HOUSE OF ASSEMBLY

Tuesday 19 April 1983

The SPEAKER (Hon. T.M. McRae) took the Chair at 2 p.m. and read prayers.

DISTRICT OF BRAGG: BY-ELECTION

The SPEAKER: I wish to report that on Sunday 10 April I received the following letter:

Dear Mr Speaker,

I hereby resign as member for Bragg in the South Australian Parliament as of 10 p.m. this evening.

Yours faithfully,
David Tonkin.

Following the receipt of the resignation I continued the convention initiated by my predecessor and, after consultation with the Premier, the Leader of the Opposition and the Electoral Commissioner, advised His Excellency the Governor of my intention to issue a writ for a by-election pursuant to section 50 of the Electoral Act, 1929-1982. It is my intention to issue the writ on Thursday 21 April with nominations closing on the 29th. The poll will be held on Saturday 14 May with the writ returnable to me by the 27th.

PETITION: RESERVOIR DRIVE AND FLAGSTAFF ROAD

A petition signed by 1 548 residents of South Australia praying that the House urge the Government to provide sufficient funds for the realignment and improvement of Reservoir Drive and Flagstaff Road, Happy Valley, to South Road, Darlington, was presented by the Hon. R.K. Abbott.

Petition received.

PETITION: BEEAMA-PARSONS ROAD INTERSECTION

A petition signed by 106 residents of South Australia praying that the House urge the Government to upgrade the Beeama-Parsons road intersection, Padthaway, in line with the Tatiara District Council recommendations was presented by Mr Rodda.

Petition received.

PETITION: MURRAY RIVER BOATING

A petition signed by 121 residents of South Australia praying that the House urge the Government to delay the introduction of regulations relating to the zoning of boating areas of the Murray River was presented by the Hon. D.C. Wotton.

Petition received.

PETITION: COOBER PEDY POWER SUPPLIES

A petition signed by 190 residents of South Australia praying that the House urge the Government to reduce the high tariff rate imposed on the residents of Coober Pedy for electricity was presented by Mr Gunn.

Petition received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard.* All questions on the Notice Paper except Nos 62, 68, 72, 73, 77, 82, 91 to 95, 97, 111, 113, 114, 120, 122, 124, 128 to 130, 135, 136, 139, 140, 143, 150, 152, 154 to 157, 159, 164, 166, 167, 172, 173 and 177.

MINISTERIAL STATEMENT: NATIONAL ECONOMIC SUMMIT

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

Leave granted.

The Hon. J.C. BANNON: Last week I participated in the national economic summit convened by the Federal Government to secure broad agreement on an incomes and prices policy and national recovery strategy. Government, employer and trade union representatives met to discuss the state of the economy and to reach a consensus on the approach required to restore economic prosperity in Australia.

The people of Australia signalled their support for such a summit through the strong mandate they gave to the Government on 5 March this year. With a deeply recessed economy and growing divisiveness in the Australian community, the need for a new approach was rightly viewed as critical to economic recovery. The summit provided a vehicle for reconciliation, reconstruction and recovery: a sound basis for a sustained national effort for recovery.

The Prime Minister (Mr Hawke) set the tone and established the themes of the conference. The main tasks of the economic summit were to secure broad agreement on an incomes and prices policy and to promote sustained economic recovery. The summit also sought to devise machinery to achieve consensus on wage-fixing methods, price surveillance and restraints on non-wage incomes. Broad agreement was sought on the relationship between a successful wages and prices policy and the implementation of policies on industrial relations, job creation and training, taxation, social security, health, education and other major community services.

Nearly all participants in, and observers of, the summit can feel some satisfaction in having achieved a high degree of consensus on the path we should take to secure economic growth in Australia. Largely, the achievement of consensus stemmed from the conciliatory approach of the summit participants, developed in acute awareness of the seriousness of the economic crisis and the necessity for all groups to make concessions. The trade union movement presented a plan for economic recovery involving genuine concessions in recognition of the fundamental importance of protecting and creating employment. It was accepted that the employed have a commitment to those presently unemployed and that seeking the achievement of lower rates of inflation and higher levels of employment involves moderation in wage demands.

