consider it to be an environmental problem—not to a major degree, but to the point where some people find it slightly offensive.

If we go to a system of land filling with that type of material in that community (and I emphasise "that community"), we will need a major storage space or land fill area, because the growth rate of trees along the roadside is rapid, as a result of the high rainfall in the area. The Electricity Trust has an on-going problem in maintaining the environmental aesthetics of the area and, at the same time, keeping trees clear of the power lines. Telecom also faces problems. The trust has a massive amount of waste that it takes out each year, much of which is put through the hammer mill type of operation. It has a machine whereby the clippings can be chipped down to small particles but, with the bigger particles and large

quantities, it is of benefit to be able to dump it. It is dumped in separate heaps at different times in the community dump.

If a commission were set up that caused that community greater difficulty in dumping its rubbish, it would embarrass the community. It is separate from the main metropolitan area, and it could be an expensive process if people had to cart rubbish out of the area. I do not know what dumps the Minister would suggest he would expect the commission to exempt, or what dumps he would expect to license. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

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

COMPANIES ACT AMENDMENT BILL

Consideration in Committee of Legislative Council's amendments:

No. 1. Page 11, line 25 (clause 9)—After this line insert:

(10a) In any enquiry under subsection (9) of this section, a registered company auditor or registered liquidator may be represented by counsel.

No. 2. Page 12, lines 1 to 6 (clause 9)—Leave out all words in these lines and insert "that a failure to honour an undertaking referred to in paragraph *(e)* of subsection (11) of this section".

No. 3. Page 12, lines 28 to 30 (clause 9)—Leave out the words "his receiving notice of the decision or from the expiration of one week after the decision was made, whichever first occurs", and insert "service of notice of the decision".

No. 4. Page 11, lines 37 and 38 (clause 9)—Leave out the words "notified of the decision or after seven days after the decision is made, whichever first occurs" and insert "served with notice of the decision".

No. 5. Page 12, line 38 (clause 9)—After this line insert the following subsection:

(17a) Notice of a decision of the Board in an enquiry under subsection (9) of this section shall be served on the person who is the subject of that enquiry either personally or by post directed to his last known address.

No. 6. Page 13, line 43 (clause 12)—After this line insert the following paragraph:

(ba) has not been completed with sufficient particularity;

No. 7. Page 14, line 12 (clause 12)—After "as the Commission" insert "reasonably".

No. 8. Page 17, line 25 (clause 17)—Leave out "and".

No. 9. Page 17, lines 32 and 33 (clause 17)—Leave out all words in these lines and insert thereafter:

and

(c) by inserting after subsection (3) the following subsection:—

(3a) Any alteration of the memorandum of a company referred to in subsection (3) of this section shall take effect seven days from the date of the resolution, order or other document.

No. 10. Page 19, line 21 (clause 20)—After "secretaries" insert "and publication of accounts".

No. 11. Page 21, line 1 (clause 23)—Leave out all words in this line.

No. 12. Page 28, lines 39 and 40 (clause 32)—Leave out all words in these lines and insert the following paragraph:

(a) specifies the names of two persons purporting to be directors of the corporation and is signed by those persons;

No. 13. Page 31, lines 19 to 23 (clause 38)—Leave out all words in these lines and insert the following paragraph:

(b) by striking out from subsection (4) the word "Registrar" wherever it occurs and inserting in lieu thereof, in each case, the word "Commission".

No. 14. Page 34, after line 18 insert new clause as follows:

47a. *Amendment of principal Act, s. 67—Dealing by company in its own shares, etc.* Section 67 of the principal Act is amendment by inserting after subsection (1) the following subsection:

(1a) Where the purpose, or one of the purposes, of a contract is to enable or assist a company in giving financial assistance to any person in contravention of subsection (1) of this section a party to the contract who did not know of and had no reason to suspect that purpose may enforce the contract against all other parties to it.

No. 15. Page 43 (clause 70)—Leave out the clause.

No. 16. Page 54, line 39 (clause 94)—After "amended" insert—

(a) by striking out subsection (3) and inserting in lieu thereof the following subsection:

(3) A director of a company shall be deemed not to be interested or to have been at any time interested in any contract or proposed contract or mortgage charge or other security or proposed mortgage charge or other security be reason only—

(a) that he has guaranteed or joined in guaranteeing the payment of any debt or the performance of any obligation of the company;

(b) that he has given or joined in giving an indemnity to any person in respect of any debt or obligation of the company;

or in a case where a contract or proposed contract or mortgage charge or other security or proposed mortgage charge or other security has been or will be made for the benefit of or on behalf of a corporation which by virtue of the provisions of subsection (5) of section 6 is deemed to be related to the company—that he is a director of that corporation,

and this subsection shall have effect not only for the purposes of this Act but also for the purposes of any other law but shall not affect the operation of any provision in the Articles of the company; and

(b)

No. 17. Page 55 (clause 97)—Leave out the clause.

No. 18. Page 69 (clause 129)—Leave out the clause.

No. 19. Page 79 (clause 137)—Leave out this clause and insert the following clause:

137. *Amendment of principal Act, s. 167b—Auditors and other persons to enjoy qualified privilege in certain circumstances.* Section 167*b* of the principal Act is amended by striking out from subsection (2) the word "Registrar" wherever it occurs and inserting in lieu thereof, in each case, the word "Commission".

No. 20. Page 82 (clause 143)—Leave out the clause.

No. 21. Page 84 (clause 147)—After line 51, insert the following subsection:

(12) Nothing in this section operates to diminish the protection afforded to witnesses by the Evidence Act, 1929-1978.

No. 22. Page 85, lines 7 to 12 (clause 148)—Leave out all words in these lines and insert the passage—"company) should be paid by the company, the Minister may apply to the court for an order directing that the expenses or part thereof be so paid, or, if they have been paid under subsection *(l)* of this section, that the company reimburses the Crown or, in either case, that the company reimburse the Crown in respect of the remuneration of any servant of the Crown concerned with the

investigation, and the court may make such order with respect to the application or its subject matter as it thinks fit".

No. 23. Page 85, line 17 (clause 148)—Delete "Minister" and insert "Court".

No. 24. Page 85, lines 24 to 27 (clause 148)—Leave out all words in these lines and insert the passage—

"whether an application or applications under subsections (2) or (7) of this section should be made."

No. 25. Page 85, line 46 (clause 148)—Leave out "Minister" and insert "Court".

No. 26. Page 86, line 11 (clause 148)—Leave out "by the Minister".

No. 27. Page 87, line 22 (clause 150)—Strike out the passage "or a recognised company".

No. 28. Page 87, line 25 (clause 150)—Strike out "adaptions" and insert "adaptations".

No. 29. Page 87, lines 26 and 27 (clause 150)—Strike out the passage "or a recognised company".

No. 30. Page 87, line 30 (clause 150)—Strike out "or a recognised company".

No. 31. Page 87, lines 36 and 37 (clause 150)—Strike out "or a recognised company".

No. 32. Page 87 (clause 150)—After line 40 insert the following subsection:

(4) At the time of making an application under subsection (1) of this section the Minister shall cause notice of the application to be served on the company.

No. 33. Page 100 (clause 190)—Leave out the clause and insert new clause 190 as follows:

190. *Amendment of principal Act, s. 122—Circumstances in which company may be wound up by the Court.* Section 222 of the principal Act is amended—

(a) by striking out from paragraph *(d)* of subsection (1) the passage "or a private company" wherever it occurs; and

(b) by striking out from paragraph *(a)* of subsection (2) the passage "by leaving at the registered office" and inserting in lieu thereof the passage "by leaving at the registered office or by delivering to the secretary or a director of the company or by otherwise serving on the company, in such manner as the Court approves or directs,".

No. 34. Page 100 (clause 191)—After line 15 insert the following subsection:

(3) At the time of the commencement, withdrawal or dismissal of proceedings for a winding up the Court shall lodge with the Commission notice, in the prescribed form, of the commencement, withdrawal or dismissal of the proceedings.

No. 35. Page 110, line 43 (clause 219)—Insert after the word "date" the following passage " and which had become due and payable within twelve months next preceding that date".

No. 36. Page 130, line 36 (clause 255)—Leave out the words "section 381" and insert the words "section 382".

No. 37. Page 138, lines 6 to 11 (clause 264)—Leave out all words in these lines.

No. 38. Page 138, lines 33 to 49 and Page 139, lines 1 to 20 (clause 264)—Leave out all words in these lines and insert clause as follows:

403. *Appointment of the Commissioner.* (1) There shall be a Commissioner for Corporate Affairs.

(2) The Commissioner shall be appointed, and shall hold office, subject to and in accordance with the Public Service Act, 1967-1978.

Amendments Nos. 1 to 16:

The Hon. PETER DUNCAN (Attorney-General): I move:

That the Legislative Council's amendments Nos. 1 to 16 be agreed to.

Motion carried.

Amendment No. 17:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 17 be disagreed to.

This amendment is to section 125, which deals with loans to directors. It deals with a wide category of persons because it refers, for example, to relatives of directors. This type of dealing should be restrained in an all-embracing way, which is comtemplated. The situations to which it does not apply are still sufficiently liberal to cover the examples given by members in another place.

Motion carried.

Amendment No. 18:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 18 be disagreed to.

This amendment deals with disclosure by companies in annual financial statements of donations made to political Parties or charities. This measure should be included in the Bill because the Government believes (and the Shareholders Association and others in the community who may be shareholders of a company support the provision,) that shareholders should be informed of what is happening to their money. I previously read a letter to the House received by my department.

Dr. Eastick: Trade unionists would like the same information.

The Hon. PETER DUNCAN: I find that interjection extraordinary.

Dr. Eastick: But very factual.

The Hon. PETER DUNCAN: It is not factual. Members of trade unions already have that facility available to them; shareholders do not have.

Mr. Dean Brown: Rubbish!

The Hon. PETER DUNCAN: The honourable member can say that as much as he likes. Anybody can see from an annual union balance sheet that similar information is required to be provided to members of trade unions. Why should members of companies not have the same rights? That is what is sought by the provision.

Mr. DEAN BROWN: The Attorney-General should be corrected. I have examined some balance sheets of trade unions, and they do not specify donations to political organisations.

The CHAIRMAN: The debate on this amendment must revolve not around whether information is provided about trade unions but around the rights of shareholders in relation to companies.

Mr. DEAN BROWN: I am drawing a comparison, and all the facts should be laid before this Committee. I oppose the clause and point out the standard that currently applies to other bodies in the community, and I refer specifically to trade unions. The Vehicle Builders Union made a sizable donation to the State Labor Party for the 1977 State election, but there was no indication in the balance sheet of that union regarding the donation being made. Evidence of this was buried, because there is no requirement to specify that such a donation must be disclosed. The Attorney-General is ignorant if he thinks that that donation appeared in the balance sheet.

Mr. Harrison: I beg to differ.

Mr. DEAN BROWN: I am sure the honourable member will have a chance to speak. I have seen trade union balance sheets, and they do not give those details.

Mr. Harrison: You first said the Vehicle Builders—

The CHAIRMAN: Order! The honourable member for Albert Park is out of order. I hope that the honourable member for Davenport will speak on the amendment under discussion and will not concentrate on what is happening within the trade unions.

Mr. DEAN BROWN: I have made my point very clearly, as the violent reactions show. Backbenchers on the other side will not adopt the same standards as they ask companies to adopt. I challenge those members to produce balance sheets which clearly indicate donations to political Parties.

The CHAIRMAN: I point out that since the honourable member for Davenport has risen to his feet to discuss this amendment he has done nothing but discuss the activities of trade unions. The honourable Attorney responded to an interjection, which was out of order. The debate on this amendment must not revolve around trade union activities, as I have previously pointed out. The honourable member may draw the comparison that he wishes to draw and then return to the amendment.

Mr. DEAN BROWN: I have drawn the comparison. For the reasons I have stated, for reasons of consistency throughout, I oppose the motion and support the amendment proposed by the Legislative Council.

Mr. GOLDSWORTHY: One point that must be reiterated while this amendment is being discussed is that the Minister introduced this legislation under the guise of uniformity between the Australian States. The legislation came as result of an agreement between Attorneys-General throughout Australia. That was the guise under which the Minister introduced the legislation.

The Hon. Peter Duncan: That is quite wrong.

Mr. GOLDSWORTHY: That's what the Minister said.

The Hon. Peter Duncan: This legislation was not introduced as part of any agreement with anyone.

Mr. GOLDSWORTHY: The legislation was introduced under the guise of uniformity. The fact is that there is no such proposal as the one included in this clause, nor is such a proposal contemplated, from the inquiries we have made, and for the Minister to seek to cloak this Bill in the guise of uniformity is misleading and dishonest. That is reason enough for rejecting this clause and supporting the amendment proposed by the Legislative Council.

The Hon. PETER DUNCAN: I will quickly quote from the second reading explanation, which states:

> The States of Australia and the Commonwealth are currently negotiating with a view to the introduction of uniform companies legislation into all Parliaments.

That was the very first statement in the second reading explanation. If the honourable member reads further he will see that I made quite clear that this was only a step towards uniformity, and that this clause was not part of the uniform arrangements at all. If the honourable member had been following the whole history of the uniformity exercise, he would be ashamed of showing himself to be so ill-informed in this matter. In fact, no legislation of a uniform nature will come to this Parliament as a result of the uniformity exercise. The legislation that will come to this Parliament will simply adopt in a short Bill the legislation applying in the A.C.T. at that particular time.

Mr. TONKIN (Leader of the Opposition): I think that the Attorney-General needs to be taken up strongly on this matter because it is not the first time he has stood in this place and said that what he said before was something different.

The Hon. Peter Duncan: It is there in *Hansard*.

Mr. TONKIN: It is in *Hansard*, and I propose to read it in full. It states:

> The States of Australia and the Commonwealth are currently negotiating with a view to the introduction of uniform companies legislation into all Parliaments. Since the enactment of the so-called uniform companies legislation in the early nineteen sixties the amendments made by the various States caused the legislation throughout Australia to become more and more diverse. However, New South Wales, Victoria, Queensland and Western Australia, the States that are parties to the Interstate Corporate Affairs Agreement, have recently brought their Acts into uniformity with each other for the purposes of the agreement. As a preliminary step towards national uniformity it is considered desirable to make the South Australian Companies Act uniform with that of the parties to the Interstate Corporate Affairs Agreement. This is the principal of the purpose of this Bill.

That is what the Attorney said when he introduced this Bill. I will not accept it when he says now that it was not the main purpose why he introduced the Bill. He cannot have it both ways. Either he stands by his second reading explanation (and I presume he does), or he stands by what he said tonight, that he did not mean that we are introducing uniform legislation at all and that we are not working towards uniformity. What can one believe of the Attorney-General of this State, this young but mellowing (or was it "has mellowed") Attorney-General?

The CHAIRMAN: Order! I point out to the honourable Leader that he ought to tie his comments to the amendment before the Committee. In addition, I have shown great leniency to the Leader by allowing him to quote from the second reading explanation, which he knows is against Standing Orders. I ask that he relate his comments now to the amendment we are discussing. He will be allowed no more leniency.

Mr. TONKIN: There is no difficulty in relating my comments about the question of uniformity to the amendment we are considering, because the amendment proposed by the Upper House is to delete a provision that is not uniform. Much of the Bill as it was introduced was uniform with legislation in other States. Several additional matters were not uniform, and this is one of them. The Attorney said that this Bill was introduced in the interests of uniformity, and tonight he denied that.

Now we are looking at an amendment which is not in any way uniform with legislation elsewhere in Australia. The point I am making is that the Attorney cannot be believed, and the statement that he has made tonight is totally at variance with statements that he has made in the House previously about this same subject. It reminds one of that compulsory worker participation clause that appeared in another Bill by accident.

The CHAIRMAN: Order! The honourable Leader is out of order in referring to matters outside the ambit of the amendment under discussion.

Mr. TONKIN: I apologise for referring to the Incorporated Associations Bill. I should not have done it; it was totally out of order.

The CHAIRMAN: Now the honourable Leader is evading the Chairman's ruling in what he may believe is a clever fashion.

Mr. TONKIN: Not at all, Sir. I am extremely upset that the Attorney-General should take this Committee to be so forgetful that he believes that he can stand in this place tonight and say one thing, when he said something else previously.

Mr. Goldsworthy: Perhaps he only said it to slip it through.

Mr. TONKIN: There are other matters there that I am not allowed to refer to.

The Hon. PETER DUNCAN: All the Leader does is huff and puff in his buffoon fashion. Quite clearly, the Leader has sought to mislead the House with a misinformed view of what has happened in this matter. The Deputy Leader this evening said that this Bill had been introduced as part of an agreement, and he used the word "agreement".

Mr. Goldsworthy interjecting:

The Hon. PETER DUNCAN: *Hansard* tomorrow will

tell the story of that. What he said is not correct. I want to quote further the second reading explanation, where I said:

The Bill enacts a new provision—

The CHAIRMAN: Order! I imagine that the Leader is about to jump to his feet on a point of order, having received a ruling that honourable members cannot refer to second reading explanations in Committee. That ruling will have to stand.

The Hon. PETER DUNCAN: I appreciate that. It is interesting to note that the Leader is prepared to take advantage of a situation, and then jump to his feet and take a point of order to defend his own position. I make the point that any honourable member can refer to *Hansard* to see that in the second reading explanation I specifically referred to this clause as not being in any way part of the uniform exercise.

The Committee divided on the motion:

Ayes (23)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan (teller), Groom, Groth, Harrison, Hemmings, Hopgood, Klunder, Langley, McRae, Olson, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (18)—Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Evans, Goldsworthy, Mathwin, Nankivell, Rodda, Russack, Tonkin (teller), Venning, Wilson, and Wotton.

Majority of 5 for the Ayes.

Motion thus carried.

Amendment No. 19:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 19 be disagreed to.

This clause amends the section which gives qualified privilege to company auditors. The clause is necessary for fear that the threat of a libel action would inhibit full disclosure by the auditors. Upon studying the New South Wales section there seems to be little between what is proposed and what we already have in the Companies Act. Perhaps the only distinction is that under the existing section the qualified privilege applies only in the absence of malice. The Opposition has been going on strongly about uniformity, so I presume honourable members will want to stay with the New South Wales section in this matter.

Motion carried.

Amendment No. 20:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 20 be disagreed to.

This clause is part of the special investigation provision. Section 170 enables the Minister, instead of the Government at present, to appoint a person as inspector to investigate the affairs of a company in the public interest. The amendment inserts new section 171a which enables the appointment of the commission as an inspector. New South Wales sees provisions such as this as giving important flexibility, and I understand that similar provisions have been proposed for the other ICAC States. Again, this is in uniformity with the New South Wales companies legislation.

Motion carried.

Amendments Nos. 21 to 36:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendments Nos. 21 to 36 be agreed to.

Motion carried.