Employers also quickly realised that they needed to go further than merely advocating the extension of the wage pause as an answer to all our problems. They demonstrated their willingness to go beyond sectional concerns in the national interest. The outcome of the summit embodied in the communique indicates the willingness of Governments, employers and the trade unions to acknowledge the respective contributions they can make towards national recovery, and to commit themselves to a recovery strategy. Key recommendations in the communique are agreement on the return

to a centralised approach to wage fixation, and the reassertion of the primary role of the Conciliation and Arbitration Commission in the determination of the timing and amount of wage adjustments; acceptance of the establishment of a price surveillance mechanism and of the need for restraint in non-wage incomes; and agreement to establish an Economic Planning Advisory Council to continue the process of consultation begun at the summit conference. The communique recognises presentations I made on South Australia's behalf at the summit in that it includes a commitment to retaining programmes of industry protection in the current economic climate; the priority that needs to be given to alleviating the problems of particular manufacturing industries, such as steel and motor vehicle industries; and the need to introduce an active industrial development policy. Participants also agreed that a substantial boost to the housing and construction industry would be a major component of the recovery strategy. This decision is of great importance to South Australia.

As I stated in my address to the summit, a consensus on a prices and incomes policy facilitates a breathing space to enable a restoration in Australia's international competitiveness, to break the inflation cycle, and to provide the appropriate preconditions to allow Australia to take advantage of any international recovery. The agreement embodied in the communique establishes the necessary groundwork for national recovery and opens the way for a more detailed assessment of the problems we face and the means of ensuring sustainable economic growth. Overall, the summit represented a major achievement on the part of the new Federal Government in allowing all interests to contribute to economic recovery. I now table the communique.

MINISTERIAL STATEMENT: KANGAROOS

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I seek leave to make a statement.

Leave granted.

The Hon. D.J. HOPGOOD: In the last week of sitting before the recent adjournment, in response to a question from the member for Unley I committed a schoolboy howler in respect of the kangaroo population on this continent. Having checked the matter with the Commonwealth national parks and wildlife authorities, I am reliably informed that the minimum population of kangaroos on this continent is probably 21 000 000.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Labour (Hon. J.D. Wright)—

Pursuant to Statute—

I. Industrial and Commercial Training Act, 1981—Regulations—Dental Prosthetics Training.

II. Industrial Safety, Health and Welfare Act, 1972-1981—Regulations—Lasers.

III. Shearers Accommodation Act, 1975-1978—Regulations—Shearers Accommodation.

IV. Workers Compensation Act, 1971-1982—Regulations—Workers' Compensation for Sportsmen.

By the Minister for Environment and Planning (Hon. D.J. Hopgood)—

Pursuant to Statute—

I. National Parks and Wildlife Service—Report, 1981-82.

Planning Act, 1982—South Australian Planning Commission Crown Developmennt Reports on—