Amendment Nos. 37 and 38:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendments Nos. 37 and 38 be disagreed to.

These amendments seek to delete from the Bill the power of the Minister to direct the commission on a matter of policy and require the commission to make reports to the Minister on policy being pursued, and in relation to discharge generally, of the directions given by the Minister. This should be retained and I imagine it is in the New South Wales Act, from which the provision was copied.

Mr. Nankivell: Only subclause (2) is from New South Wales; the other part is totally South Australian and is not in any other Act.

The Hon. PETER DUNCAN: I am sorry, the honourable member is correct. Amendment 38, which deals with having an independent commission, is from the New South Wales Act. At the present, if you have a commissioner, such as in Victoria where the commissioner is part of the Public Service and therefore under the Minister, there is no need for a clause such as dealt with by amendment 37. The Legislative Council has moved that we go back to the existing situation where the Minister can direct the permanent head of the department, as is the normal situation. This is a matter which could usefully be negotiated between the Houses. You either have the situation which has been proposed in the Bill or alternatively you have the situation proposed by the Legislative Council, and I do not believe there is a lot between them. Because we were following the New South Wales legislation, we believed clause 264 should be inserted, because we felt that a similar power to that which exists in Victoria should exist in South Australia.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 17 to 20 and 37 and 38 was adopted:

Because they destroy the purpose of the Bill.

Later:

The Legislative Council intimated that it insisted on its amendments Nos. 17 to 20 and 37 and 38 to which the House of Assembly had disagreed.

Consideration in Committee.

The Hon. PETER DUNCAN (Attorney-General): I move:

That disagreement to the Legislative Council's amendments be insisted on.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs. Dean Brown, Duncan, Keneally, Klunder, and Nankivell.

Later:

A message was received from the Legislative Council agreeing to a conference, to be held in the Legislative Council conference room at 9.15 a.m. on Wednesday 28 February.

The Hon. PETER DUNCAN: I move:

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

Motion carried.

SOUTH AUSTRALIAN WASTE MANAGEMENT COMMISSION BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 3021.)

Mr. EVANS (Fisher): Before the evening dinner break, I was referring to some aspects of dumps in my electorate of Fisher. I now wish to discuss some of the types of waste and some of the negative approaches the Government has made in this area. When I was overseas, I had an opportunity to look at certain reclamation plants and land-fill dumps that were operating. The member for Murray referred to reclamation plants that are being established in the United States. From the information I have received so far very few can claim to be totally self-supporting. In other words, the amount they receive from recovered material does not pay for the total operating costs. I doubt whether that will be the case in the long term. If we move to an operation where we are attempting to recover all the materials possible by whatever process, we will possibly have to charge those disposing of the waste, whether it be from the individual ratepayer or from a subsidy from general revenue through overall taxation.

South Australia has been quite effective in reclaiming oil. A reclamation plant situated on South Road produced a good quality oil suitable for re-use as a motor lubricant or a general industrial lubricant. It was efficient, but the South Australian Fire Brigades Board issued a notice for its closure. Representations were made to the present Minister of Education, to me, and to other people, attempting to win the argument and to allow the work to go on to reclaim many thousands of gallons of oil that otherwise would have been dumped. It is being dumped at the moment. Some of it is being used for fuel oil, but much of it is being dumped.

The Government is at fault for that failure to reclaim a greater quantity of oil, and I believe it made a bad mistake in not trying to protect that operation. The operator of the factory was offered a Housing Trust property, but the terms and conditions under which the offer was made by the Government would have made it impossible for him to survive financially. With its hatred of free enterprise, the Government would not be likely to offer some form of subsidy for a period of years during which the plant could become a successful venture. So, the oil is burnt or dumped, although some of it is being used for fuel oil.

Soft drink bottles are the subject of a deposit, which was voluntarily imposed by the soft drink industry. Cans have a compulsory deposit, but beer and wine bottles carry no deposits. Beer bottles have a fairly high recover rate, although it is not as high as one would like, especially in relation to Echo bottles. Wine bottles are smashed into containers at the dumps and sent back for reclamation. I am told that that is the most efficient way of handling the situation, and that it is cheaper to do this than to take them back in heavy containers and wash them for re-use. It is cheaper to smash them, and to take them back in larger containers, in bulk form, following which the glass is reclaimed and used again in the industry. It is not for me to judge whether that is the most economical method, but it seems strange to have an object which is not damaged in any way smashed to pieces and disposed of for reclamation purposes.

The reclamation of ferrous metals poses no problems, simply involving the use of magnets. However, the reclamation on non-ferrous metals is not quite so easy, as these metals have different densities from others. Also, heat is needed to melt them down, although in some of the reclamation plants power is created and there is an advantage in using heat.

The reclamation of light-weight paper is reasonably simple, although the recovery of heavy papers is a little more difficult. The paper can be blown off with wind currents, and most of the lighter material can be collected. Some reclamation plants still pick out heavier cardboard.

In the case of our own local dumps, and thinking especially of the one at Stirling, people who wish to dispose of motor vehicles may dump them there. They are not covered, and they are left until a number of vehicles accumulates, at which time a plant is brought in to hammer them into small particles or to crush them, following which they are sold in that form. That is one method of resource recovery.

We are talking here about a waste disposal authority, but I believe that a resource recovery authority would be the correct approach. I would hope that the Parliament would see the situation in that light when we discuss this Bill further or when it goes to another place.

Mr. Groom: Do you oppose licensing?

Mr. EVANS: I am coming to that. I can understand that the Government needs to have some control of dumps, but the licensing fees are not disclosed. We do not know what the cost will be to the community, because nothing specific has been given. No matter what is promised by this Government or by the Minister, once the matter is the subject of proclamation or regulation, people can never be sure how much the licence will cost in future. I think local councils license the dumps now in the main, and that practice can be accepted, but we need some idea of the fees to be charged. With licensing, the commission can say what materials can be dumped in each place, and how they will be dumped and handled. That process could become quite expensive. Whether the dump is operated by the council or by a private organisation, it will have to conform, but the bill will have to be paid by the taxpayer, the council ratepayer.

If we have over-regulation or over-control, in an attempt to obtain better aesthetics within the community or better control over the dump for various reasons, other than the smoke involved, I believe the community could find the operation costly. No-one knows what the cost will be. We can only take the Minister's word on what he thinks it will be, but the Minister is not continuing in Parliament, and he cannot give any guarantee. Once it is put in the hands of a commission for future Parliaments to control, the cost cannot be guaranteed by this Minister.

The licensing of receptacles used for the collection or carrying of waste is a frightening idea. I cannot see the need for it. It would give the commission control of the demolition industry and of all cartage of waste material. If a man were to ask his neighbour to take a couple of trailer loads down to the dump and offered to pay his neighbour a couple of dollars for the service, that man would be liable to a penalty of up to $2 000. We do not have such penalties for people who are convicted of common assault, of bashing in someone's teeth down Hindley Street, but here we talk about a charge for carrying rubbish outside of a regulation, with a fine of up to $2 000. We do not have much sense of fair play in relation to penalties.

Mr. Groom: What about the environment?

The SPEAKER: Order! The honourable member will have an opportunity to speak.

Mr. EVANS: The demolition industry in the main uses suitable trucks, but those vehicles can be knocked around, because of the work involved. However, it is not always possible to use the same vehicle. Under this legislation, anyone brought in to carry away material from a demolition site must have a licence. In the tip truck industry, it is not always easy to get a vehicle when one is required for demolition or earth-moving work. Such operations are tied very much to climatic conditions. On windy days, if work is carried out near other people's properties, it is not possible to operate and keep the dust down.

On days when there is a light drizzle, and it is damp, that

is when you want to get on with the work. To say that every vehicle must be licensed to cart that material away is frightening. It is unnecessary to license vehicles to cart rubbish. The law makes it an offence to cart an insecure load. We do not have to make it any stronger. The police have the powers to cover that aspect at present. I do not see why we need the provision in clause 47 (2) *(a)*, which provides that, without limiting the generality of the foregoing, these regulations may regulate the production of waste. Where does that provision take us? It does not relate just to waste created in the household in the community: it might be waste created inside factories. The inspector can walk in and say, "You're creating too much waste;" that is how I read it. It is a broad term and a wide power.

As a Parliament, we can again see this Government's attitude of, "It does not matter what it is—get as much control as you can over people's lives and activities." I believe that that is the reason for the provision relating to regulating the production of waste. I would like the Minister when replying to the debate to explain what he means by "regulate the production of waste". Under clause 18, the Minister is empowered to create more committees, but we do not know what the committees will be for. He is appointing a commission, and a technical committee to advise and give technical advice. The members will be paid fees and expenses, as will the commissioners. It will not be cheap; it will cost someone something. The only place whence the money could come is people's pockets.

My colleagues have made the point that the Crown is not bound under the Bill. I see that local government is bound but, when it comes to licensing, local government is expected to have a licence, whereas a Government agency is not. The Engineering and Water Supply Department carts to the local dump. It will not be licensed, but the council will. I believe that the Crown should also be bound. I cannot see why it should not be bound, if we are going to bind the rest of the community. Surely the Government should accept the same responsibility as it expects the community to accept.

I realise that a problem exists in the northern area, namely, at the Wingfield dump. It burns at times, and the smell and smoke are offensive to the neighbours. I offer the warning that, with land fill dumps, where organic material is covered, the point that the member for Goyder (the shadow Minister of Local Government) made about spontaneous combustion is a real problem. I recall one case in Europe not many years ago of a dump burning for five months. It could not be extinguished. It created an offensive smell, and smoke poured constantly from the project. Even in the intense cold, all that could be done was keep the smoke and the smell down, but the dump still smouldered. That is the problem with land filling of organic material. The northern areas of the metropolitan area have a problem, but I do not believe that the other areas, in the main, have that kind of problem.

I believe that Meadows, Mitcham and Stirling have control of the situation. In my case, because I know that members have accused me in the past of being the garbage collector (because I collected garbage in the past before becoming a member) as part of a business operation, because my family still has an interest in the dump as part of their livelihood, and because my mother has an interest in the property where the dump is situated, I will not vote on the Bill, so that the snide remarks passed by the Attorney-General and two other Government members over the past 10 years will not necessarily have to be said this time, unless they want to say it for the sake of saying it.

Mr. GROOM (Morphett): I readily concede from the outset that members opposite are experts on garbage but, apparently, they are not experts on what is in the best interests of the public. Their tactic in this matter is to seek to spin out the legislation for as long as possible in order to extract the maximum political mileage from it. The Opposition says that the legislation is being bulldozed through Parliament. It wants to extract as much political mileage as possible and to frighten the public by saying that it will be faced with massive cost increases. That is why it wants to delay the measure. The concept is not new. A committee set up in February 1970 by the Hall Government made its report available in, I think, May 1972. It was known as the report of the Committee on the Environment. The recommendation, on page 165 of the report, under "Summary and Conclusions", states:

> (2) A central authority controlling the collection and disposal of refuse of all kinds, including garden refuse, should be set up for the Adelaide metropolitan area.

That was an exhaustive study in relation to the environment. If members opposite look at the index and see the number of organisations and persons consulted in relation to that study, how they can say that persons in the community have not been given the opportunity of studying the concept I do not know. It is obvious that the inquiry was an exhaustive one. A further summary and conclusion in that 1972 report was as follows:

> The collection of refuse in the Adelaide metropolitan area needs to be planned and conducted for the whole area.

It is clear that that committee saw that the present methods of disposal of waste were inadequate to meet Adelaide's future needs. That was in 1972, and the Government indicated, in the 1973 election platform, that it would legislate for a waste disposal authority. The matter did not rest there. A report prepared by the Public Health Department in 1975 and presented, I think, in 1976 contains certain recommendations. It states:

> The present system of waste management in the metropolitan planning area by the 30 local authorities with varying standards of efficiency is far from satisfactory. Unless steps are taken in the not too distant future to upgrade and co-ordinate the waste removal and disposal practices employed by councils and private waste removal contractors there could be health and environmental problems which may become difficult to control. . . .In many cases local authorities are not making provision for the disposal of industrial, commercial, and institutional wastes which are generated within their areas.

Again, that report sets out the need for a central authority to co-ordinate waste disposal. It recommended a plan of action until that could be implemented. The report's conclusion states:

> The disposal of waste is a State-wide problem. Local authorities generally have tended to provide a minimum service and have not faced their full responsibilities under the Health Act and Local Government Act. Most of the disposal sites are poorly equipped with plant for waste compacting and material handling, and are not planned or conducted in accordance with accepted standards.

The recommendation was that a statutory authority be set up to control the collection and disposal of wastes in the Adelaide metropolitan planning area. The report indicated that, in 1975, about 600 000 tonnes of solid waste was disposed of in the metropolitan planning area alone each year.

The cost to the councils at that time was about $4 000 000, and that excluded administration costs. It was stated that costs for the disposal of waste in the South Australian metropolitan area would escalate unless adequate planning techniques were implemented. The

December 1977 report recommends the establishment of the waste disposal authority and states:

> Many of today's deficiencies can be overcome, but, without co-ordinated planning, waste management will never rise above combating problems which should have been foreseen and prevented or at least their effects minimised by the development of appropriate waste management policies and practices.

The committee recommended the strengthening of local and area involvement in the development and provision of waste management services and the setting up of a statutory authority. Members opposite have maintained that the local community has not been involved in preparation of these reports. However, on page 79 of the 1977 report it is clear that about 84 local government bodies were involved in making submissions to the committee. The following pages indicate the number of professional associations and individuals who made submissions. This matter has had quite an exhaustive history. It is a simple, straightforward concept.

Mr. Mathwin: What would you do—

The SPEAKER: Order! The honourable member will have an opportunity to speak, if he so desires.

Mr. GROOM: Honourable members opposite should be able to make a rational decision based on the wealth of material available. The proposals under this Bill are not new. They exist in other parts of the world such as Vancouver, which, since 1967, has had a tribunal for licensing the disposal of waste. This is a matter for a simple judgment of whether or not this legislation is necessary. Consultation with bodies in South Australia has been extensive since 1970, and it is wrong for members opposite to suggest that this matter is being bulldozed through. Their motive for trying to delay the matter is to extract as much political mileage as possible from it, and they are prepared to sacrifice the public interest. Honourable members will see from the report that South Australia will face serious health and environmental problems unless something is done. Of about 30 waste disposal sites already operating in the metropolitan area, about 15 have life spans of less than 10 years, nine have life spans of less than five years, six have life spans of between five and 10 years, and some have indefinite life spans. These sites will not be sufficient to cater for the gigantic accumulation of waste and debris that our modern technological society is producing and will continue to produce.

There is a clear need for this legislation. Members of the public have had about eight years to digest the implications of a waste disposal authority, which has been implemented in other parts of the world. Honourable members opposite went on with some loose talk about free enterprise, but what does that mean? When the principles are examined, one finds they are talking about monopoly enterprise. Only one member opposite stated his real objection to the Bill, that is, to the licensing provisions. The member for Murray skirted around the matter and spoke some vague nonsense about supporting the Bill in principle, but all of his remarks were, in substance, directed against it. The member for Goyder said very much the same. However, the member for Fisher came to grips with the real issue, because he said that he opposed licensing provisions and that he hoped members in another place would take up the mantle. There is a gut feeling among members opposite that they do not like licensing provisions. They seem to have a misguided notion that they interfere with the free enterprise system. They have a gut feeling against controls, regardless of whether the controls are in the public interest or not. As long as private enterprise makes a profit, it does not matter if rubbish is dumped outside regulations.

They do not care whether or not it pollutes the environment, as long as free enterprises is left unchecked. They have this reaction against licensing provision. Only one member opposite was prepared to admit the Opposition's underlying objection to this legislation.

Members opposite do not seem to realise that this Bill is a pollution control measure, and is one of the most important to come before the House. It will set the stage to control the environment and protect the public for many years to come by preventing pollution. One has only to study the definition of "waste" to see that it is a pollution control measure. A licensing system is the most effective way, as it enables efficient planning and maintenance of proper standards of waste disposal. The member for Fisher gave a very interesting autobiography of his early family life, relating to his grandfather, mother and father. He told us how he collected rubbish, and it is clear that he is interested in waste disposal. I was very interested in his autobiography. However, I am more interested in the protection of the public regarding waste disposal.

The member for Fisher said that a resource and recovery authority would be the correct approach, and complained about the penalties to be imposed on people who dumped rubbish in contravention of regulations. There is no point in controlling pollution after the damage is done. Many people may find it cheaper to pay a fine after dumping rubbish and polluting the environment, without regard to the health hazards. Pollution must be controlled at its source, not after the damage is done, and a licensing system will enable the Government to do this effectively. It will introduce standards that will minimise pollution and protect the public. If the present system of waste disposal is allowed to continue, costs will escalate. It is not accurate for the person from Wingfield to claim that the public will pay more. If the present system is maintained the public will pay more anyway. The Minister exposed these ridiculous arguments regarding the cost of trailer loads of waste. When I say that pollution must be controlled at its source, I ask members to bear in mind the *Torry Canyon* incident in the United Kingdom in 1967, when 35 000 000 gallons of oil spilt and spread over the British coastline indicating the ease with which the environment can be polluted.

Mr. Mathwin: What has this got to do with the Bill?

Mr. GROOM: Proper safety standards must be imposed, even in relation to safety on board ships. Pollution must be controlled at its source, not after the damage is done. Honourable members opposite have said that they have no idea of the costs involved, but they could not have read the report. The appendix shows the estimated cost of running the authority, and states that the revenue collected from licensing fees will be about $388 600. This shows the cost to the community. The Minister of Transport has indicated that about 15c will be added to the cost of a trailer load of rubbish for the average household consumer.

Mr. Evans interjecting:

Mr. GROOM: It might be more in the future. The member for Fisher says that it is more. At one stage he said he did not know how much it would cost, but now his suggestion is that it will cost more than 15c. That may be the case. Over a period of time the problem of waste disposal will cost more as the problem becomes more intense. Unless proper planning methods are implemented now it will cost a darned sight more to maintain the present system than to maintain this proposed system. If members opposite look at page 85 of the report they will again see those sorts of considerations.

Finally, I commend the Minister of Local Government

for bringing in this legislation. It is a particularly important piece of legislation that is clearly in the public interest. There is no doubt that the commission, when it is set up, will not only protect the public interest but will also protect the environment.

Dr. EASTICK (Light): The member for Morphett was quick to impute base motives to members on this side, suggesting that we are against the best interests of the people in relation to waste legislation, and in wider areas. I say to the honourable member that, when he alleges against us "spinning it out", "delay" and "sacrificing the public interest", it will be most interesting during the years to come to see whether, when members of his Party occupy these benches, they will sit mutely, saying nothing about legislation that is trundled out by the Government of the day. It is quite obvious that the legislation brought forward by the Government of the day is about 90 per cent to 95 per cent supported by the Opposition. There are, contained within the legislation that comes before the House, certain clauses and portions which fail to meet the requirements of the public, as the Opposition of the day sees them. Some of the arguments will be on idealogical bases and some will be on a factual basis, which can be demonstrated. In this case, it has been clearly indicated by my colleagues that we support the measure to the second reading because we require in the best interests of the people of this State to look at some of the provisions and seek to improve them.

The member for Morphett indicated that this is not a new measure and that it has been effective overseas. He went on to relate the fact that Vancouver was just such a city. I have had the opportunity to see some of the work undertaken by the Vancouver authority and I laud what it has done. I mention in particular its re-use of quarry sites, where not only have those sites been used for the purpose of waste disposal but they have subsequently been turned into delightful botanic gardens, making use of the natural depressions and some of the heights for observation purposes. There are other examples across the world where there has been a combined effort by a waste disposal authority and the environment department to produce a leisure amenity, indeed a tourist amenity, for the country. I accept that and look forward to that occurring in South Australia, but I will not accept legislation trundled in by the Government as foolproof and 100 per cent on the spot until we have had the opportunity of debating it properly, examining it and questioning it.

If the member for Morphett has any thoughts at all of retaining the Westminster system of Government (which he often refers to as he referred to it in an article he wrote for the *News*), he will recognise the right of members of the Opposition to question closely the legislation brought forward.

Waste is a product that nobody wants, whether we talk of the situation between neighbour and neighbour, district and district or State and State. We are in the unfortunate position of receiving, in Murray River waters, waste from other States in the form of salinity and pollution. Wherever it occurs, waste is a problem. It is only a person in the salvage industry who is adept at taking people's waste products away and turning them into a product from which he can recoup a benefit (be it money or something else) who will accept that waste has any real value.

As the member for Morphett indicated, several reports have been prepared about this matter. He referred to the 1970 report commissioned by the Hall Government, and he spoke briefly about the 1975 report. I think that is known as the Wilson Report, prepared by the late Mr. D. J. Wilson. This matter has occupied the attention of many groups in the community, not the least of which has been local government. Local government is first cab off the rank in respect of the general handling of waste material.

The Northern Metropolitan Regional Organisation had produced by the Regional Health Service Advisory Group in conjunction with Gutteridge, Haskins and Davey, an interesting report called the Adelaide Northern Metropolitan Region Waste Managment Study, phase 1. This report was directed to the attention of the organisation by way of covering letter on 16 February 1977. It refers specifically to the indications given by the Wilson report in a series of recommendations it believes the Northern metropolitan group should consider in the long term. Appendix 1 of the report, page 85 under the heading "Recommendations of the Wilson Report (South Australian Public Health Department Report on Community Waste Adelaide Metropolitan Planning Area. September 30 1975 by D. J. Wilson)" lists section 11 of that report. I believe that the detail contained in section 11 bears reading into this debate for those who will follow it through the pages of *Hansard*. It comprises 16 points as follows:

1. That the facilities and services required to meet the future needs for waste disposal in the Adelaide Metropolitan Planning Area be planned and co-ordinated on the basis of needs for the whole of the area.

2. That a statutory authority be set up to control the collection and disposal of wastes within the Adelaide metropolitan area.

3. The collection services remain a local authority responsibility, but councils be encouraged to amalgamate into regions for greater efficiency.

I emphasise the point that "the collection services remain a local authority responsibility." The report continues:

4. That local authorities within the Adelaide Metropolitan Planning Area adopt a uniform accounting and administrative system to enable proper records to be kept and operational methods evaluated.

5. That local authorities adopt a uniform policy on the types and quantities of waste they will remove from premises.

6. The collection of wastes, not collected by councils, remain in the hands of private contractors. All such contractors should be licensed to operate in the Metropolitan Planning Area and be subject to conditions laid down by the authority.

7. The inefficiently operated and environmentally unsound waste disposal sites be closed as early as practicable.

8. That existing long-term sanitary land fill sites be upgraded so as to comply with the code of practice approved by the Central Board of Health.

The Central Board of Health publication, which is put out regularly, contained a very worthwhile detail of the method of disposal, and in particularly the virtues of land fill. The report continues:

9. That areas deemed to be suitable for sanitary land fill purposes, or transfer depots be set aside for such purposes in order to protect them from encroaching urban development, or other uses which would be inconsistent with waste disposal operations.

10. That a disposal depot for the reception of motor vehicle bodies, and other large metallic items be established at a convenient site to facilitate reprocessing by the scrap metal industry.

11. That any proposals or schemes involving salvaging or reuse of the constituents of waste be encouraged.

12. That holding facilities be provided at specified receiving depots so that any special class of hazardous or toxic waste can be held in security pending its reuse or disposal.

13. That the work environment of persons employed in waste management services be continually evaluated to ensure that working conditions are as safe as practicable, the equipment is made to fit the workers' capability and workers are protected from health hazards associated with their work.

14. That safety and health education courses be offered, starting with top management personnel and extending to every supervisory level, and to field personnel.

15. That the legislation be reviewed and amended as needed to enable good waste management practice to be put into effect.

16. That a short term waste management plan be implemented as an interim measure.

Those basic premises brought down in 1975 have undoubtedly been the genesis of the 1977 report and, in a measure, the subsequent working party's report in the preparation of this Bill. I stress again the importance of local involvement. It is also important, as members on this side believe, that there be a concentrated effort to bring about the better environment of the country in which we live. It is quite obvious from the limitations of the recommendations that I have just read that the involvement must go further than just the Adelaide Metropolitan Planning Area, because on the fringe of that area many developments need to be integrated into the overall plan. Indeed, wherever one goes in the countryside one can find the difficulties which exist, so it is important that the matter be dealt with on a State-wide basis.

Having regard to that as the original point, and having taken evidence from the local governing bodies which constitute the northern metropolitan area, (the cities of Salisbury, Elizabeth, Tea Tree Gully, the corporate town of Gawler and the District Council of Munno Para) this regional organisation, along with Gutteridge, Haskins & Davey, made certain recommendations to the northern group. In particular, I refer to the two recommendations at page 83 of the Adelaide Northern Metropolitan Region Waste Management Study under the general heading "Matters for consideration by the South Australian Government (through its Waste Disposal Committee); Northern Metropolitan Regional Organisation—Initiatives", as follows:

It is apparent from this study that the Northern Metropolitan Regional Organisation and its member councils have recognised the seriousness of the waste disposal problem in this region. The attitudes of all councils, Government departments, organisations and individuals associated with this study, have been both responsible and sympathetic, and there has generally been a recognition that local government in this region is both capable and dependable in its approach to community affairs.

Recommendation (to the State Government)

1. That the State Government should respond to the initiatives being shown by local government in addressing itself to the waste disposal problem in the northern metropolitan region, by giving an assurance of support for those initiatives.

2. That no action should be taken by the State Government to control waste disposal in the northern metropolitan region until such time as it becomes apparent that local government in this region is incapable of exercising such control.

I hope that the Minister can give an assurance that he is satisfied that local government, at least in that area and hopefully elsewhere, is fulfilling its responsibility, that it is seen to be capable, that it will not have its work sidetracked, and that there will be no pressures put on it to take the responsibility away from it, responsibility it accepts as naturally involved in its function.

I, too, support the second reading of this Bill because I believe that it moves towards what is required in the State of South Australia. The totality of the implementation as outlined by the Minister is the matter which concerns me. I take it right back to the member for Morphett, that Oppositions, whether they be of his political persuasion or mine, will always exercise the right and responsibility that they have to the people in the community by deeply questioning the motives and the intentions of the Government of the day.

Mr. GOLDSWORTHY (Kavel): I support the second reading of this Bill without enthusiasm, so that we can at least attempt to refer this matter to a Select Committee. It is all very well for the member for Morphett to impute statements to members on this side of the House which they have not made and to suggest that we are in fact trying to delay this measure. In fact, we are seeking to have it properly scrutinised by the Parliament and by the public. We know the hoary old chestnut that Government members confront us with from time to time that we are being obstructionist, but that is far from the truth of the matter. The Government is behaving true to form in the dying stages of a session of Parliament by bringing forward legislation which has taken a long time to prepare but which in its final form has had very little scrutiny, if any, by members of the Opposition and members of the general public. It happened in the past with an Education Bill that took eight years to prepare. It was a Bill of about 100 pages and the Opposition was handed it on a Thursday and expected to debate it on the following Tuesday. The people preparing the Bill were satisfied, because they were officers from the Education Department, but the general public—

The Hon. G. T. Virgo: This is not the Education Bill.

Mr. GOLDSWORTHY: No, but I am drawing an analogy for the Minister. The Government is running true to form, yet it is complaining that the Opposition is suggesting the Bill should have further scrutiny. The Bill came to the attention of the Parliament about 13 days ago. It is all very well for the member for Morphettt to talk about a committee sitting in 1970 and then again in 1973, and so on.

The final deliberations of those committees have seen the light of day in the form of this Bill only in the past 13 days. A quick comparison of the Bill with the last report to hand indicates that the Bill does not even follow the report. For the Minister to say that there is some delay, with the member for Morphett acting probably as his spokesman, because this Bill goes to a Select Committee is nonsense.

The Hon. G. T. Virgo: It will get through more quickly if it's put to a Select Committee—is that what you're saying?

The ACTING SPEAKER (Mr. McRae): Order! The honourable member will resume his seat. The honourable Minister is out of order in referring to the Select Committee and the honourable member would be definitely out of order in replying to that. That may be dealt with at a later stage.

Mr. GOLDSWORTHY: I am not saying that. Reports were commissioned in 1970 and again in 1973 by the Government. The last report we have was dated December 1977, but only 13 days ago this Bill saw the light of day, and it does not follow the recommendations of the report. The final form of legislation brought before this House affects the public. The general public, and certainly the people concerned in this matter, are not aware of the contents of the Bill. It is not unreasonable in those circumstances to refer the Bill to a Select Committee.

The ACTING SPEAKER: Order! The honourable member will resume his seat. I trust that the honourable

member will respect the Chair and not make further reference to the possibility of a Select Committee on this matter, because that is definitely against Standing Orders.

Mr. GOLDSWORTHY: Sufficient time has not been given since the introduction of the Bill for proper discussion of it. This has happened so often when this Government introduces legislation to make radical and permanent changes to the structure of an industry or an operation. In the dying stages of the session, it has introduced legislation when, earlier in the session, it has had insufficient legislation to keep the House operating. I want to correct a mis-statement of the member for Morphett, who misquoted the member for Fisher. In referring to licensing, the member for Fisher referred to only one aspect, licensing of vehicles carrying waste. He made the point, I thought fairly clearly, that that operation was currently regulated quite strictly. When he makes his statements, it would be more in the interests of accuracy if the member for Morphett quoted members on this side with a greater degree of care than he displayed tonight. So that the member for Morphett will have something to chew on, I will say that I need a fair bit of convincing of the merits of legislation setting up such a bureaucratic system of licensing as is envisaged in this Bill. I make no apology for saying that. The legislation mirrors other measures that have come before this House. We can just about recite them in our sleep.

The Hon. G. T. Virgo: What are you saying?

Mr. GOLDSWORTHY: The Minister was amazed when, in another context, I said that such legislation was dear to the heart of the socialist, and he talked about kicking a can. This is the sort of legislation which we see time and time again.

The Hon. G. T. Virgo: You never disappoint us, do you?

Mr. GOLDSWORTHY: I always think I have achieved something when I get the Minister to laugh. This legislation mirrors, for instance, the crash repair legislation.

The Hon. G. T. Virgo: That Bill went through last week.

Mr. GOLDSWORTHY: I was not happy about that Bill, but the Bill before the House, in its intent and in its content, mirrors that legislation in setting up an authority; a committee—in this case a technical committee—to advise the authority of the board; a system of inspectors which almost identical powers; and so on. The dairy legislation is another case in point. Perhaps there are one or two more members on some of the authorities. There is a board, a committee to advise it, all being paid a fee at the discretion of the Minister. There is a series of inspectors with wide powers of entry and inquiry—

Mr. Russack: Don't forget the regulations.

Mr. GOLDSWORTHY: We have regulations, and a series of stiff penalties. I would need fairly strong evidence from the Minister and from the public that this move is justified. Perhaps it could be justified, but the Minister has not put any evidence to us, nor have we had reasonable time, nor has the public, to examine the ramifications of the Bill before making that judgment. We are setting up a commission of seven, a technical committee of 11. The committee certainly does not follow the recommendations of the Wilson Report, the last report we had to hand.

Clause 18 gives the Minister authority to set up more committees. We are going to license the depots and the collectors, and we are going to set up regulations for the receptacles and the vehicles they can use, regulate their terms and conditions, and charge them a penalty of $2 000 if they do not line up.

Mr. Russack: All for 15c for a trailer.

Mr. GOLDSWORTHY: Yes. We are going to license a person who carries on a commercial or industrial process of a prescribed kind with a prescribed number of employees. Clause 34, which provides that all waste becomes the property of the Crown, reminded me of the dairy Bill. Under the dairy legislation, the milk in the udder became the property of the Crown. The dairyman will own the cow, but not the milk. Clause 36 provides that, if the show is not going too well, the Treasurer can make funds available, but my tip is that the funds will come from the taxpayer. Under clause 40, the Minister is the final arbiter.

The Hon. G. T. Virgo: You're going against Keith now, arguing the other case.

Mr. GOLDSWORTHY: Certainly not. The member for Goyder, who led so well for the Opposition, made this very point. He said, I think, that the Minister was like Caesar. I think Caesar would turn in his grave if he heard the comparison, but the member for Goyder said the appeal was to Caesar. The only similarity I can see with Caesar is that the Minister had better watch his back or he might get stabbed.

The Hon. G. T. Virgo: You haven't read the Bill.

Mr. GOLDSWORTHY: I have. The Minister may appoint an arbitrator, but the Minister will have the final say.

The Hon. G. T. Virgo: Read it again.

Mr. GOLDSWORTHY: I have read the Bill. The appeal shall be to the Minister. He may appoint an arbitrator, but the Minister does not have to act on the arbitrator's advice. As in all like legislation, the poor old garbologist will have to provide returns, which will be set out in the regulations. There has been much talk by the member for Morphett about the metropolitan area, but the Bill provides that, "Subject to subsection (2) of this Act, this Act shall apply throughout the whole of the State". The Government can proclaim areas to be excluded. The Opposition has canvassed the merits and demerits of the legislation adequately.

The Hon. G. T. Virgo: You "canned" it most adequately.

Mr. GOLDSWORTHY: Is the Minister saying "canned" or "candid".

The Hon. G. T. Virgo: Ask your mate. He understands Australianisms.

Mr. GOLDSWORTHY: I thought that I did, too. The Minister is somewhat obtuse on occasions, but I usually get the drift of what he is saying. Although I am not enthusiastic about the Bill, I am prepared to support the second reading so that further discussion may take place and further action, if possible, may be taken.

Mr. GUNN: Mr. Acting Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Mr. MATHWIN (Glenelg): I support the Bill at the second reading stage, because I believe that it should be referred to a Select Committee, and I support the remarks of my colleagues. If the Bill is referred to a Select Committee, people will have—

The ACTING SPEAKER: Order! There is far too much audible conversation.

Mr. MATHWIN: This would allow people to give evidence and have their views made known, and this applies particularly to the Local Government Association. The Bill is another empire builder, and we have become used to that from this Minister. Proof of that is borne out by the clauses. The commission to be set up will comprise seven members. The technical advisory committee will comprise an additional 11 members, with a possible extra four if the Minister so wishes. Under clause 18, even more people and committees may be appointed at the whim of

the Minister. Of the persons to be appointed under clause 8, one shall be a member of a council selected by the Minister; one shall be actively engaged in some aspect of waste management (again selected by the Minister); and one shall be selected by the Minister from a panel of three persons nominated by the Trades and Labor Council—again, the Minister has written himself into the legislation. A further four members shall be nominated by the Minister, making a total of seven whom the Minister shall appoint.

I well recall a similar situation in the builders' licensing legislation, and what occurred as a result. We know how far that legislation went. The commission will start in a relatively small way, but it will develop into a massive empire under the muscle of the Minister.

In speaking on behalf of local government in my area, I refer to the southern region and the councils presently setting themselves up in a good way to solve the problems of waste disposal. They are negotiating for a particular area and are committed to spending thousands of dollars. Councils in my area and in the areas of other members, particularly the member for Alexandra and the member for Mawson, would be concerned at the added cost that will apply to them. That cost is a cost on the ratepayers generally and on local industries. I would be interested to hear from the member for Mawson, if he will contribute to the debate, regarding his constituents' feelings.

The Hon. G. T. Virgo: He has. You never heard him.

Mr. MATHWIN: It is all right for the Minister, who was in the Chamber alone, with only two back-benchers, to get upset about the situation, because a considerable cost will be added to the southern region councils and to southern region ratepayers. Local government authorities in the southern region who provided the waste disposal unit should be excluded under clause 6.

The Hon. G. T. Virgo: Why?

Mr. MATHWIN: I hope the Minister will hear me out, because I am putting questions to him in my normal free and easy manner, and I hope he will answer them for the benefit of constituents in that area. The southern region is already committed, as the Minister knows, to spending over $300 000 on a new waste disposal site at Pedlar Creek. The Marion council, too, is involved, and the Minister should have the interests of that area close to his heart because it constitutes his electorate.

The Hon. G. T. Virgo: Another council is associated with it, too.

Mr. MATHWIN: I am glad to hear that. The councils in the southern region have taken positive action. From the Bill it seems that these councils will have to pay twice: once for the development of Pedlar Creek and once for services which are not really needed but which will be provided by the commission. Will the Minister clarify this issue? Regarding licensing fees, will local government be burdened by these fees? Will the commission override the decisions made by the regions? What will the responsibilities of the regions be? Will the regions have salvage rights? Those questions should be answered so that councils and regions will know what is happening. There is little mention of the Crown in the Bill; will it be banned from the Bill, as it should be? Waste is defined in the Bill as being any matter or thing. Would this involve contractors and all people who make waste? Clause 9 (1) states:

> A member of the Commission shall be appointed for such term of office (not exceeding three years) and upon such conditions as the Governor may determine and, upon the expiration of his term of office, shall be eligible for re-appointment.

A person may be elected to a council for a two-year term, and he may be also elected to the commission for a three-year term. This matter was raised before a Select Committee this morning. A councillor or alderman might resign for many reasons; would he then remain a member of the commission, or would he lose his position, and a reappointment be made by local government? The Minister has indicated that this will not occur, and I thank him for that. Amendments to clause 18 have been advocated by the Deputy Leader of the Opposition. That clause states that the Minister may establish such other committees as he thinks necessary for the administration of this Act. This points to a fair sized operation. Clause 25 *(i)* states:

> An application for a licence—
>
> *(a)* must be made to the Commission in writing and in the prescribed form; and
>
> *(b)* must be accompanied by the prescribed fee.