II. Proposed Development at Ashbourne Rural School.

III. Proposed Redevelopment at the Victor Harbor High School.

IV. Proposed Transportable Classrooms at Koonibba, Hundred of Moule.

V. Proposed Division of Land contained in Irrigation Perpetual Lease 1207.

VI. Proposed Acquisition and Transfer of Land by Commissioner of Highways.

VII. Proposed Borrow Pit Operation in the Hundred of Robertson.

VIII. Proposed Land Acquisition for Panalatinga Road.

IX. Proposed Land Acquisition for Ocean Boulevard.

X. Proposed Division of Land, Section 349, Hundred of Holder.

XI. Proposed Division of Land, Section 71, Hundred of Holder.

XII. Proposed Erection of a Radio Tower and Base Hut at Newland Hill, Victor Harbor.

XIII. Acquisition and transfer of land for Road Purposes (2).

XIV. Proposed Division of Land in District Council of Paringa.

XV. Propopsed Development at Point McLeay.

XVI. Proposed Division of Land contained in Irrigation Perpetual Lease 487.

XVII. Division of Land at Paradise.

XVIII. Proposed Erection of Two Transportable Classrooms at Murraylands TAFE.

XIX. Proposed Division of Surplus Land at Hynam.

XX. Proposed Erection of Single Transportable Classroom at Padthaway Primary School.

XXI. Proposed Dwelling at Lot 282, Potter Place, Cleve.

XXII. Proposed Radio Towers and Buildings, Section 186, Hundred of Bonython.

XXIII. Proposed Development at Loxton High School.

XXIV. Proposed Erection of Single Timber Classroom at Kangaroo Inn Area School.

By the Minister of Lands (Hon. D.J. Hopgood)—

Pursuant to Statute—

I. Real Property Act, 1886-1982—Regulations—Lessee of Allotments.

By the Minister of Education (Hon. Lynn Arnold)—

Pursuant to Statute—

I. Meat Hygiene Authority—Reports, 1981-82.

II. Woods and Forests Department—Report, 1981-82.

By the Chief Secretary (Hon. G.F. Keneally)—

Pursuant to Statute—

I. Mental Health Services, Director of—Report, 1981-82.

II. Opticians Act, 1920-1974—Regulations—Advertising.

By the Minister of Community Welfare (Hon. G.J. Crafter)—

Pursuant to Statute—

I. Builders Licensing Board—Report, 1981-82.

II. Consumer Credit Act, 1972-1982—Regulations—Type Faces.

III. Consumer Transactions Act, 1972-1982—Regulations—Type Faces.

IV. Rules of Court—Supreme Court Act, 1935-1982—Supreme Court—Admission Rules.

By the Minister of Recreation and Sport (Hon. J.W. Slater)—

Pursuant to Statute—

I. Racing Act, 1976-1982—Rules of Trotting—Horse Fees.

By the Minister of Local Government (Hon. T.H. Hemmings)—

Pursuant to Statute—

I. Coober Pedy (Local Government Extension) Act, 1981—Regulations—Dog Control.

SPEECH TIMING SYSTEM

The SPEAKER: Members will have noted that we have a new speech timing display. The old unit was causing many difficulties because of its unreliability. It had passed the stage of being able to be effectively repaired. The new unit is similar in operation except that a short beep will sound to indicate that a member's time has expired. It also records lapsed time exactly so that the member for Elizabeth's oft

observation of having been robbed of a minute should no longer occur. There may be some teething problems with the system but I am confident that they will soon be solved.

QUESTION TIME

The SPEAKER: In the absence of the Deputy Premier, the Minister of Local Government will take questions directed to the Deputy Premier.

STATE TAXES

Mr OLSEN: Will the Premier advise why the Government is considering the introduction of legislation during the present session of Parliament to increase State taxes when he gave an undertaking to this House on 16 March that State taxes would not be increased while the wage pause was operating in South Australia? Before and during the last State election campaign the Premier stated that a Labor Government would not increase existing State taxes or introduce new taxes.

In the *Sunday Mail* of last weekend, however, the Premier was quoted as saying that an increase in State taxes and charges was now inevitable. The report also suggested that the Government might not wait until the introduction of the Budget to take action to raise additional revenue. The Premier confirmed that comment in a report in the *News* yesterday, which quoted him as saying:

> It was possible there would be action in Parliament over the next few weeks to bring in revenue-raising measures which would come into effect at the end of this financial year.

As it is likely to be some time in July at the earliest before the future of the wage pause is known, the introduction of tax-raising legislation during the current Parliamentary session to bring in additional revenue from the beginning of the next financial year would be in complete breach of the assurance that the Premier gave this House as recently as 16 March (just over a month ago) that he would not increase State taxes whilst the wage pause was operating.

The Premier's attitude to this matter also assumes that the wage pause will end in June. He told the A.B.C. news on Friday, after the economic summit, that by the end of this financial year the wage pause would have outlived its usefulness. However, the Prime Minister (Mr Hawke) has said that the wage pause is likely to continue for at least the first three months of the next financial year, and most employer representatives told the economic summit that they believed that the pause should be extended until the end of the year to allow companies to return to levels of earnings which will allow them to take on more employees. Therefore, I ask the Premier to indicate the Government's intentions on taxes, bearing in mind the views of the Prime Minister and employers about the duration of the wage pause, and the Premier's recent assurance not to increase State taxes until the wage pause had ended.

The Hon. J.C. BANNON: What the Leader is quoting is nothing new. There may have been reports at the weekend and subsequently about the financial problems that the Government faces, largely inherited from the previous Administration, and the action that it will be necessary for a responsible Government to take in attempting to get on top of those problems. We have a major dilemma, and this was made quite clear to the House as long ago as December, when I tabled that first report on State finances, the budgetary predictions and the Treasurer's comments.

At the moment this State is running an unprecedentedly high deficit. It is a deficit totally at odds with the dishonest Budget with which we were presented in this House in September 1982. Let me say that further matters have come to light since that time which reinforce the general feeling and, indeed, the evidence that the financial information that this House was given was totally misleading in terms of the State's financial position. In fact, a quotation from former Premier Tonkin at the Premiers' Conference held in June—well before the presentation of his Budget—states:

> Quite frankly, we are facing an enormous Budget problem—

he is talking about the previous Government—

> We face major increases in taxation and charges, over and above the cuts that we have already very successfully made. Frankly, I do not know where we are to go. I cannot accept that this result, as it has come out, is accurate, justified or indeed something with which we can live.

That is the statement made by the previous Premier at the Premiers' Conference. Then he came into this House and proceeded to produce a Budget which he claimed was a balanced Budget—balanced in the sense that there would be some $40 000 000 of capital works money transferred to prop up the recurrent account. That Budget was patently dishonest and we discovered (and this was put before the House; there is nothing new in what the Leader has raised) that in fact we were facing a considerable disintegration and deterioration of the Budget position. The reasons for part of that were well known at the time when the Budget was formed but were not written into that Budget, presumably in order to get a nice cosmetic effect. The crunch would have come after the election, had the former Premier had his way and had he been re-elected, because he would have said, 'Well, now here is the truth: our finances have deteriorated. I will have to raise taxes and charges.' We are now faced with trying to pick up the pieces, and it has been compounded by the natural disasters. The continuance of the drought has cost us many millions of dollars from our State Budget, and the disasters of the bush fires and the floods have added millions of dollars to the State's deficit.

Do we sit back and accept that, or do we take people into our confidence: not try and paper over or pretend that things are better than they are, but actually boldly and honestly seek to do something about it? The Government is taking the latter course. We are prepared to take the people of South Australia into our confidence in regard to our financial position. We will point out to them (and we have been doing so consistently) that, while we expect and will get some assistance from the Federal Government, we still must do something from our own resources.

In the context of the wage pause, which at the moment will run until June this year (which is what the Conciliation and Arbitration Commission determined), we have said that despite the deterioration we will not raise taxes and charges. However, next financial year we must do something about it. We simply cannot let a recurrent deficit of the order of $120 000 000-plus drift on for a further two or three years. It would be totally irresponsible for us to pretend that we could do that, and we would be letting down the people of South Australia if we did. We must take action, and I hope that we can flag the action that needs to be taken as early as possible.

That is the context in which I am discussing taxes and charge increases that will be necessary in the forthcoming financial year. The precise timing of those increases will depend on the economic conditions, and the status of the wage freeze. I suggest that, if one looks at the communique from the summit conference, one finds nothing about a continuation or an extension of the wage pause in that document. Under the Commonwealth scenario 'A', the favoured economic projection for what should happen this year, it is recommended that indeed there should be wage increases during the second half of 1983 of a limited nature, purely in order to provide some recompense to ensure that

the wage and salary work force does not bear the full brunt of what is necessary in economic recovery, that there is some kind of equity involved in it. I think that that is a sound principle which was adopted at the economic summit, and we will certainly take that into consideration in any action that we are forced to take. However, I repeat: in this State we are faced with a very grave financial crisis; it will limit our ability to play our part in national recovery in terms of the much needed services in the community. Opposition members, as well as others, daily put to us new requests, new expenditure demands in various areas of health, education, and so on. The Government would like to meet those requests, but it must have the resources to do so, and we must ensure that we get this State's finances into sound and solid shape so that, as the recovery develops, we will be able to take full advantage of it.

Mr OLSEN: On a point of order, Mr Speaker. As the Premier has been quoting from the official minutes of the Premiers' Conference, I ask whether he is prepared to table the document.

The SPEAKER: Is the Premier prepared to table the document?

The Hon. J.C. BANNON: No.

Members interjecting:

The SPEAKER: Order!

DIAMOND EXPLORATION

Mrs APPLEBY: Will the Minister of Mines and Energy outline to the House the current activity occurring in South Australia in relation to exploration for diamonds? Recent media coverage of Western Australia's diamond mining activity has reminded me that South Australia has been previously mentioned as a possible source of diamonds. Is the Minister able to indicate the level of activity that is occurring here?