Will this be left to regulation, or can the Minister say what he has in mind regarding a prescribed fee? The member for Morphett believes that nobody should quibble about licensing fees, but people should know what fees they are facing. Clause 34 (1) states:

> All waste received by the Commission or its agents shall become the property of the Commission, and the Commission may sell or dispose of the waste in such manner as it thinks fit.

What rights have the regions regarding salvage? Members on this side have mentioned rights of appeal. Clause 40 (1) states:

> Any person who is aggrieved by a decision of the Commission may appeal to the Minister against that decision.

Clause 40 (5) states:

> Upon an appeal, the Minister may, on the recommendation of the arbitrator, confirm, modify or reverse the decision of the Commission and that decision shall be final.

There is no appeal higher than to the Minister. Will the Minister clarify these matters? I support the Bill, and I hope the Minister will support the motion to have it referred to a Select Committee.

Mr. CHAPMAN (Alexandra): I support the concept of the Bill, which proposes to establish a State waste management commission and which sets out the powers and functions of that commission. Before its presentation, there was much publicity about the intent of the Bill, and some correspondence has been received from councils that believe that they are handling their own affairs well and adequately. I recognise the intent of the Bill and describe it as one that seeks to force the polluter to pay. It is a principle that we support. So far as I am concerned, the overall intent and concept of the Bill is acceptable. If this Parliament is prepared to accept the few amendments put forward by the shadow Minister of Transport, I am assured that the Opposition will support the passing of this Bill through the place. It is important, I think, to point out those areas that concern us in particular. I am sure that my colleagues will cover them in greater detail in the Committee stage.

The northern areas of my district, the areas which are in the direction of the metropolitan area and which are known as the Southern Metropolitan Regional Zone No. 4 (that is, Brighton, Marion, Meadows, Noarlunga and Willunga councils), have demonstrated their attitude towards the need for proper and respectable waste disposal. Within the McLaren Vale ward of the Noarlunga council, a sizable area of land (some 50 acres) has been purchased by a joint authority and is in the process of being prepared as a waste disposal dump for all of the councils mentioned.

In the meantime, I think that the councils have, in every

respect, exercised their responsibility in their respective areas, and disposed of their rubbish (if not totally satisfactorily at least reasonably on behalf of their ratepayers and residents) for a long period. The Willunga council is one that comes to mind that might be questioned about its recent dumping of rubbish in pits within its area. I understand that the sandhill country near the Sunset strip in that council area (that is, the coastal strip) is at a stage where the dumps are either full or at least ought to be resited, restored and not further used for that purpose. I think the council recognises that.

As a party to that combined association of councils that I mentioned earlier, I know it is anxious to get the new grounds into operation and to use them in the most modern and respectable fashion available. The land to which I refer is in the Pedler Creek, which is between the Main South Road and the new freeway to the south-west of McLaren Vale. It is tucked away between the hills out of sight and for all intents and purposes seems to have been well selected and to be well placed for this purpose. It is directly south-west of the Taranga Estate Winery and directly west of Frader's Palladio winery. I use those examples to demonstrate that it is an area of new development, an area adjacent to two fine winery establishments that are becoming well known in the community. It is in a new developing area for industry, yet it blends well with the environment of that community. I am sure that under the control and management of the Southern Metropolitan Regional Organisation this area will not become an unsightly place for the dumping of waste but will be well governed and organised.

Saying that about the function or organisation and the activities of those councils in particular leads me to say that I am prepared to support the amendments drawn to our attention. Even though those councils have at the site mentioned spent money to the tune of $300 000, they are still prepared to be a party to the overall State waste management disposal scheme. In every respect I believe that they have acted responsibly. When they asked us to support amendments to the legislation that seek to embrace the activities of the Crown, they have not said that lightly. In fairness to all authorities and all departments functioning in this State, I see no reason to object to their request. Accordingly, I will be supporting the shadow Minister at the appropriate time on this matter.

Unlike the members for Kavel, Murray, Goyder and others who have made a special attempt to study this Bill, I have not had an opportunity to do so in the short period that the Bill has been before the House. However, I am aware of the overall concept, and I agree with it. I agree to the amendments that are on file. If they and one or two others that may come forward are approved, I will support the Bill.

The Hon. G. T. VIRGO (Minister of Local Government): There are one or two points I think I ought to make. First, a number of members (including the leader in the debate for the Opposition, the member for Goyder) complained about the haste with which this legislation has been brought on. One member opposite said that it was only 13 days since the Bill saw the light of day. I am not sure what the Opposition expects—whether it expects legislation to be introduced in one session and debated in the next. However, if within 13 days members opposite are not able to assimilate and digest what is in the Bill, I am not quite sure what is the purpose of Parliament. For at least 12 months members of this Parliament have had the opportunity to read the Waste Disposal Committee Report, which recommends the establishment of a waste commission in South Australia. They were aware that that report was not being released just for the hell of it because they would have read the press releases at the time which gave a clear commitment on the part of the Government to the establishment of a waste commission, and the various other factors associated with it as contained in the report in general terms.

The complaint has been made tonight that the legislation does not follow meticulously the waste disposal committee's report. There is nothing very nation-rocking about that. This is a committee's report to the Government, and the Government makes its own decisions. The general tenor of the report from the waste committee is contained within the legislation. It is just so much nonsense for members to say that they are being asked to vote on legislation of which they have not had adequate warning, because they have had well over 12 months.

Mr. Mathwin: But you can't read legislation—

The Hon. G. T. VIRGO: They have had well over 12 months, and that includes the member for Glenelg. If he was too tired or lazy to read it he should not stand up in this House and bleat.

Mr. Mathwin: We're not magicians.

The Hon. G. T. VIRGO: I do not expect the honourable member to be a magician. I do expect him to be what he is—an intelligent person capable of assimilating what is in a report. He is capable of doing that very well. It is just poppycock to say that he cannot; he writes himself down. It was also interesting to hear the comments made in relation to private enterprise. The old can was being rattled. However, the member for Goyder forgot to read page 61, paragraph 68, which states:

> Revenue from the levy and other sources should be sufficient for the proposed commission to function efficiently and achieve objectives related to improved waste management. The Waste Disposal of South Australia Incorporated indicated that "the authority must be self-supporting, not a profit-making body. A charge of say 50 cents per tonne solid waste charged for receipt of liquid waste should be nominal."

Obviously members did not get around to reading that. To suggest, as was proposed, that private enterprise was not being concerned with this legislation is, again, a long way short of the mark.

The member for Goyder was waving petition forms around. I do not know whether they have been tabled—

Mr. Russack: They can be tabled.

The Hon. G. T. VIRGO: I do not know whether they have or not, and I do not care whether they are or not, because they are phoney. The person who obtained those signatures told people who were tipping at the dump that they were paying $2 now and they would be paying $7 if the Government legislation went through, and would they please sign the petition to stop that increase. Do not tell me that is not phoney. Quite frankly, I am surprised that the member for Goyder would stain his hands with such scurrilous paper.

Members interjecting:

The Hon. G. T. VIRGO: Members opposite can laugh, and so can that rotten thief from Davenport.

The SPEAKER: Order! I want the honourable Minister to withdraw that remark.

The Hon. G. T. VIRGO: I shall be pleased to withdraw, Mr. Speaker. The member for Goyder was handling petitions that were sponsored by W. J. Paull Holdings Pty. Ltd. In the *Advertiser* of 20 February that company put in a completely false and scurrilous advertisement, which was a complete untruth. Yet the member for Goyder has the gall to bring petitions into the House that have been sponsored by those characters.

Mr. Gunn: Aren't people permitted to go out to the people and get petitions signed?

The Hon. G. T. VIRGO: They are, but, when people go out with petitions to be signed, I would like to think that they had honest intentions and were not misleading, hoodwinking, or standing over the public. Indeed, that is what happened in Victoria Square and the honourable member knows all about those sorts of petitions.

I now turn to another matter which has been raised and which I think is terribly important because the whole basis of this legislation is to protect the environment of South Australia. Everyone concerned with the environment is welcoming this legislation. The Secretary of the Waste Disposal Association, which is a section of the chamber (and I know the member for Alexandra will not like this very much because he had his fingers wrapped by the chamber), has advised me that the only contact he has had with politicians is with one member of the Upper House seeking an amendment to the appeal provisions in clause 40. Apart from that, the chamber supports this legislation in its entirity.

Mr. Chapman: Really?

The Hon. G. T. VIRGO: If the member for Alexandra had the support of the chamber a few days ago, he would not have such sore knuckles as he has now.

Mr. Gunn: They're out of touch with their members. If you were truthful you would admit that.

The Hon. G. T. VIRGO: If the member for Eyre was in touch with the needs of South Australia, he would not talk such codswallop as he does.

I turn now to the constitution of the authority because some comment was made about it. No member quoted from the New South Wales legislation, and that is the only State that has waste disposal legislation. Victoria only has environmental legislation which skims over it but does not do what the waste disposal authority of New South Wales does; nor does it do what the Waste Disposal Commission of South Australia will do. Notwithstanding that, in its own area and in its limited way, it does a good job. However, it does not do the job that is required over the whole area of waste disposal.

Mr. Chapman: Does it do what the Victorian people want?

The Hon. G. T. VIRGO: I do not know if it gets into land deals like Hamer does or not, but that is another matter.

The SPEAKER: Order! The honourable Minister is straying from the Bill.

The Hon. G. T. VIRGO: The legislation in New South Wales provides that there shall be a six member authority. One person who will be the director, will be nominated by the Minister. One person will be the deputy director, and two people, who will be officers of councils, will be nominated from a panel of six. Two persons shall be nominated who have special knowledge. The elected representatives of local government appear to have been forgotten. Just in case members opposite jump to the wrong conclusion, I remind them that that legislation was enacted in 1970.

Mr. Chapman: If you boast much more, you'll get a job on the commission when you retire.

The Hon. G. T. VIRGO: The first thing I would do would be to get rid of the rubbish from Alexandra. I was interested to hear the member for Light say that 90 per cent to 95 per cent of the Opposition supported the legislation. It would be interesting if he were to nominate, apart from the member for Fisher, the 5 per cent or 10 per cent who do not support it. When we take the vote, we will find out.

Dr. Eastick: I said 90 per cent to 95 per cent of legislation is supported.

The Hon. G. T. VIRGO: I think the honourable member had better look at *Hansard* tomorrow. Some great play was made by one member about the appeal provisions saying that appeals were to the Minister. Again, members opposite have not read the Bill. Where an appeal has been instituted, the Minister shall appoint an arbitrator. The Minister will not determine the appeal. The phraseology used there simply makes the Minister a vehicle for reference of the matter to an arbitrator. What is wrong with that?

Mr. Mathwin: What is—

The SPEAKER: Order! The honourable member will have an opportunity to speak in Committee.

The Hon. G. T. VIRGO: Finally, I wish to refer to clause 32. It appears that members believe that the commission will be established and that it will race around the countryside establishing waste disposal depots right, left and centre. Clearly, members who have that view should read clause 32, and they will see that the principal purpose of the commission is to oversee the creation of depots and then the disposal of waste. Only when the commission is satisfied that no other facilities are available can it (and should it) engage in the area of waste disposal.

It is not proposed, and never has been, that the commission will take over, to use the expression that has been used tonight, the work of the garbos. It will still continue, as it should, to be the responsibility, first, of local government and, secondly, of private enterprise. There will be no change in that at all.

The Crown at the moment disposes of the great bulk of its waste through private enterprise, and as such it would meet the full tote odds. There is no suggestion that it will not do that under the new legislation. I could not care less about the Crown's being bound. It will make no difference. If it will make the Opposition happy, I will agree to it. It will make no difference whatever.

Mr. Mathwin: It will make us happy.

The Hon. G. T. VIRGO: It is difficult to do that usually, but I have no quarrel about that at all. I believe that this is an urgent Bill and an essential Bill. I believe that we need it. Those of us who are concerned with the environment of South Australia will see that it is passed and that it becomes effective as soon as possible after next Thursday.

Bill read a second time.

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

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

Mr. RUSSACK (Goyder): I move:

That this Bill be referred to a Select Committee.

I move this motion for two reasons. The first is that it will give those who would be affected by the measure an opportunity to make submissions after studying the Bill. The Minister has suggested that, as the report was laid down in 1977, everyone who has wished to do so has had a chance to look at the contents of the report, and he has suggested that the Bill is similar to the report. I suggest that there have been several major changes from the recommendations of the report.

The Minister referred to a period of 12 months from December 1977. As I said earlier, I wished to see a report of the interim management committee, and I was told that there was no report, that the report was, because of the recommendations and the terms of reference, the Bill. I shall read from the report to substantiate my purpose for wanting the Bill referred to a Select Committee. The terms of reference of the Interim Waste Management Committee were as follows:

To consider the views of local government, private

enterprise, and the general public following the distribution of the report of a waste disposal committee; to work with the Parliamentary Draftsman preparing a Bill to establish the South Australian Waste Management Commission.

Those I understood to be the operative terms of reference of the committee. It may have looked at other matter and taken other action, but we have had no written report of what was done by the Interim Waste Management Committee. Therefore, I think it reasonable and proper that this matter should be referred to a Select Committee, to enable those organisations—local government, individual councils, free enterprise, or individuals—once again, after considering the ramifications of the Bill, its intent and what will be achieved by it, to give evidence and make known their views on the legislation.

I believe that, from the way in which the Minister acted a few moments ago, with his attitude of trying to intimate the Opposition, he may have something to hide.

The SPEAKER: Order! The honourable member may not speak on that score.

Mr. RUSSACK: I believe that is a reason why the Bill should be referred to a Select Committee. I ask members to consider my comments and the advantage there would be in enabling such a far-reaching measure as this Bill to be considered by those whom it will affect.

The Hon. G. T. VIRGO (Minister of Local Government): The Government does not accept the proposition.

Mr. Wotton: Shame!

The Hon. G. T. VIRGO: That is exactly what one would expect—from a phoney shadow Minister for the Environment. When the environment is being destroyed day by day, the shadow Minister wants to delay urgent action for about nine months—to do what?

Mr. Wotton: The Government put it off for six years.

The SPEAKER: Order! The honourable member has already spoken.

Mr. Wotton: You answer that! You can't deny that it was introduced in 1973.

The Hon. G. T. VIRGO: It was not introduced in 1973.

Mr. Wotton: The Governor's Opening Speech said that it would be introduced in 1973.

The SPEAKER: Order! The honourable member must not continue in that vein.

The Hon. G. T. VIRGO: The matter was not introduced in 1973. It was included in the Speech of the Governor in July 1973, foreshadowing that the Government proposed such legislation.

Mr. Wotton: It's taken six years, and you're not prepared to delay long enough to have the Bill go to a Select Committee.

The SPEAKER: Order! I do not want to have to speak to the honourable member again. He has already spoken on the matter, and I do not think that he took his full time.

The Hon. G. T. VIRGO: Now that the honourable member has finished his fourth speech, perhaps I can continue.

Mr. Gunn: You needed help.

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

The Hon. G. T. VIRGO: The Waste Disposal Committee's Report, which the honourable member has had and which, I presume, he has had sufficient interest to read, has been widely distributed to local government, private enterprise, and all concerned. It was distributed last April, with an invitation to those persons who were concerned about and interested in the measure to make submissions prior to 30 June 1978 for consideration by the committee. The committee received 68 submissions. Parliament might be interested to know that, of those, 32 came from local government authorities, three from regional organisations representing 19 councils, one from a country regional organisation representing four councils, 10 from Government departments and statutory authorities, and 22 from industry.

Mr. Wotton: How many of those—

The Hon. G. T. VIRGO: Perhaps the shadow phoney Minister can make his speech later. I assure him that he can speak in silence. I will not interrupt him, so perhaps he will pay me the courtesy of doing likewise, and he might learn something. All of these submissions were carefully considered by the committee, which considered the views of all concerned. The committee which considered the submissions and which was responsible for the drafting of the legislation was representative of all factions associated with this problem—the Government, local government, and private enterprise. And it has come down with a unanimous decision.

We are now finding that the Opposition is trying to convert this progressive move into a delaying move, that will delay the Bill another nine months. What is it hoping to achieve? Nothing at all. Will the Select Committee receive more representations than the previous committee received. Will there be changes of mind? What will happen to the environment in the meantime? More and more garbage will be lying around the countryside and disposed of in an uncontrolled fashion, whilst Parliament, because of the attitude of the Opposition, procrastinates. This is not a procrastinating Government.

Members interjecting:

The SPEAKER: Order! I do not want to have to speak to the honourable member for Murray or to the honourable member for Davenport any more.

The Hon. G. T. VIRGO: This Government does not believe in putting off what needs to be done. We face up to our responsibility. We cannot adopt, nor should we, the irresponsible attitude of the Opposition of delaying, frustrating and not worrying about the environment. The Opposition makes loud noises about caring for things, but it does absolutely nothing to achieve anything other than to frustrate moves designed to protect South Australia and its environment.

Mr. Tonkin: You've been here too long.

The Hon. G. T. VIRGO: I am pleased that the Leader has returned: we have not seen him since 2 o'clock. I hope that in another place the Opposition will not press its phoney idea of a Select Committee because it will be seen publicly as procrastinating against a measure that is urgently required by society.

Mr. GUNN (Eyre): I support the motion. Parliament, unlike the Minister, is interested in calling for and seeking views on important issues, and the Minister wants to deny Parliament that opportunity. The Minister is prepared to accept the advice of his committee. Surely, Parliament should be supreme. We have heard the Minister talk about how concerned the Government is. If it is concerned, it should allow the people of the State a few more weeks to consider this important issue. The Minister's rebuttal of what the member for Goyder and the member for Murray had to say was pure abuse. He gave not one fact of why the Bill should not be referred to a Select Committee.

In my limited experience as a member, I know that every piece of legislation which has been referred to a Select Committee has been greatly improved, and I challenge the Minister to deny that publicly. If he is a democrat, he will allow the people of the State to come forward, because it is obvious that this measure and many others with which we have been dealing over the past few weeks should be made known to the public, particularly to

those who will be affected by it. They then become concerned, and make proper recommendations to their representatives. For the Minister to stand up and abuse members on this side—

The SPEAKER: Order! I do not think that the member for Eyre can stick to the statements he is making now.

Mr. GUNN: I did not think it was the role of the Chair to guide members about what comments they should make.

The SPEAKER: Order! The honourable member is reflecting on the Chair. The Chair is here to do the proper job under Standing Orders.

Mr. GUNN: I am sorry if I reflected unduly on the Chair. I merely made a comment applicable to the situation. However, I will reconsider—

The Hon. J. D. Wright: You were reflecting on the Chair.

The SPEAKER: Order! The Minister of Labour and Industry is out of order.