The Hon. R.G. PAYNE: I suppose, Sir, that it is fitting that a question about diamonds should be raised in the House by a lady member. I welcome the question. The same question occurred to me recently when I was signing a rather large batch of renewals of exploration licences, at which time I noticed the material listed for search was diamonds. As a result, I had some figures taken out which revealed a quite remarkable degree of interest in diamond search in South Australia. Six companies are exploring for diamond occurrences within this State. Between them those companies hold more than 50 exploration licences for areas in which the principal target is diamonds.

This comprises about 15 per cent of the total number of mineral tenements currently held in South Australia. Permitted exploration expenditure on these leases is in the order of $2 000 000 per annum. In the past year, for example, expenditure reported to the Government would be approximately 20 per cent above that figure. Whilst none of the explorers has made what could be described as a diamond strike at this stage, the occurrence of kimberlite and other indicator minerals has been confirmed in some areas.

In addition (and this would be of interest to members), micro-diamonds have been detected in some samples tested. Although the findings so far are a long way from any sort of commercially significant discovery, it is obvious that some companies are sufficiently interested to spend considerable sums of exploration money on diamond search in South Australia.

BUDGET DEFICIT

The Hon. E.R. GOLDSWORTHY: Will the Premier say why the overall State Budget deficit for 1982-83 has increased from $30 000 000, as estimated by the Under Treasurer in the paper which the Premier tabled in this House in December, to the Premier's latest estimate of more than $80 000 000? Members will recall in this context the Premier's coming up to the State election confidently indicating that he had accurate financial information in relation to the affairs of the State and that he was not relying on the information given out by the then Liberal Government; he had the Auditor-General's Report, as well as Budget papers and programme papers, as well as accurate information that allowed him to confidently promise the public that there would be no increase in taxes during the life of his Government.

Since that time, the situation has changed; in fact, it started to change on the night of the election, when the Premier knew that he had won. However, the question bears particularly on the blow-out in the deficit from the factual information given to the House by the Premier and the memo from the Under Treasurer predicting a deficit of $30 000 000. In current days, the Premier has predicted variously a Budget deficit on the Revenue Account as being $120 000 000 or $130 000 000, and he has blamed the advent of the bush fires and floods—

Members interjecting:

The SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY:—although there has been no quantifying of the impact on the State Budget of these events. Will the Premier detail to the House the information which leads him to suggest that the Budget deficit has deteriorated, on the Revenue Account, from $30 000 000 (on the information that he gave to the House) to $80 000 000, and will he detail to the House the financial impact on the revenue Budget of the bush fires and floods?

The Hon. J.C. BANNON: That information is in the process of compilation, particularly, of course, in respect of the exact cost of the bushfire and flood disasters—remembering, of course, that the first occurred in mid February and the second in March. Time has been taken, of course, in assessing the damage, the number of applications, and the extent to which State Government support will have to be made for natural disaster relief arrangements, and so on. That is just one aspect; there is also the destruction of Government assets, schools, and so on. I will be presenting the details that the Deputy Leader requests at the time of introducing the Supplementary Estimates, I hope within the next few weeks. He will find there detailed precisely where the costs have occurred and why.

E. & W.S. DEPARTMENT INSPECTIONS

Mr WHITTEN: It has been brought to my notice that the Engineering and Water Supply Department is carrying out inspections both inside and outside homes in various suburbs. Will the Minister of Water Resources give the reason for these inspections? Are they essential? Can he allay the fears of some householders, especially the elderly, that these inspections are legal and are in the interest of the community?

The Hon. J.W. SLATER: I thank the honourable member for the question, which was the subject of a recent radio talk-back programme. From the questions and answers on that occasion, it appears that there is a lack of understanding and knowledge of the requirements of section 51 of the Sewerage Act.

Inspections of existing sanitary plumbing, drainage and hot water installations are carried out periodically by the department to ensure that potential health hazards are identified and eliminated. The inspections have been carried out for many years. Employees engaged on these inspections

carry a printed identification card which will be produced on request.

The areas and items inspected by the department are: contamination of the water supply; installation and safe operation of water heaters; illegal entry of stormwater into the sewerage system; entry of sewer gas into premises via defective vents, fixture traps and insanitary conditions related to defective plumbing fixtures. Should any defects be observed, they will be recorded as an encumbrance against the property, notice of which will be issued to the owner advising the repairs that are necessary. Any such encumbrance can be removed by the owner or his agent on contacting a plumbing and drainage inspector when the necessary repairs are completed.