Mr. GUNN: I was wondering whether the Minister of Labour and Industry was going to comment.

The SPEAKER: Order! I hope the honourable member will return to the motion before the Chair.

Mr. GUNN: Unfortunately, the Government will have its way in this matter, which is unfortunate, in view of the Minister's comments about individuals and his accusing people of making misleading statements. I believe that the Bill can be improved for the benefit of everyone, particularly those concerned about protecting our environment and who want to see this problem handled in an orderly and efficient manner so that it will not be a burden on the taxpayer. I have had limited experience with local government and I am aware of waste disposal and rubbish dump problems, but I am completely amazed at the Minister's attitude, and I hope action is taken in another place to rectify the situation.

Mr. EVANS (Fisher): I support the motion for the Bill to go to a Select Committee, mainly because of the Minister's own statement. He told the House tonight that groups of persons who made representations consisted on 32 separate local government areas, three regions making representations on behalf of 19 local government areas, one country region making representations on behalf of three local government areas, 10 Government departments, and 22 industries. There was not one submission from an individual in the community. A Select Committee, more than any other area, provides an opportunity for persons to make submissions. As the Minister stated, not one conservation or environmental group gave evidence or made submissions on the final report. That surprises me.

The Minister referred to an advertisement in the paper which I will not judge. I have said earlier that nobody really knows the cost involved; it could be $12, $2 or $1. The ironical thing is that, once the advertisement was published, more people realised that a Bill for waste disposal was before Parliament, and they have signed petitions, regardless of what we think of them, and made submissions saying that they are concerned about what the waste disposal scheme will mean to their life and pockets. People have not had the opportunity to put their thoughts forward or seek more information before a Select Committee.

The Hon. G. T. Virgo: There were submissions. Have a look at the book.

Mr. EVANS: The Minister is talking about the report, but not one private individual or environment or conservation group made a submission to him; not one has been named among the list he gave previously. South Australia has been going for 142 years.

The Hon. G. T. Virgo: Have a look at the report.

Mr. EVANS: I am not talking about the report; I am talking about those who made submissions upon the report. Parliament normally resumes in July, but the Government of the day can decide to bring the Parliament back any time it likes between now and July. If the issue is important, surely people should have an opportunity to give evidence before a Select Committee, and the Parliament can be brought back. The Minister stated a period of nine months. Are we not going to sit until November?

The Hon. G. T. Virgo: You know that Standing Orders require an Address in Reply debate, and the Budget must be debated.

Mr. EVANS: Those matters have been put aside on other occasions for urgent Government business, with the co-operation of the Opposition.

Mr. Whitten: Like we're getting now!

Mr. EVANS: The honourable member can say that if he likes, but the Government has always had the co-operation of the Opposition on these matters on previous occasions. That cannot be denied. This matter will have an effect, either adversely or favourably, and people should be given every opportunity to make representations. A Select Committee is one way to do this. I ask the Government to rethink the position if it is concerned about people in total, and let the Bill go to a Select Committee.

Mr. WOTTON (Murray): The Minister has burbled about the situation in which the Opposition finds itself. The Government has procrastinated on this important legislation. As I said by interjection, the Government foreshadowed the introduction of this Bill in July 1973, and six months later (11 days before the House was due to rise)—

The SPEAKER: The honourable member must adhere strictly to his reasons for the establishment of a Select Committee, as did the member for Goyder when he spoke on this matter.

Mr. WOTTON: I request the Government to put this legislation to a Select Committee, because in its efforts to bulldoze the legislation through, after procrastinating for as long as it has, it is not providing the opportunity for the public, and those who have come forward with submissions prior to the introduction of the legislation, to put their views forward. The Government is refusing to give these people the opportunity to examine the legislation adequately before it is rushed through this House and the other place in three days. I, and other members on this side of the House, believe that legislation dealing with waste disposal is extremely important, and therefore we believe that the Government is doing the people of South Australia an injustice in not giving them sufficient time to comment. Any legislation that is rushed through the House in three days cannot have been treated seriously by the Government.

The Minister referred to what he called the phoney speeches from members on this side, particularly mine. I challenge the Minister, because he did not have the decency, obviously, to listen to what I was talking about today, to read the *Hansard* proof tomorrow, because I made more constructive comments in the 11 minutes I was speaking than he has made in the whole debate so far. If the Government refuses to bring this legislation before a Select Committee, it deserves what will be coming to it in the form of public comment.

The Minister has said that the Opposition has been phoney. The general public, if it is not given the opportunity to look at this legislation through a Select

Committee, will see the Government's legislation as it is at present as being completely phoney.

Mr. RUSSACK (Goyder): Nothing the Minister has said in his abusive tirade has changed my mind. Although I have not changed my mind, I believe that a Select Committee should be appointed because other people do change their minds. Earlier this evening the Minister referred to the Chamber of Commerce and said that it agreed to this legislation in its entirety. The Chamber of Commerce was involved with the drafting of this Bill, yet it has changed its mind since it has seen the Bill. I will read a letter from the Chamber of Commerce and Industry of South Australia Incorporated, which states:

> South Australian Waste Management Commission Act, 1979: This association has been closely associated with the committees which were responsible for this Bill which is now before Parliament. The association has little to complain about with one exception. We refer to Part V "Miscellaneous"—

The SPEAKER: Order! The honourable member knows that he is not allowed to speak to the clauses of the Bill at any stage.

Mr. RUSSACK: I was reading a letter to explain my point. The letter continues:

> However, the association would make strong representation to you to exert what pressure is possible to have this clause altered, such as the appeal should be heard by an appropriate legal authority. The association believes that any appeal should be heard—

The SPEAKER: Order! I think the honourable member is still referring to the Bill.

Mr. RUSSACK: People can change their minds once they know what the final result is. The Bill was laid on the table only on 14 February, 13 days ago. There are those who are involved who would like to hear further comment, and, as the member for Eyre has suggested, legislation that goes before a Select Committee always comes out better legislation. I ask members to vote in favour of the motion.

The House divided on the motion:

Ayes (17)—Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Rodda, Russack (teller), Tonkin, Venning, Wilson, and Wotton.

Noes (22)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan, Groom, Groth, Harrison, Hemmings, Hopgood, Keneally, Klunder, McRae, Olson, Simmons, Slater, Virgo (teller), Whitten, and Wright.

Pair—Aye—Mr. Nankivell. No—Mr. Wells.

Majority of 5 for the Noes.

Motion thus negatived.

In Committee.

Clauses 1 to 4 passed.

New clause 4a—"Act to bind the Crown."

Mr. RUSSACK: I move:

> Page 2, after clause 4—Insert new clause as follows:
>
> 4a. This Act binds the Crown.

I thank the Minister for the explanation he made earlier, when he said that the bulk of the waste generated by the Government was transported and disposed of by private enterprise. He also said that it would not be unusual for the Crown to be bound. I take it from that statement that he might look kindly on this amendment. It was prompted by local government and others who would like to see this provision in the Bill. I understand and accept the statement made by the Minister earlier, but it is thought that it would be right and proper for the State Government to be included in the Bill.

The Hon. G. T. VIRGO (Minister of Local Government): I have no feeling one way or the other on this matter. The Crown would abide by the terms of the legislation and meet whatever costs it incurred. It is quite inconsequential whether it is bound or not. If it makes the Opposition happy to have the clause in, I will not offer any opposition to it.

Mr. RUSSACK: I am sure it will assist many people to understand this Bill. It has been stated by quite a number of people, not just by individuals but by people representing organisations, that they would like to see the Government responsible for an equitable amount of the finance. I am sure this will convey to them the intent of the Government to be involved in this commission.

New clause inserted.

Clause 5—"Interpretation."

Mr. RUSSACK: Depot is defined as meaning any premises or place to which waste is transported or at which waste is received. In some council areas, waste is transported to a transfer station and then picked up. Will that become a depot? What is the position regarding transfer stations?

The Hon. G. T. VIRGO: I do not know of any instances of that nature, but if waste were so transported, it would be a depot, I would imagine.

Mr. RUSSACK: I understand that there are some mobile transporters which are placed in a park or vacant allotment. What is the situation regarding a transport receptacle being placed in a vacant allotment and then being picked up and carried off?

The Hon. G. T. VIRGO: I am now informed that this situation would be covered by an exemption under regulations.

Clause passed.

Clause 6—"Application of this Act."

Mr. RUSSACK: I move:

> Page 3, after line 40—Insert subclause as follows:
>
> (4) This Act does not apply to a council unless the Minister certifies that the council is failing to provide effective waste management services within its area.

I gave examples during the second reading debate, quoting the case of East Torrens, where I believe that the undertaking has been successful and acceptable over the years. I understand, too, that the southern metropolitan region has spent about $300 000 on what is, from reports, a successful and effective waste disposal measure. There must be other such examples. The amendment would simply mean that those who are successfully operating and who, it is clear to the commission, are performing their duties acceptably would be exempt from having to make other arrangements until the commission believed that they were not successful or that the system was inadequate.

The Hon. G. T. VIRGO: I have looked at the amendments the honourable member has put forward and, where possible, I have tried to co-operate. This is one instance where it would be quite impossible to do so. It would be extremely difficult for the Minister to certify that a council was failing to provide effective waste management. On what basis would he so certify? Where would the Minister suddenly assume the authority for certifying something? It would be quite impossible.

To say that a council will be exempt from the ramifications of the legislation would destroy its intent and would bring us back to the point of saying that the commission will concern itself only with those areas where ineffective waste management procedures are adopted. It would give the commission no authority whatever to say to a council or in relation to a depot that the waste from

another area should be dumped there, in the interests of society.

Even though a council or a group of councils is in a position at the moment to launch on a scheme that will fit in very well with the general concept of the commission, that does not mean that situation will obtain forever. Simply because there happens to be a suitable location in the area it does not mean that it should be reserved solely for that area. Perhaps, in the interests of the whole metropolitan area, there should be further expansion of the dumping of waste.

The fact that a council may have adequate provision for the dumping does not necessarily mean that its transportation is adequate to meet the position. The amendment does not take into account the recording that is absolutely necessary in the interests of overall control, and ignores completely one argument associated with waste management: private enterprise. We hear from members opposite of their desire to promote private enterprise. As a Government, we are being accused almost hourly of crucifying private enterprise. We are the socialist terrors of the State, crippling the State by our socialistic means, and yet the amendment clearly will cut out private enterprise directly. The whole purpose of the amendment could be described as being in conflict with the principle of the Bill, that the polluter should pay.

Mr. RUSSACK: Has there been a conference between those who have established this operation and the Interim Waste Management Committee that has carried on after the report was laid down? If so, has the committee guided the establishment of this waste disposal which has cost some $300 000? Could the Minister give an assurance that that installation will fit into the plan of the commission so that the money spent will not be falsely placed but will be an asset in the whole programme of waste disposal as determined by the commission?

The Hon. G. T. VIRGO: I am not able to give an unqualified guarantee or an assurance along those lines. I do not know the details of the arrangement, other than that a dump is being planned for Pedlar Creek. I do not know that the final details have been put on paper; until they are, no-one can say that there is no worry and that this will fit in. The only comment that could be made is that it would seem that that would be the case. That is as far as I can take it.

Mr. RUSSACK: This gives me great concern. There must be other similar situations where such amounts of money have been expended—

The Hon. G. T. Virgo: In the knowledge of this legislation.

Mr. RUSSACK: It has been?

The Hon. G. T. Virgo: Yes.

Mr. RUSSACK: That is the point I am trying to bring out. I hope there has been co-operation.

The Hon. G. T. Virgo: Of course.

Mr. RUSSACK: It would disturb me if there had not been. I thank the Minister for that assurance. There must be many establishments, both in private enterprise and in local government, which I hope the commission will find acceptable, so that it will approve their retention and possibly further expansion.

Amendment negatived.

Mr. RUSSACK: Subclause (2) *(b)* excludes any operations or activities of a specified kind from the operation of this Act, or any specified provisions of this Act. Can the Minister explain the provision?

The Hon. G. T. VIRGO: It is difficult to describe waste. We believe that we have covered the general field, but the provision may be too wide or not wide enough; hence this provision. The principal wish is to exclude any other areas. On Monday, at the local government meeting at Cowell, I commented that initially it was proposed that the provision would be used for the purpose of confining the activities of the commission to the metropolitan planning area but, notwithstanding that, the services of the commission would be available on an advisory basis to local government in the country on the score that later (we are guessing three years) it can come into other parts of South Australia. We will not be able, with a Bill of this nature, suddenly to say, "The Bill will come into operation in its entirety on 1 July 1979." That cannot happen. The phasing in of the measure is expected to take between 12 and 18 months. Subclause (2) *(b)* could well be used for such premises where the commission is satisfied that adequate recycling activities take place.

Clause passed.

Clause 7—"Establishment of Commission."

Mr. RUSSACK: Subclause (3) provides:

> The Commission shall be subject to the control and direction of the Minister.

This provision is now becoming commonplace. Having looked up the Electricity Trust of South Australia Act, 1946, I found that a similar provision does not exist in that Act, and the trust has been a successful operation. The provision gives the Minister sweeping powers and authority.

The Hon. G. T. VIRGO: I will direct those remarks to the Minister of Mines and Energy.

Clause 8—"Membership of the Commission."

Mr. RUSSACK: I move:

> Page 4—
>
> Lines 20 to 29—Leave out paragraphs *(a)* and *(b)* and *(c)* and insert paragraphs as follows:
>
> *(a)* two shall be persons nominated by the Local Government Association of South Australia of whom one must be a member of a council and the other must be a person actively engaged in some aspect of waste management;
>
> *(b)* two shall be persons actively engaged in some aspect of waste management nominated by the South Australian Chamber of Commerce;
>
> *(c)* one shall be a person nominated by the United Trades and Labor Council of South Australia; and
>
> *(ca)* one shall be a person nominated by the technical committee.
>
> Line 31—Leave out "four shall be persons nominated" and insert "one shall be a person nominated".

The report suggested that there would be one member from metropolitan councils, one from the country areas, and two from the Chamber of Commerce. I pay a tribute to a councillor who could well serve the commission, but it would be desirable to have a person from local government who is concerned with or directly involved in commercial and industrial waste. The same situation applies with regard to the two members from the Chamber of Commerce. If they were practical and technical people, it would assist the commission. Regarding the representative from the technical committee, I do not know what the liaison with that committee will be. I understand the committee's Chairman will be the Director. Other people and I believe that there should be some direct link between the commission and representatives of the technical committee on the commission.

The Hon. G. T. VIRGO: I can appreciate the purpose behind the amendment. I had considerable trouble with this clause, looking at the recommendations of the committee and realising that we could well find that we would not get the kinds of people I believe would be necessary to get the commission off the ground. I believe that we need to get the best people possible who are expert

in the field, who have knowledge of what is required, and who have experience in this area. It was with those thoughts in mind that we decided that the composition of the commission should be as contained in the clause. I find the same difficulty with the amendment as I found with the committee's recommendations.

The people who may be elected as a result of the amendment may be the same people who would become members of the commission under the Bill but, unfortunately, there is no guarantee that that may occur. I believe, realising the forces at work, that it may not occur. Frankly, I believe that this Bill is so important to get off the ground in a proper fashion at the beginning that we must really choose people who are competent and experienced. I find it difficult in Committee to start talking about individuals, but I think that an experienced and senior town clerk might be an appropriate person to have on the commission.

It would be desirable to have a person of the calibre (and I apologise for being specific) of the City Engineer of the City of West Torrens, who played an outstanding role in the work of this body. Amongst local government there would probably be other people, maybe engineers or health inspectors, who have considerable experience in this area, and that is the sort of person I would be looking for, at least in the initial stages. It is desirable for the Minister who will have responsibility also to have flexibility to make appointments. Because of that, I did not follow the recommendations of the committee, and I must also reject the honourable member's amendment, but I sympathise with his intention.

Mr. RUSSACK: I thank the Minister for his forthright explanation and intention. He said he would like to have the best persons in the field in this position. This could be done under the amendment. The Minister did not answer a point regarding liaison; how direct and close will liaison be between the technical committee and the commission? Is it anticipated that a member from the technical committee will be appointed to the commission?

The Hon. G. T. VIRGO: The technical committee will be headed by the Director of the commission, and he will be directly responsible to the commission, so that that will be the liaison. It is not expected that there will be a duplication of people on both committees, although the situation may arise. I see no impediment if one of the appointees, as laid down in the technical committee, was also a member of the commission, but it could be coincidental and not by design.

The Committee divided on the amendment:

Ayes (17)—Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Goldsworthy, Gunn, Mathwin, Rodda, Russack (teller), Tonkin, Venning, Wilson, and Wotton.

Noes (21)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Drury, Duncan, Groom, Groth, Harrison, Hemmings, Hopgood, Keneally, Langley, McRae, Olson, Simmons, Slater, Virgo (teller), Whitten, and Wright.

Pair—Aye—Mr. Nankivell. No—Mr. Wells.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed.

Clause 9 passed.

Clause 10—"Allowances for members of the Commission."

Mr. RUSSACK: I move:

Page 5, line 29—Leave out "Minister" and insert "Governor".

I do not know whether this clause conforms with other legislation. It places responsibility on the shoulders of the Minister, although that responsibility would probably still rest with him even if the amendment was passed. The commission's entitlements regarding allowances and expenses should be determined by the Governor.

The Hon. G. T. VIRGO: I am happy to accept the amendment. The Minister does not accept them of his own volition. He seeks the advice of the Public Service Board and follows that. Whether he then does it, or recommends to the Governor, is a matter of words.

Amendment carried; clause as amended passed.

Clauses 11 to 14 passed.

Clause 15—"The Technical Committee."

Mr. RUSSACK: I move:

Page 7, line 41—Leave out "the Minister" and insert "regulation".

The terms and conditions upon which members of the technical committee can hold office shall be determined by the Minister. I think these conditions are usually outlined in a Bill, but that has not been done on this occasion. Bearing in mind that this will apply in the future a Minister could hire and fire members of the technical committee at will. Regulations are operative immediately they are gazetted, but Parliament has some opportunity of viewing them and having the right to move for their disallowance if necessary.

Amendment carried; clause as amended passed.

Clause 16—"Allowances for members."

Mr. RUSSACK: I move:

Page 7, line 43—Leave out "Minister" and insert "Governor".

Amendment carried; clause as amended passed.

Clauses 17 to 21 passed.

Clause 22—"Control of depots."

Mr. RUSSACK: Will various depots have a licence to accept certain wastes, and what about such things as tyres, thinners and wastes of that nature? Will there be special depots and places to dispose of these things? I understand that problems are associated with those types of waste. Also, will a depot that has a licence to accept certain wastes be compelled to receive those wastes?

The Hon. G. T. VIRGO: In general, the answer to the last question is "Yes". The honourable member's question lays emphasis on the need for the Waste Management Committee and its technical committee, because these are the sorts of matters that the whole of the legislation is all about: there are problems of disposal that have to be tackled. Tyres are certainly one of our greatest problems. It will be the task of the commission aided by the technical committee to determine how, when and where they are disposed of.

Clause passed.

Clauses 23 to 31 passed.

Clause 32—"Establishment of depots by the Commission."

Mr. RUSSACK: I move:

Page 12, line 9—Delete the words "the public" and insert "any person".

The word "public" refers to any member of the public. There is concern whether a council or representative of a council, or a person representing a business firm or something of that nature, would be allowed a reasonable opportunity to make representation. If that assurance could be given, perhaps it would be a different matter.

The Hon. G. T. VIRGO: I do not think that this amendment makes any difference to the clause. I think the word "public" adequately covers the situation, but if the honourable member wishes the words "any person" to be inserted I have no objection.

Mr. RUSSACK: I received a letter from a solid source about this matter.

Amendment carried; clause as amended passed.

Mr. RUSSACK: I move:

Page 12, line 12—After "is" insert "to be".

The Hon. G. T. VIRGO: I do not quarrel with the intention of the honourable member. However, what he is doing is making it too restrictive. This means that it would not be possible for private enterprise to establish a depot under the terms of this amendment. If the words "it would not be practicable for the depot to be provided by any other body" were inserted, the position would be much better and clearer. The honourable member's amendment would make it too restrictive and would cut out the opportunity for private enterprise to do something if it wanted to.

Amendment negatived.

Mr. RUSSACK: I move:

Page 12, after line 13—Insert paragraph as follows:

(ab) it would not be practicable for the depot to be provided by a council or a group of councils;

The amendment gives a precedent to local government as far as the area is concerned.

The Hon. G. T. VIRGO: I thought we were voting on this previously, but apparently we are not. What I said previously still applies, and I do not believe that we should restrict this just to local government. Private enterprise ought to have the opportunity to do it, particularly if local government wants it to.

Mr. RUSSACK: There is concern, based on a practical viewpoint, that where a local government authority or other authority is operating or can operate facilities, there will be a resulting cost increase to the authority or authorities as the case may be. To offset this concern, it is suggested that an additional formal element be included in the Bill to be fulfilled prior to the exercise of the power as contained. Perhaps it could be added that the depot cannot be provided by a local governing authority or groups of local governing authorities in relation to the area which will benefit from the establishment of the depot. I think the originator of those thoughts was concerned that the commission, rather than private enterprise, may establish a depot. Is it the intention of the commission to establish depots of its own, or is it purely for the management and good conduct of waste collection and disposal?

The Hon. G. T. VIRGO: The whole purpose of this legislation is to establish a commission to oversee, not to operate. The function of operation is provided only when other agencies are not capable of carrying out or do not carry out their task.

Amendment negatived: clause as amended passed.

Clauses 33 to 39 passed.

Clause 40—"Rights of appeal."

Mr. RUSSACK: I move:

Page 14—

Line 4—Leave out "the Minister" and insert "a local court of full jurisdiction"

Lines 5 and 6—Leave out subclause (2).

Lines 9 to 11—Leave out subclause (4).

Lines 12 to 14—Leave out subclause (5), and insert subclause as follows:

(5) Upon an appeal, a local court of full jurisdiction may confirm, modify or reverse the decision of the Commission.

There is enthusiasm for having another type of appeal because the commission is under the control of the Minister. When there is a disagreement, the commission will contact the Minister, who will appoint an arbitrator, but the Minister will still have the final say. If he does not agree with the arbitrator, he can say so, and his decision is final. Also, the Minister can confirm, modify or reverse the decision of the commission, and the Minister's decision shall be final.

The big disadvantage in the amendment is the time factor. I am aware of that, and so are those people who have requested that this be considered. I now refer to a letter from the Waste Disposal Association of South Australia Incorporated which states:

> This association has been closely associated with the committees who were responsible for this Bill which is now before Parliament. The association has little to complain about, with one exception. We refer to Part V, Miscellaneous, clause 40(1): "Any person who is aggrieved by a decision by the commission may appeal to the Minister against that decision."
>
> The association would make strong representation to you to exert what pressure is possible to have the clause altered so that the appeal should be heard by an appropriate legal authority. The association believes that any appeal should be heard by an authority who has no bias. In this instance, the Minister could be biased towards interpreting this Act in his favour, as he is the Minister who is responsible for the operation of the Bill. Further, that any decision should be a matter of law, that it must be seen to be fair and just.

I think the letter is meant in a kindly way. When the word "bias" is used, it simply means that the Minister is involved and possibly knows many of the matters which should be determined by someone not involved in the situation or in the administration of the commission.

The Hon. G. T. VIRGO: I was rather disappointed, not that the honourable member read the letter, but in what was said. The person who wrote the letter has been badly misinformed, or has not read the Bill. Subclause (4) provides that, where an appeal has been instituted, the Minister shall appoint an arbitrator to inquire into the matter which is the subject of the appeal and to recommend how the appeal should be determined. The Minister's bias one way or the other has nothing to do with the matter. The Minister is the vehicle being used for the purpose of referring the matter to an arbitrator.

Whatever bias I might have for or against an appeal, if I had any, would have no bearing on the matter; the arbitrator would hear the appeal and make a recommendation. The honourable member would be the first to acknowledge, and I thought the organisation would have known, that an arbitration is a *quasi* judicial operation. I would much prefer to keep the matter on that level. However, if that were not acceptable, and if it were desired that the matter should go further, I would strongly oppose its going into the Local Court of full jurisdiction. We would simply be providing added fodder for the lawyers, added costs for those involved in waste management, and we would achieve absolutely nothing from it.

I think the arbitration arrangement in the Bill should be given an opportunity to work before any amendment is made. If it does not work out properly, we could still follow the procedure adopted in the motor body repair legislation, where appeals are referred to a commissioner or a judge of the Arbitration Commission. These are industrial matters. At this stage, it would seem that the existing provision should be given an opportunity to function. Certainly, the Local Court would be a last resort.

Mr. RUSSACK: The letter was not the only source from which I received information requesting what is outlined in the amendment. I hoped that the Minister would accept the amendment, and I ask him to give it further consideration. I thank him for pointing out that, as the Bill stands, an arbitrator shall be appointed, and that it would be a person who would have legal background and who would be able to operate in an unbiased manner. However, I would still like the amendment to be carried.

The Committee divided on the amendment:

Ayes (17)—Mrs. Adamson, Messrs, Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Goldsworthy, Gunn, Mathwin, Rodda, Russack (teller), Tonkin, Venning, Wilson, and Wotton.

Noes (21)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Drury, Duncan, Groom, Groth, Harrison, Hemmings, Hopgood, Klunder, Langley, McRae, Olson, Simmons, Slater, Virgo (teller), Whitten, and Wright.

Pair—Aye—Mr. Nankivell. No—Mr. Wells.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed.

Clauses 41 to 46 passed.

New clause 46a—"This Act not to derogate from Water Resources Act."

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

Page 15, after clause 46—Insert new clause as follows:

46a. Nothing in this Act or any licence under this Act:

(a) derogates from any provision of the Water Resources Act, 1976;

or

(b) constitutes for the purposes of that Act an authority to cause suffer or permit waste to come into contact with waters.

The water resources people had a look at the legislation and, to put the matter beyond all possible doubt, we have decided to insert new clause 46a. This cautious clause is to ensure that there is no misunderstanding.

New clause inserted.

Clause 47 and title passed.

Bill read a third time and passed.

CHIROPRACTORS BILL

Received from the Legislative Council.

The SPEAKER: The Legislative Council draws the attention of the House of Assembly to clause 14, printed in erased type, which clause being a money issue, cannot originate in the Legislative Council but is deemed necessary to the Bill.

Bill read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The principal object of this Bill is to establish a registration board to register chiropractors and regulate the practice of chiropractic. For the purposes of this Bill, the term "chiropractic" includes osteopathy. As honourable members would be aware, recognition of chiropractic has been a matter of contention for a long time. Historically, chiropractic originated in America in the late 19th century, although there are writings and theories on spinal manipulation as a healing art which go back well beyond that period. The emergence of the theory and its adherents aroused suspicion and antagonism at the time and overtones of this are still apparent today. However, chiropractic has survived and flourished to the extent that it has been estimated that over 250 000 new patients receive chiropractic treatment in Australia each year. This indicates a growing acceptance of, and demand for, chiropractic treatment.

At the same time, there has been increasing pressure both from the profession and the public for the establishment through legislation of a registration system for chiropractors, similar to those already in existence for a number of other disciplines in the health area. As honourable members would be aware, the Commonwealth Minister for Health in August 1974 set up a committee of inquiry into chiropractic, osteopathy, homeopathy and naturopathy. The committee—known as the Webb Committee—published its report in April, 1977 and recommended that chiropractors and osteopaths should be registered in each State.

My Government subsequently announced as a matter of policy that it would introduce legislation to register chiropractors, and established a Working Party including four chiropractors to prepare a brief upon which legislation could be based, resulting in the Bill before you today.

The Government, in recognising the public demand for chiropractic, believes that the public should, and is entitled to, be protected from unqualified practitioners. The legislation therefore will not only recognise and encourage the continuation of this particular therapy, but will at the same time seek to ensure that future practitioners receive a high standard of training and pass appropriate examinations before being granted registration status.

I will not attempt to canvass the provisions of the Bill in detail at this stage, but will leave that to the explanation of individual clauses. I would conclude by saying that the Government in introducing this Bill is showing confidence in the profession. I trust that this confidence will be respected by the profession itself and that it will be responded to in a responsible way by those who practise and will practise under the Bill.

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 sets out the arrangement of the measure. Clause 4 provides for the repeal of the Chiropractic Act, 1949, and amendments of the Physiotherapists Act, 1945-1973, that are consequential to the provisions of this measure. Clause 5 sets out definitions of terms used in the Bill. Clause 6 provides for the establishment and incorporation of a board to be known as the Chiropractors Board of South Australia.

Clause 7 provides that the board is to consist of six members, of whom, for the first two years, four are to be practising chiropractors appointed and selected by the Governor and after the first two years, four are to be registered chiropractors elected by the registered chiropractors. The Chairman of the board is to be a member appointed by the Governor. Clause 8 provides for the conditions and terms of office of members of the board. The term of office of the first board, all of the members of which are to be selected by the Governor, is to be two years, and, thereafter, members whether selected by the Governor or elected by the registered chiropractors, are to have a term of office of three years.

Clause 9 provides for remuneration of members of the board which is to be determined by the Governor. The remuneration is to be paid out of the funds of the board. Clause 10 regulates the conduct of meetings of the board. Clause 11 provides for the validity of acts of the board and certain immunity from civil proceedings for members of the board. Clause 12 provides for appointment by the board of a Registrar, to be a person approved by the Minister, and the appointment of other officers and servants. Clause 13 empowers the board to establish an office and for that purpose acquire any interest in real or personal property.

Clause 14 empowers the board to borrow moneys with the consent of the Treasurer and provides that the Treasurer may guarantee the repayment of any such loan. Clause 15 empowers the board to establish banking accounts at a bank approved by the Treasurer. Clause 16 empowers the board to invest any surplus moneys. Clause 17 requires the board to keep proper accounts and provides for the annual audit of its accounts by auditors appointed by the board and the audit of the accounts, at any time, by the Auditor-General.

Clause 18 provides for applications for registration as a chiropractor. Clause 19 sets out the qualifications for registration as a chiropractor. These are: the successful completion of a course of training to be specified by regulations, or the passing of an examination arranged by the board. In addition, those persons who apply for registration within three months from the commencement of the measure, having from on or before the first day of February, 1979, until the date of application practised chiropractic within the State, had their principal place of residence within the State and derived their incomes principally from the practice of chiropractic are, under this clause, to be entitled to registration. Clause 20 provides for the grant of registration to qualified person upon payment of the registration fee. Clause 21 provides for annual renewal of registration. Clause 22 requires the Registrar of the board to keep and maintain a register of registered chiropractors. Clause 23 provides for issue by the Registrar of certificates of registration. Clause 24 provides that it shall be an offence after the expiration of three months from the commencement of the measure for a person, for fee or reward, to manipulate the joints of the human spinal column or its immediate articulations for therapeutic purposes unless the person is a registered chiropractor, a legally qualified medical practitioner or a registered physiotherapist or unless he does so in connection with a recognised course of training in chiropractic or an examination arranged by the board or he is exempted by regulation.

Clause 25 provides that it shall be an offence after the expiration of three months from the commencement of the measure for any person to use or display the title or description "chiropractor", "osteopath", "spinal therapist" or "manipulative therapist" or to cause a person to reasonably believe that he is a registered chiropractor unless he is a registered chiropractor. Subclause (2) of this clause permits registered physiotherpists to use the title "manipulative therapist". Subclause (3) of this clause would require registered chiropractors to use only the titles "chiropractor" or "osteopath" in the course of their practices as chiropractors.

Clause 26 sets out the grounds for disciplinary action to be taken by the board against registered chiropractors. Clause 27 empowers the board to investigate the conduct of registered chiropractors. Clause 28 provides that the board may appoint a person approved by the Minister to be an inspector and empowers an inspector to enter at a reasonable time any premises used by registered chiropractors and make inquiries. Clause 29 provides that the board may conduct inquiries into the conduct of registered chiropractors and empowers the board, if it determines that there is cause for disciplining a registered chiropractor, to reprimand him, impose a fine not exceeding $500 or suspend or cancel his registration. Clause 30 provides for the procedure in respect of inquiries held by the board. Clause 31 sets out in respect of the board the usual powers for the conduct of inquiries.

Clause 32 regulates the costs in respect of inquiries held by the board. Clause 33 provides for a right of appeal to the Supreme Court against any decision or order of the board. Clause 34 provides for suspension of an order of the board until determination of an appeal against the order. Clause 35 is an evidentiary provision. Clause 36 provides for the service of documents by post. Clause 37 provides for the summary disposal of proceedings for offences against the measure. Clause 38 provides for the making of regulations.

Mr. BECKER secured the adjournment of the debate.

MENTAL HEALTH ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. G. T. VIRGO (Minister of Transport): 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

The Bill amends the Mental Health Act, 1976-1977 (the principal Act), which is designed to replace the Mental Health Act, 1935-1974 (the old Act). The principal Act does not simply repeal the old Act but instead, by means of a schedule, strikes out all the Parts of the old Act except Parts III, IIIA and V. Parts III and IIIA deal with criminal mental defectives and Part V deals with the administration of the property of mental patients. The schedule also makes amendments to Parts III and V.

The principal Act is not yet in force but is expected to be proclaimed within the next few months. Provisions dealing with the administration of the property of mental patients are more conveniently placed in the Administration and Probate Act, 1919-1978. Section 17 of the amendment to this Act which was passed last year enacts new Part IVA dealing with this subject. It is intended that these provisions replace Part V of the old Act.

The purpose of this Bill is to amend the schedule to the principal Act so that Part V of the old Act will be struck out when the principal Act comes into force. Section 17 of the Administration and Probate Act Amendment Act, 1978, will come into force at the same time with the result that Part IVA of the Administration and Probate Act, 1919-1978, will replace Part V of the old Act.

Clause 1 is formal. Clause 2 amends an error in the date of the old Act appearing in section 4 of the principal Act, Clause 3 amends the schedule. Paragraph *(a)* of subclause *(a)* replaces the long title of the old Act. The new title is now more suitable as the only Parts remaining in the old Act deal with criminal mental defectives. Paragraph *(ab)* alters the short title in section 1 of the old Act. Paragraph *(ac)* strikes out the sections of Part I other than section 1. Paragraph *(ad)* strikes out all the Parts of the old Act except Parts I, III, and IIIA. Subclause *(b)* strikes out the paragraphs in the schedule that made amendments to Part V of the old Act.

Mr. MATHWIN secured the adjournment of the debate.

SOUTH AUSTRALIAN HEALTH COMMISSION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. G. T. VIRGO (Minister of Transport): 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

The purpose of the Bill is to clarify and simplify proceedings under the Industrial Conciliation and Arbitration Act, 1972-1979, in relation to awards, orders and industrial agreements made under that Act in respect of incorporated hospitals and health centres and their employees.

The principal Act provides that the officers and employees of incorporated hospitals and health centres must be employed on terms and conditions fixed by the South Australian Health Commission and approved by the Public Service Board. In addition, hospitals and health centres can appoint staff only in accordance with a staffing plan previously approved by the commission. The result of these provisions is that there is considerable doubt as to whether the commission on the one hand, or the hospital or health centre, on the other, is the employer of people working in the hospital or health centre.

The Bill provides that, for the purpose of awards, orders and industrial agreements made under the Industrial Conciliation and Arbitration Act, 1972-1979, the commission will be the employer. This is a logical corollary of the fact that the commission fixes the terms and conditions of employment. It will also enable the interests of all incorporated hospitals and incorporated health centres to be represented before the Industrial Court and the Industrial Commission, thereby reducing a proliferation of separate proceedings against each body. This will save an enormous amount of unnecessary time and effort.

Clause 1 is formal. Clause 2 provides for the commencement of the Act. Clause 3 adds three new subsections to section 60 of the principal Act. Section 60 at present provides that the Industrial Court and Industrial Commission of South Australia have jurisdiction in respect of the South Australian Health Commission and incorporated hospitals and health centres and their employees. New subsection (2), enacted by clause 3, provides that in any proceedings under the Industrial Conciliation and Arbitration Act, 1972-1979, or in any industrial agreement the commission will be deemed to be the employer.

New subsection (3) will ensure that, even though awards and orders are made against the commission in respect of hospital or health centre employees and agreements are made in its name in respect of those employees, the hospital or health centre concerned will be bound. Subsection (2) applies only to proceedings and agreements and therefore the provisions of the Industrial Conciliation and Arbitration Act, 1972-1979, that directly bind employers independently of an award, order or agreement will continue to bind hospitals and health centres.

New subsection (4) excludes the representation of a hospital or health centre without the commission's consent. Such a provision is necessary if the commission is to retain control of proceedings before the court and the Industrial Commission and negotiations for industrial agreements, and is necessary for the efficient disposal of industrial disputes.

Mr. BECKER secured the adjournment of the debate.

SUPERANNUATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 February. Page 2925.)

Mr. TONKIN (Leader of the Opposition): This short Bill is similar indeed to the Police Pensions Act Amendment Bill, which is also currently before us. The remarks I make now apply to that Bill, too. This situation has arisen where people with cost of living adjustments to their pensions or superannuation payments find themselves above the limit that is normally set for fringe benefits for pensioners. Those fringe benefits are worth a considerable amount to pensioners. They include not only Commonwealth medical and pharmaceutical benefits, but also transport benefits, and rates and tax concessions. It seems that a small cost of living adjustment can bring those people to a point where they lose far more than they gain. For that reason, I believe that the provisions of the Bill are sensible, and will certainly relieve much hardship in that grey area surrounding the cut-off point. I support the Bill.