The inspections are carried out in the metropolitan and country areas for three major reasons. First, it is in the interests of the health and safety of householders and property owners. Secondly, it is the responsibility of the Engineering and Water Supply Department to ensure that the population is receiving a safe and efficient water supply, that the sewerage system is installed correctly, and that no illegal connections are made to the water supply systems. Thirdly, it is a Ministerial requirement under the Sewerage Act.

Breaches of the regulations can have certain adverse effects. For example, recently a home-made hot water tank at Port Pirie exploded. This was potentially dangerous and, indeed, caused a degree of property damage, but fortunately no human injury occurred. Also, illegal connections can result in the introduction of bacteria to the water supply, to the detriment of all consumers. Another major concern is the entry of stormwater into the sewerage system which can lead to the serious consequence of flooding houses with sewage.

To carry out these inspections, the Engineering and Water Supply Department always seeks the co-operation of householders and will arrange inspections convenient to the occupant. Most people are happy to co-operate with the department so that these inspections can be made. Occasionally, however, a householder may object, and it is pointed out that, under section 51 of the Sewerage Act, the inspectors have a legal right to carry out inspections. If entry to the premises is still refused, it becomes necessary for the department to record an encumbrance notice against the property which will remain in force until an inspection is carried out. Naturally, the department seeks the co-operation of householders at all times and will issue an encumbrance notice only as a last resort.

TEACHERS

The Hon. M.M. WILSON: In asking a question of the Minister of Education, I refer to a statement he made in this House on compulsory unionism when he said that in future applicants for teaching positions will be required to join 'the appropriate union'. I ask the Minister what is to be the position of those teachers now employed who are not presently members of the South Australian Institute of Teachers or the appropriate union. Are they to be forced to join? Further, will the Minister assure the House that the promotional prospects of teachers will not be affected by their exercising their democratic right not to join a union, a right upheld by the United Nations Declaration on Human Rights?

The Hon. LYNN ARNOLD: I would have thought that my statement on the Wednesday evening when I clarified the matter relating to applicants for teaching positions was quite explicit. I would also draw the honourable member's attention to the fact that the policy of the Government is preference for unionism, not compulsory unionism. If the honourable member reads the statement I made, he will observe the difference and note also the words 'applicants for teaching positions'.

CAPTAIN STURT PORTRAIT

Mr FERGUSON: Will you, Mr Speaker, as Chairman of the Joint House Committee, ascertain whether the committee would be prepared to commission a portrait of Captain Sturt to be hung in a prominent position in Parliament House in connection with the celebration of the South Australian 150th Jubilee? Captain Sturt was probably the man most responsible for the beginning of settlement in South Australia. In 1833, when the results of his expedition down the Murray River were published, he reported:

> It would appear that a spot has at length been found upon the south coast of New Holland to which the colonist might venture with every prospect of success and in whose valleys the exile might hope to build for himself and for his family a peaceful and prosperous home. All who have ever landed upon the eastern shore of St Vincent's Gulf agree as to the richness of its soil and the abundance of its pasture.

In my district Captain Sturt's house and artifacts have been preserved by the Sturt Memorial Trust which, without Government help, has maintained this priceless South Australian heritage. Although Captain Sturt had no direct connection with the Parliament, I point out that portraits of several other prominent explorers grace the walls of Parliament House, including one of Captain James Cook. As member for Henley Beach the district in which the Sturt home stands, I believe it would be extremely fitting for the South Australian Parliament to honour the man who had so much to do with the founding of South Australia.

The SPEAKER: I congratulate the honourable member on his initiative, and I will place his request before the Joint House Committee. I remind the Treasurer of the impoverished state of funds of that committee and suggest that the member for Henley Beach may either have to find a benefactor or discuss the matter with the Treasurer in another capacity.