Dr. EASTICK (Light): I think it necessary that the situation be recognised that, although there is support for the Bill, and no-one would deny the opportunity that will flow to the superannuant, the problem arises that the Commonwealth will be called on to meet much of the expense generated by the decision to be taken by the Bill. Beyond the cost to be met by the Commonwealth in meeting those additional costs associated with pension and telephone charges and health benefits, the State will also be involved in a number of additional costs, because it is responsible for finding 60 per cent of council rates, water rates and sewer rates that apply where a person has the benefit of the Commonwealth medical card. There is also the situation that, in respect of motor vehicle registrations and licences, there is a benefit to the person in receipt of the Commonwealth pension benefit.

I do not deny the right of superannuants to gain this benefit, but I make the point that the Parliament, by agreeing to the proposition, is accepting additional cost to the public generally and is foisting on the Commonwealth an additional cost which, indeed, the Commonwealth may in the longer term deem not to be its responsibility. Notwithstanding that we are seeking to allow a person to opt out of a certain superannuation benefit, the Commonwealth may take the view that it is a benefit in the hands of the pensioner, even though he is not taking it, and therefore the benefits for hospital and other Commonwealth costs will be denied superannuants. It is a relatively complex inter-relationship between Commonwealth and State responsibilities that the Government and the Opposition accede to. It is necessary that those other financial aspects of the matter be recognised before we take the step we are being asked to take.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Adjustment of pensions."

Dr. EASTICK: Is the Minister aware of the additional cost that this measure will bring to the State Budget, because of the fact that local government rates, sewerage rates, water rates and motor vehicle registration and licence concessions will flow to the superannuant who gains this benefit? The Government, I expect, has costed the benefits that it is seeking to pass on, and that information should be given before final approbation of the measure.

The Hon. D. W. SIMMONS (Chief Secretary): I do not have that information available but I know that the State,

representing the people of South Australia, is in a better position to meet these concessions than the superannuants are to lose them.

Mr. ALLISON: After a while some of the superannuants who have opted out of the scheme may regret that they have done so for various reasons, among which would be indexation upwards of benefits, putting them in a more advantageous position, had they accepted them, or the fact that subsequent increases would put them in a more advantageous position, had they accepted them. They would then want to apply to the board. Does clause 2 (10) include a provision that a person may apply to the board for a revocation of the previous decision, or is this a board decision?

The Hon. D. W. SIMMONS: I cannot give a direct answer to the honourable member, but it seems that the only conceivable reason why the provision would be included would be to do exactly as the honourable member suggests. The board makes the decision in the first place to give relief to the pensioner, and in the same way it would only revoke that decision in order to do the same thing. If, for some reason, the pensioner desired to be relieved of the benefit under the Bill, I am sure the board would agree.

Clause passed.

Title passed.

Bill read a third time and passed.

POLICE PENSIONS ACT AMENDMENT BILL, 1979

Adjourned debate on second reading.

(Continued from 22 February. Page 2924)

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

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

SOUTH AUSTRALIAN HERITAGE ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 21 February. Page 2874)

Mr. WOTTON (Murray): The Opposition supports this Bill and sees it as an important part of the South Australian Heritage Act. The Minister, in his second reading explanation, made great play regarding the Commonwealth's providing funds for heritage, under the National Estates Grants programme. The Minister accused the Federal Government of significantly cutting funding in the heritage area, which he said was most unfortunate. This sad story persuaded me to check that statement and I found that, in 1974-75, $981 000 was forthcoming from the Commonwealth. After the demise of the Whitlam Government, funds set aside to preserve the national estate were cut back, and in 1975-76 the grant was $906 000; in 1976-77, it was $246 000; in 1977-78, it was $338 000; and in 1978-79, $415 000 was provided.

It is all very well for the Minister to say that Federal funds were cut, but if we look more closely we see that funds set aside for almost all projects were cut and rightly so, for the country had suffered under a Government that had spent money lavishly and had run the country into a mammoth deficit. Cutbacks had to be made to get Australia back on its feet and the heritage funds did not escape. There has been a steady, if small, rise in contributions to the States to conserve the national estate. However, the sums provided have not been sufficient. Most projects are unique to this State and therefore State contributions should be larger.

The Opposition supports the Bill in principle because the need for financial assistance for the preservation of buildings and features which reflect the cultural heritage of this State is recognised. The Opposition has previously stated that items of heritage should not be confined to the cultural field but should also include natural items within the environment which are a very important part of our heritage and which can be destroyed or irreplaceably lost in the same way as buildings. I refer particulary to the town in which, I live, Mt. Barker, where, in 1939, 74 trees were planted to commemorate the centenary of the State.

They were planted to honour the pioneer women of the district and of a large area of the Adelaide Hills. The row of trees became the Pioneer Women's Memorial Avenue. Now, without much involvement on the part of the Environment Department, because it continues to tell us there is nothing it can do because this area is not covered by legislation, the Government has decided that a four-lane highway should go through the centre of Mount Barker and these trees, which are an important part of the heritage of this State, and particularly of that local area, are to be destroyed and removed to make way for this new freeway. I believe that it is vitally important that the natural environment and heritage are protected. I request the Minister for the Environment to look specifically at this area and treat it as one of importance.

The Opposition has some real worries about the trend rapidly being established in setting up such bodies, trusts, funds, corporations, etc., which have wide powers to borrow moneys that are guaranteed by the Treasury. These funds can accumulate quickly and become expensive. I have said before in the House that the proliferation of trusts, including those to manage national parks, is causing me much personal concern. These trusts are statutory bodies and can borrow up to $1 000 000. They can hold, acquire, deal and dispose of real and personal property. Such borrowings are guaranteed by Treasury, which must pay out of the general revenue of the State any moneys required to discharge obligations incurred by these trusts. I notice in the principal Act that a corporation is to be set up under the name "trustee of the State heritage". If one looks in a reputable dictionary a "corporation" is defined as a body of persons authorised to act as an individual. However, in this legislation, section 17 (3) provides:

> The corporation shall be constituted of the Minister.

So, in fact, the Act is really being amended to allow the trustee of the State heritage (the Minister) to borrow moneys from any person with the consent of the Treasurer and the payment of any such loans is guaranteed by the Treasury. What I am saying is that in this case we have the Minister for the Environment borrowing money with the consent of the Treasurer, who is the same person. That person is also the Premier at this time and has wide powers indeed regarding this legislation. I do not doubt that this legislation is important to the preservation of the heritage of the State. The Opposition has made clear that it actively supports such legislation.

Mr. EVANS (Fisher): I support the legislation. The importance of it to the State is recognised in the establishing Act. How effective it will be in the future will depend on how the Act is used, to the benefit of the State or otherwise. In the area I represent in particular, the Adelaide Hills, there are many old homes and gardens

that are part of the heritage. At one home, Manoah, Sir Josiah Symon, who helped draft the Australian Constitution, lived. He built the home in the latter part of the nineteenth century. It has now been partly or mainly destroyed by fire. A family has taken it over and attempted to restore part of it and maintain 20 acres of the original 240 acres surrounding it.

In the Adelaide Hills many homes of a substantial size have beautiful gardens that were planted, in many cases, over 100 years ago. In recent times, because of Government impositions by way of land tax and the method of valuation used in assessing council and water rates (and before long sewerage rates), the retention of many of these properties in their original state will be placed in jeopardy. They are allowed to be subdivided, in some cases, into half-acre allotments. This will mean that they will be destroyed and lost for all time. Beechwood was recently sold (I believe for about $350 000) to a private buyer, and is very important to the community. I am sure that the community is pleased that the new buyer appears to intend to retain the garden in much the state it is in at the moment.

Other properties have been sold in recent times for between $160 000 and $240 000 to private buyers. I visualise that this type of buyer will not be in the community for many years and these properties, many of which have connection with this place through the original occupants or subsequent occupants, should be preserved. I hope that the opportunity is given through this Bill for these properties to be retained. Perhaps they do not have to be owned totally by the State. Perhaps there is some way we can offer some form of subsidy if people are prepared to make their gardens available to the community to inspect and walk through in a responsible and proper way. Perhaps we can encourage people to open them as tourist attractions, as has occurred with traditional homes in Europe and England, as many of us have learned on visiting those areas.

[Midnight]

I agree with the member for Murray that many of the plantations of trees in public places in the Hills, and I think in other parts of the metropolitan area, were planted by citizens in recognition of past settlers and sometimes of servicemen. I do not believe that this Bill will necessarily preserve those things. All the trees will reach a stage where they outlive their useful life and they become a danger. The trees that are being removed from the Mount Lofty railway station were probably inspected by officers of the Botanic Gardens. It was their view that the trees had reached the end of their useful life and were becoming a danger, and it would be wise to remove them before the life of a human being was lost; so, they are being removed. I remember only too well a constituent who phoned me and complained that an oak tree at the entrance of Melville Road into the Belair Recreation Park was being cut by the Highways Department. She claimed the tree was planted 100 years ago. I had the pleasure of informing her, that as a scholar, I was given the privilege of marking the crowning of a king by planting that tree in 1936 as a coronation oak. That example shows how emotional some people can get and how they will spread stories which are not 100 per cent true. I support the Bill, and hope that, when it becomes an Act, it is used in a proper way to preserve that much of our heritage that our State can afford to preserve and service throughout the history of the State in the future.

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

WATER RESOURCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 February. Page 2505.)

Mr. ARNOLD (Chaffey): On a number of occasions over recent years I have commented that I believed the Water Resources Act was one of the better pieces of legislation introduced by this Government, and I continue to hold that view. By and large, it is a reasonably good piece of legislation. As the Minister said in his second reading speech, the amendments have been proposed following a review of the operation of the Act since 1 July 1976, taking account of administrative experience and the views expressed by the Chairman of the Water Resources Appeals Tribunal. The proposals put forward in this Bill show that a number of anomalies exist in the principal Act.

The amendment to clause 4 will enable the Minister to grant a water licence without receiving an application. In fact, this practice has been in effect since the inception of the Act, but it has been carried out by the Minister without the necessary legislative backing. It is necessary, therefore, that that amendment be put through.

Clauses 5, 6, and 7 re-enact the previous powers which the Minister had and which were contained in the repealed Control of Waters Act and the Underground Waters Preservation Act. The Government is looking to reinstate the provisions provided in the management of waters in South Australian in days gone by. The present regulations provide for power of suspension and other forms of penalty which the Minister may impose on divertees as a result of breaches of the Act. However, sections 29 and 43 of the Act provide that modifications of terms and conditions of the licence can be made only with the consent of the licence holder. Thus, the regulations are beyond the power of authority contained within the Act. Quite obviously, the Act has to be amended if the Government wants to continue with the procedure that it has adopted since the inception of this Act.

Whilst sections 32 and 45 provide for modification in the event of an offence, it relates only to the current licence, and no adjustment can be made to a licence for a succeeding year if it has already been issued. From a management point of view, I accept the Minister's explanation that it is necessary that these amendments be put into effect. Also, if we look at the new policy which has just been announced by the Minister in relation to water diversions from the Murray River, it becomes very apparent that it is necessary for the Minister to have these amendments instituted in the near future if he is to implement the policy which has just been announced. The Government intends to reduce the water allocation of private irrigators who have not been using their full entitlement. This has created great concern for private irrigators, and that concern is certainly not without foundation. In many instances, private divertees who may have had a licence to cover 30 or 40 hectare of land are suddenly finding that they will have sufficient water under the proposed new allocation to cover only five or six hectares. Quite obviously, any property in a low rainfall area will no longer be a viable concern when three-quarters of its water allocation is removed.

The value of any property is based very largely on its ability to produce and, without water, there is no potential whatever for production. The matter is of concern not only to private irrigators but also to banking institutions and other finance bodies which are providing the necessary funds for the irrigation equipment and for the private irrigator to exist while he is developing his property. All in all, it has created a real degree of concern in the

community. Some of the feelings of the private irrigators are spelt out in the editorial of the *Loxton News* of Wednesday 21 February 1979. Under the heading "Water allocations", the editorial states:

> A review of water allocations for private irrigators, announced last week, looks like creating some problems for fruitgrowers, in this area at least. Contrary to information contained in that statement, new allocations for local private irrigator groups, comprising some 24 growers, have apparently been based on a single year's water usage, not "the maximum amount of water used by each divertee over the last four financial years", as was stated. That in itself will be a solid base for objections planned by those affected by allocations set in this manner.

The editorial goes on to indicate the problems that the private irrigators will face. The situation of every private irrigator is different, and in most instances there is a valid reason why the water diversion licence has not been taken up to the full. Earlier today, I cited the example of a person buying a property in the last two or three years, and not having adequate finance to develop it immediately. The diversion during that period has been comparatively low. Having paid a substantial figure for the property, knowing that it has a potential of developing some 30 or 40 ha of irrigation, and then finding that the area will be reduced to 5 or 6 ha, means that the proposition is no longer viable, and the family concerned could lose its life's savings as a result of this action by the Government.

I trust that the Minister will see that proper consideration is given to each individual case that comes before the Water Resources Branch, so that such situations will be avoided and so that the divertee concerned will receive his full water allocation.

One divertee was asked by a Government department that intended acquiring his property not to irrigate the land in the previous year. The department then decided not to proceed with the acquisition, and the private divertee has suffered the consequence of not having diverted any water during the year when he was requested by the Government not to pump. Numerous other examples could be cited.

The Government should take this matter seriously, and I suggest to the Premier that he should make available the Manager of the Water Resources Branch to attend meetings along the Murray River in South Australia, to explain to private irrigators precisely what the Government has in mind. A similar course of action was followed by the State Planning Authority; when it produced the Riverland Planning and Development Plan, officers were made available to explain what the Government had in mind. As a result of considerable agitation and concern by the people involved, the Government has decided not to proceed with the implementation of the planning and development plan.

I call on the Premier to make available the Manager of the Water Resources Branch. This should be done, as a matter of urgency, within the next week or two so that the Government's policy can be clearly spelt out to the private irrigators. Once that has been done, they will be in a better position to accept or reject the stand which has been adopted by the Government. It may become apparent, after discussions at public meetings with the Manager of the Water Resources Branch, whether the matter will once again become a political issue, and whether the Government is going to go overboard in the implementation of the policy. Obviously, it is important to the Government that this Bill should go through, making amendments to the principal Act. However, it is also of vital importance to the future of the private irrigators in South Australia that they have an opportunity of discussing at first hand with the Manager of the Water Resources Branch the policy outlined by the Premier in relation to future irrigation diversions.

If that can be done within the next fortnight, many of the fears held by private irrigators could probably be dispelled. If that assurance is not forthcoming from the Premier and from the Water Resources Branch, we are in for a long hard struggle once again to convince the Government of the appropriate action that should be taken. I support the second reading.

Mr. GOLDSWORTHY (Kavel): I support the remarks of the member for Chaffey. It is fairly obvious that the Government found one or two flaws in the principal Act, and it would seem that some of the administrative practices of the department do not have legislative backing. In one area at least, it seems that the intent of the Government was not fully carried out in the original Act.

The Bill makes five disparate amendments which have proved necessary in the light of experience. It extends the application of the Act to publicly owned artificial water channels. The new definition of "watercourse" is all inclusive. "Waters" applying to watercourses covers the whole gamut or natural of artificial watercourses. It would appear that the the legislation will now include reclaimed water, such as that available from Bolivar, and that licensing will apply there in future as applies at present under Part III of the Act. Further amendments clarify and give legislative backing to what is current administrative practice in relation to the issuing of licences to take water from proclaimed watercourses.

Thirdly, the amendments seek to control the situation arising when water is used in excess of the conditions of a licence. As has been pointed out, I do not think that the current legislation gives effect to what the Government intended. Originally, it could reduce the quantity of water under a licence. That was not provided for, because, as the member for Chaffey has pointed out, the consent of the licensee had to be obtained before any change could be made, and it was highly unlikely that the licensee would agree to a proposal such as that. It is intended that that position shall apply, and that requires amendment.

The only sanction at present is prosecution, which is considered too severe in many cases, in relation to the breaches that occur. The fourth amendment is in relation to the system of charging for excess water used in excess of an allocation. That provision currently operates, but it would appear that this is an area which has no specific legislative authorisation, although it is current present practice, and the Bill seeks to amend that.

The final amendment allows the appeal tribunal to admit scientific and technical data which have been before the tribunal previously. That seems a reasonable provision. If scientific or technical data have been before the tribunal and are known to the tribunal, and there is no doubt as to the accuracy of the material, it would seem logical that that could be used by the tribunal in future appeals. I endorse the remarks of the member for Chaffey and support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

Mr. ARNOLD: Paragraph *(c)* under the definition of "watercourse" states:

> "any artificial channel that is vested in or under the control of a public authority."

What is the need to include that provision, and how far reaching is "any artificial channel"? It could relate to any

irrigation diversion channel of any size. Therefore, it could be so far reaching that it was limitless.

The Hon. J. C. BANNON (Minister of Community Development): This provision has been prompted by the decision that the most appropriate method of managing the utilisation of reclaimed water, such as that produced at the Bolivar Sewage Treatment Works, would be licensing in the same manner as applies to proclaimed watercourses under Part III of the principal Act.

Mr. ARNOLD: Would the provision include small branch diversion channels under the control of irrigation trusts controlled by private irrigators, since they are involved with the Murray River proper?

The Hon. J. C. BANNON: I presume that, if it is a public authority, the provision would apply and that, if it is not a public authority, the provision would not apply.

Clause passed.

Clauses 4 to 7 passed.

Clause 8—"Prodeedings before the Tribunal."

Mr. GOLDSWORTHY: Can the Minister say whether there is any time stricture on this provision, because scientific and technical evidence becomes outdated?

The Hon. J. C. BANNON: The clause states "may", so it is a discretionary power of the tribunal and, therefore, it is open to any party to ask the tribunal to exercise that discretion or not, as the case may be. If the transcript of evidence is challenged by either of the parties, presumably the appropriate expert could be brought in to give further evidence. The main purpose of the subclause is to prevent a situation where experts have to continue to keep coming. They are busy people who are engaged on important duties, and asking them to give evidence that was essentially the same seems illogical. If the tribunal had new facts or if one of the parties had new evidence to put before it, new experts could be brought in; otherwise there would be no reason to bring these experts to court again and again to give what was essentially the same evidence.

Clause passed.

Clause 9—"Regulations."

Mr. ARNOLD: Has the Minister any idea of the magnitude of the number of new regulations we may anticipate as a result of the Bill? We already have, as a result of the Water Resources Act, about 67 pages of regulations. That is typical of the type of legislation we see these days. We have a Bill as a framework, and later we have virtually hundreds of pages of regulations. Where will this end, and does the Minister anticipate another great batch of regulations? Parliament will not be sitting for the next four or five months, and new regulations could have a marked bearing on the people who have to live with and work under this Act.

The Hon. J. C. BANNON: The honourable member would know better than I the complexity and importance of this legislation, and the regulations attached. I assure him that no more regulations will be made than are necessary to ensure the proper working of the Bill.

Mr. GOLDSWORTHY: The explanation given for the inclusion of this clause was that the department currently levies excess water charges for water used in excess of the divertee's allocation. It was explained in the second reading speech that this regulating power has been included in the Bill to give regulatory backing to current practice. Does one conclude from that that current practice has been illegal?

Mr. ARNOLD: This clause is extremely important in view of present Government policy, which was outlined earlier this evening, whereby the Government is in the process of substantially reducing the water entitlement of many growers and water divertees in South Australia. The Parliament will not meet for a considerable time. Regulations can be made under this clause and could have a devastating effect on the future livelihood of families involved in this industry in South Australia. This is an important clause, because regulations made under it could be critical for some people.

The Hon. J. C. BANNON: I am sure that the Minister is well aware of that and does not intend to devestate the livelihood of families throughout the State. The charges fixed will be appropriate. They will be subject to regulation and, subsequently to disallowance of the House if anything is thought to be wrong.

Mr. GOLDSWORTHY: The only reason given for the inclusion of this regulating power is to regularise current practice. The logical conclusion to be drawn from that explanation is that current practice has no basis in law. Is that the current situation? This is not unreasonable information to elicit from the Minister.

The Hon. J. C. BANNON: The situation seems to be ambiguous, and no higher than that. The Bill clarifies the position. An alternative to present practice would be to initiate prosecutions in each and every case, and I am sure the honourable member would not want that.

Clause passed.

Title passed.

Bill read a third time and passed.

WHEAT INDUSTRY STABILIZATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 February. Page 2506.)

Mr. VENNING (Rocky River): Who is the Minister opposite handling this Bill on behalf of the Government? I will be interested to hear the comments of the trio present, and I hope they will be in tune.

In speaking to this Bill, one remembers with a great deal of appreciation the late Tom Stott, C.B.E., and the part he played in bringing about orderly marketing in the wheat industry. From time to time, since soon after the Second World War, since 1948 the South Australian Parliament, with other State Parliaments and with the Commonwealth Parliament, passed complementary legislation for the formation of a negotiated wheat stabilisation agreement.

Involved in the fundamentals of the Wheat Stabilization Act is the Australian Wheat Board so members and others can see that this Bill in its entirety is very important and precious to the Australian wheat growers.

This amending legislation applies to the present five-year plan, which terminates later this year. This amendment legislation deals with two main purposes. First it introduces provisions into the principal Act to establish a control scheme for wheat varieties; secondly it alters the legal basis on which the board makes payments to State bulk handling authorities in respect of storage and handling costs. At present, growers throughout the Commonwealth are able to grow and deliver any varieties that they wish, which are classed as hard and soft. That is the only classification that applies.

It would be true to say that for some time now the wheat industry has been agitating to bring about measures to unify wheat sample and quality for marketing. I believe, that the steps taken in this legislation will do just that. I understand the impact of the varietal control will not come into operation for the 1979-80 harvest—the next harvest.

The Minister made a mistake in this second reading explanation when he said that it was not intended that deductions for varietal control would be actually imposed in respect of wheat of the 1978-79 harvest. That is the past

harvest, and provisions could not apply to that. The year refered to should have been 1979-80.

The delay in the proclamation to the 1980-81 season will enable growers in the meantime to select varieties recommended to their districts by the appropriate authority through the Minister. This Bill also sets out to alter the whole aspect of remuneration by the Australian Wheat Board to State bulk handling authorities.

Until now, the running expenses of all State bulk handling authorities had been pooled by the Wheat Board and had become a cost in total in that year to that specific pool. Now this amending legislation changes the system to that of State accounting.

I believe that this change will mean much to the South Australian growers because they will not be called on to bear some of the heavy expenses and losses incurred, particularly in the Eastern States. South Australia has one of the most modern and efficient bulk handling authorities in the world, and the efficiency of this State authority will be taken care of in this legislation to the benefit of South Australian grain producers, including the overseas producers in the electorate of Alexandra on Kangaroo Island.

Another interesting aspect of this legislation is that it finalises the arrangement that has been operating for many years whereby Western Australian growers receive a plus to the extent of a ceiling of 92 cents per tonne because of their geographical advantage to markets. Because of the State accounting, Western Australia's geographical advantage will be actual and not prescribed. In conclusion, I quote an extract from "Wheat" by C. J. Dennis, as follows:

> When the settin' sun is gettin' low above the western hills,
> When the creepin' shadows deepen, and a peace the whole land fills,
> Then I often sort o' soften with a feelin' like content,
> An' I feel like thankin' Heaven for a day in labour spent.
> [not Labor]
> For my father was a farmer, an' he used to sit an' smile,
> Realizin' he was wealthy in what makes a life worth while,
> Smilin', he has told me often, "After all the toil an' heat,
> Lad, he's paid in more than silver who has grown one field of wheat."

My Party supports this legislation.

Mr. BLACKER (Flinders): I support the second reading of this Bill. It is a straight-forward measure and is intended to be complementary to Commonwealth and State legislation. It is the conclusion of the present five-year plan; a new five-year plan is soon to be implemented. The varietal clause, which allows the board and grain-marketing authority to delineate between varieties of wheat and issue directions to growers that they should produce only certain varieties in certain areas, has been questioned in my area because some of the varieties recommended by the department have not necessarily been the most economical or desirable varieties for that particular area.

I can see a conflict of interest in this legislation, particularly if a penalty rate is applied to an unrecommended variety. I raise this matter because it is a reality and something that is occurring at the moment with farmers who are growing unrecommended varieties. There are 30 or 40 varieties of wheat that can be grown, and the department recommends only two or three. Its recommendation is an advantage from a marketing point of view, but where an additional variety has proved to be an economical proposition in an area and has proved able to yield a viable return, we see this provision raising a conflict. I raise this issue because it has been taken up on more than one occasion. I think the remainder of the Bill is straight forward and has been adequately canvassed by the member for Rocky River. I am not a wheat grower in my own right, but many of my constituents no doubt are.

The other major change for the industry is in the payment for returns. Members would be aware that payment for wheat is directed through the co-operative bulk handling organisation through the Australian Wheat Board. This Bill enables each State to undertake its own financing and payment arrangements. I take up the point raised by the member for Rocky River about reference being made in the second reading explanation to the 1978-79 season. I will be grateful if the Minister explains whether, in fact, that was a misprint and should refer to the 1979-80 season. The 1978-79 season is the one that has just passed, and the Bill could be interpreted as retrospective legislation if that date were included. If that is not the case, will the Minister explain why he mentioned those dates, because it could have just as easily have started with the 1979-80 season, which is the season that will commence the new five-year plan. Why was 1978-79 mentioned, bearing in mind it is the last year of the five-year agreement?

Mr. GOLDSWORTHY (Kavel): On the recommendations of the member for Rocky River, we support the Bill 100 per cent.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5— "Prices to be paid for wheat."

Mr. VENNING: I understand from talking to the industry that if any grower produces wheat of a variety not acceptable the grain will still be taken by the board, but at a discount, so growers in some areas who think it will pay to continue to grow a variety that is not recommended can take a discount, because it suits the locality. I hope growers can see the wisdom of producing varieties recommended by the appropriate authority. Mention was also made by the member for Flinders that it was a mistake when the Minister referred to the 1978-79 season and that it should be the 1979-80 season, which is the next season. Growers will be able to grow what they wish in this coming growing period without any restriction or discount, but in the following season they will be required to grow the required varieties. This will allow growers to get the varieties required for the growing season 1980-81.

Clause passed.

Clause 6 and title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN FILM CORPORATION ACT AMENDMENT BILL, 1979

Adjourned debate on second reading.

(Continued from February 22. Page 2925.)

Mr. WILSON (Torrens): This Bill amends the functions of the South Australian Film Corporation to allow it to invest in films of which it is not the producer. It amends the powers of the corporation to allow it to advance production moneys to any person for film production. It also empowers the corporation to invest any moneys not immediately required with the Treasurer. However, the most important thing is that it gives the corporation the power to invest in outside promotions of a film that is not being promoted or produced by itself. Until now the

corporation has welcomed the investment of other Australian film corporations such as the New South Wales Film Corporation, and it has also welcomed the investment of commercial bodies but it has not had the power to invest in a reverse direction.

Undoubtedly, the South Australian Film Corporation is in fairly serious financial difficulties at present. The question is whether this measure will in fact help the corporation to generate a cash flow and then perhaps reduce the deficit, if not make a profit from its operations. The annual report for the year ended 30 June 1978 shows the financial situation of the corporation as at that date. For that year there was a net deficit for the corporation of $208 991. That net deficit was made up of a loss on film production and distribution of $193 169, the balance being a loss in providing film library services. The net loss for the previous year was $288 388. This has been the trend for the past three years, where the net loss has reduced slightly.

In looking at the figures a little more deeply, we see that $303 000 was received in that financial year as the return on the successful production of *Storm Boy*. This figure included overseas sales. The disturbing feature is that a successful film will not always be repeated, although we have had two very successful films in *Picnic at Hanging Rock* and *Storm Boy*. I understand that the latest major feature *Blue Fin* has not been the success that the corporation, or in fact the citizens of South Australia, would wish. The net loss of $208 991 is further complicated by the fact that the Government had to pay interest on borrowed moneys of $245 478 out of Consolidated Revenue. Almost $500 000 in subsidies was required out of Consolidated Revenue by the State Government. Therefore we should look into the situation a little more deeply. The report in discussing the difficulties before the corporation, and states at page 5:

> Many obstacles in establishing a stable and profitable industry have yet to be overcome, particularly the increasing costs of production and marketing and the high cost of selling films overseas on a one-off basis. In almost all instances overseas sales are necessary for Australian films to go into profit and corporation productions have been influential in creating international awareness and acceptance of Australian films.

The report then goes on to delineate the success story of *Picnic at Hanging Rock*. The report continues:

> Factors that contributed to the overall loss included: reduction by the corporation of its mark-up on sponsored films. This was done to make maximum production funding available to local industry. Australian cinema attendances continued at a depressed level, except for such films as *Storm Boy*, and a limited number of heavily promoted and deservedly successful overseas productions: high cost of developing future projects. The corporation has decided to defer a number of projects due to continued scarcity of production finance and the depressed level of Australian cinema attendance. Consequently the book value of these projects comprising the cost of options and rights, film treatments, first drafts and staff time has been written down considerably.

I believe that is a very important point. The report concludes:

> Although the general quality and diversity of Australian productions is steadily increasing, they are no longer a novelty with Australian audiences and must compete on their merits with imported films. The number of Australian productions is still perhaps too high, resulting in major Australian productions competing with each other at the same time in the limited local market.

I believe that merely echoes the remarks I have just made. It is pertinent to mention that the accumulated loss of the corporation over the past few years, according to the Auditor-General's Report at page 424 amounts to $1 387 000. That means that we must look very closely at the future of the South Australian Film Corporation. Most South Australians have been proud of the way the corporation has produced at least two major films of international repute. In my mind, and in the mind of the Opposition, there is no doubt that Australia as a whole cannot afford to have several film corporations all competing with each other. It is true of course that the South Australian Film Corporation does not only provide feature films. It provides Government information films and the like.

Mr. Evans: It has a monopoly.

Mr. WILSON: In fact, it does have a monopoly. Indeed, the State cannot continue to subsidise the corporation at a cost of $500 000 a year. I am very glad to say that the corporation seems to have realised that, and the initial heady rush to gain the international market has been modified.

The time for us to extend the activities of the Film Corporation is when we have full employment and an economy that is moving ahead, not at this stage, when we have just the opposite. The Opposition supports the Bill. We hope that these added powers, which the Bill will give to the Film Corporation, will enable it to achieve a degree of prosperity.

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

ALSATIAN DOGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 February. Page 2440.)

Mr. EVANS (Fisher): I support the legislation, although some amendments are necessary. I shall be moving one, and I believe the member for Alexandra and the member for Light will be moving small amendments. The Bill is consequential on another which is before the Parliament at present. It was suggested that the Alsatian Dogs Act should be repealed and that the provisions should be included in the Registration of Dogs Act, but that was neither as convenient nor as simple as at first appeared. I support the Minister's move to amend the Act.

Mr. CHAPMAN (Alexandra): Having read the Minister's second reading explanation, I appreciate the desire of the Government to allow persons to traverse through northern areas in which Alsatian dogs are banned. For that purpose, it is proposed that permits should be issued so that Alsatian dogs can be taken to those areas. The original Act was amended in 1965 and, as far as I can recall from the records, it was at that time that the two district councils on Kangaroo Island made submissions through my predecessor, Mr. David Brookman, to have the principal Act amended to include Kangaroo Island, along with the northern areas of the State, as parts of South Australia in which Alsatian dogs were banned.

Subsequently, applications have been made by residents and persons from the mainland and other States who have taken up residence on Kangaroo Island to bring with them and to keep as pets German Shepherd dogs or, as we know them, Alsatians. On each occasion, applications lodged with the respective councils have been rejected.

I do not want to go into the detail of whether or not dogs should be allowed in the community, but when the District Council of Kingscote and the neighbouring council from

the Dudley district applied to have Alsatian dogs banned from Kangaroo Island, there was ample reason to do so and the Parliament accepted that the island community should be identified in the Act as a part of the State from which the dogs were banned. However, a request has been made of the Government to provide for Alsatian dogs to be taken through the northern part of the State where they are now banned. I recognise the need, and support the proposal put forward by the Government, although with certain reservations, concerning the northern areas.

I have not had a chance to contact the northern rural community organisations to determine their views on the amendments. I can only assume that the Government, in its promises to the community, has made appropriate contacts with representatives of the northern rural community and has proceeded with their approval. I hope that is so, and that the Government has full support from those areas of the State which are outside of local government areas and which by law preclude Alsatian dogs.

In committee, I intend to move an amendment simply to exclude from that part of the Minister's amendment the opportunity for Kangaroo Island to be embraced within an areas in which the Government—

The SPEAKER: Order! The honourable member cannot speak about an amendment.

Mr. CHAPMAN: I propose to have excluded from the Bill that part of South Australia to which I have referred. I shall be quite happy to move the amendment and to support it in Committee.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Prohibition of keeping Alsatian dogs in certain parts of the State."

Mr. EVANS: I move:

Page 1, after line 9—Insert:

(aa) by striking out from subsection (2) the passage "twenty dollars" and inserting in lieu thereof the passage "two hundred dollars".

My intention is to amend the Act to put the penalty for breaches of the Act in a similar monetary range to those in the Registration of Dogs Act for the more serious offences. In certain circumstances, offences against this Act could be quite serious in the stock and environmental aspects of the State.

Amendment carried.

Dr. EASTICK: I move:

Page 1, after line 9—Insert:

(ab) by striking out from paragraph *(a)* of subsection (4) the passage "or The Garden Suburb"

The situation is that, in 1976, the Garden Suburb Act was repealed, and the Garden Suburb was taken into the Mitcham council. It no longer exists and, whilst this would not create any special problem if left in the Act, this is an opportunity to tidy up these superfluous words.

Amendment carried.

Mr. CHAPMAN: I move:

Page 2, line 3—Leave out "the part of the State" and insert "any part of the State (excluding Kangaroo Island)".

Section 3 (7) provides that the Minister or any person appointed by the Minister may grant a permit to any person travelling with an Alsatian dog authorising that person, subject to provisions as may be specified in the permit, to have the dog in his possession or under his control while he is travelling through the part of the State to which the Act applies. The Act applies to Kangaroo Island. Alsatian dogs are totally banned in that district for good reasons, and it would be remiss of me if I did not raise this matter on behalf of the two district councils in that community. I know their attitude towards the applications that have been lodged with them to have the Act amended to allow these dogs on the island. They are adamant about their attitude toward the entry of Alsatian dogs into the community. The national parks and reserve areas of the island have grown to occupy about one-quarter of the total area of that community on which are some of the renowned fauna parks of the nation.

On behalf of those seeking to control these fauna parks and have them available for public enjoyment, certainly on behalf of the rural community generally, who have expressed deep concern when any suggestion of entry of Alsatian dogs in that community has been raised, and on behalf of the residents not connected with either of those previously mentioned areas, I oppose any possibility of an Alsatian dog entering the community. I appreciate that the Bill provides for the Minister or for officers under the Minister to grant permits to persons on certain conditions. Hopefully, on the passage of the Bill, such permits will apply with the most stringent conditions, irrespective of where Alsatian dogs are sought to be taken. With respect to the island, in particular, I hope that a permit is never issued. Even though the Bill specifically states that a permit may be issued in relation to a dog in the possession or control of any person while that person is travelling through that part of the State, there are circumstances in which I believe that a person could fall into that category and travel by public transport to the island by the *Troubridge* during a tour, for example, to the West Coast of South Australia, stop off on the island for a day and, with a benefit of a permit, take the dog ashore and go on through that port to Port Lincoln and beyond.

I know that the circumstances are remote and that the possibility of the Government's issuing a permit to a person travelling through to the West Coast might also be remote. In all fairness, it would be difficult for the Government to refuse a permit from an applicant who sought to travel from Port Adelaide to the West Coast, for example, in transit to Western Australia. If he chose to go by the well-patronised *Troubridge* from Port Adelaide to Kingscote and to Port Lincoln, the Government might have some difficulty in denying such a traveller a permit. To exclude any possibility in either of those two circumstances of having a permit issued, and by so doing having a dog get on to Kangaroo Island, I have moved my amendment. My amendment does not destroy the effect of the Bill or what the Government proposes to observe, but it protects a community which for years has violently opposed any possibility of an Alsatian dog, a rabbit, a fox, and so on. I know that the Minister is aware of the responsible calibre of the councils on the island and is probably aware of their attitude towards the subject, and I seek his support for my amendment.

The Hon. G. T. VIRGO (Minister of Local Government): The honourable member has convinced me that what we have put up is wrong, and needs rewording, and that we are improperly providing a privilege to Kangaroo Island that we are not providing to the pastoral areas of the rest of the State. He has convinced me that we are wrong in doing that, and accordingly I propose to move that progress be reported so that I may prepare the appropriate amendments so that that wrong, which the honourable member has pointed out to the Committee, can be rectified, so that the people on the island are treated in exactly the same way as are the people of Tarcoola, the Far North, the Far West, or anywhere else.

Progress reported; Committee to sit again.

REAL PROPERTY ACT AMENDMENT BILL (No. 3)

Returned from the Legislative Council with amendments.

BOOK PURCHASERS PROTECTION ACT REPEAL BILL

Returned from the Legislative Council without amendment.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL, 1979

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 1.22 a.m. the House adjourned until Wednesday 28 February at 2 p.m.