HOUSING FINANCE

The Hon. B.C. EASTICK: Will the Minister of Housing, in the temporary absence of the Minister of Public Works, assure the House that the Commonwealth money allocated to South Australia from the savings resulting from the wage pause is being used to employ people on projects in addition to those authorised in this financial year's State Budget and is not being used to offset the present Government's Budget deficit? In December last, South Australia received an allocation of $8 790 000 from the Commonwealth Government for welfare housing. In February, the Commonwealth Government announced an allocation of $17 540 000 to South Australia for job-creation schemes. In both cases these funds were made available from the savings to the Commonwealth Government as a result of the wage pause and were intended to create jobs.

In a joint statement on 8 February, the Deputy Premier and the former Minister for Employment and Industrial Relations (Mr McPhee) said they had agreed on guidelines for spending the $17 540 000 which should ensure that unemployed people would be given worthwhile, satisfying work. However, since the change of Government in Canberra last month, it has been put to me that at least some of the funds allocated by the former Federal Government for job creation and new projects will instead be used to offset the State Budget deficit. In seeking an assurance from the Min-

ister representing his colleague, the Deputy Premier, that this is not the case, I ask him to indicate the number of people who have commenced employment with these funds and to identify the projects on which they are working.

The Hon. T.H. HEMMINGS: I am pleased that the member for Light is at last taking an interest—

Members interjecting:

The SPEAKER: Order!

The Hon. T.H. HEMMINGS: I assure the honourable member that I will obtain a report.

Members interjecting:

The SPEAKER: Order!

ELECTRICITY CHARGES

Ms LENEHAN: Will the Minister for Mines and Energy explain to the House the reasons for the recent increase in electricity charges announced prior to the wage freeze? I ask the question in response to numerous inquiries from constituents in respect of the receipt of electricity accounts on which a sticker was placed indicating that electricity charges had increased owing to a recent increase of 80 per cent in gas prices. On inquiring, I found that in fact the increase in electricity charges was 12 per cent. However, as this has caused considerable confusion within the electorate, will the Minister explain the reasons behind the increase?

The Hon. R.G. PAYNE: One wonders whether some of the honourable member's constituents were confused and were referring to the 80 per cent increase in electricity prices which took place over the three years of the previous Government prior to the increase to which the honourable member is referring. As I believe many members would be aware, a gas price increase occurred in 1982, during the life of the previous Government, which eventually was the result of action by the then Minister who decided not to contest an arbitrated gas price awarded in the courts; instead he chose, as was his prerogative, to negotiate with the producers to obtain a price for gas. In the event, the price that the then Minister obtained was such that in 1983, and for the last quarter of 1982, it represented an 80 per cent increase in the price which had applied for the previous nine months of 1982, during which ETSA had already been using gas and providing electricity. There was obviously a need for the accounts to be adjusted.

Subsequently, a price rise of 12 per cent, as the honourable member stated, was announced by ETSA. I understand that it was to apply to accounts received for the first quarter of 1983. Another reason for the confusion and concern in the minds of the honourable member's constituents, as well constituents in my district and, I suspect, in almost every district, was the wording chosen by ETSA to be added to the accounts for the quarter. The accounts I have seen had printed on them (and not by way of a sticker as the honourable member suggested) the words '80 per cent gas price increase', and many constituents in my area assumed that it meant an 80 per cent increase in the price of electricity on the current account. That is not the situation and ETSA was exercising its prerogative of applying a tariff which enables it to obtain a proper return and continue to be able to supply electricity to the State's consumers on an economic basis.

CAPITAL WORKS PROGRAMME

The Hon. D.C. WOTTON: Will the Minister of Local Government, representing the Deputy Premier, advise by how much the Government has reduced the capital works programme this financial year? Will the Government transfer the funds saved to off-set the deficit on Revenue Account? In the *Sunday Mail* at the weekend the Premier was quoted as follows:

> We could drastically slash the public works commitments but we have reviewed them and cut them back already.

Therefore, I ask the Minister of Local Government, representing the Deputy Premier (who is the Minister responsible for public works), to quantify the reductions and say whether the funds saved will be transferred to the Revenue Account.

The Hon. T.H. HEMMINGS: It has been said by some fool on the other side of the House that I will give the obvious answer. I am only the Acting Minister of Labour. I will take your fears to the Deputy Premier and I am sure you will get a report in the very near future.

DOLLAR SAVER ADVERTISING

Mr MAX BROWN: Will the Minister of Community Welfare, representing the Attorney-General, ask his colleague in another place to make inquiries into the activities of the advertising firm Dollar Saver Advertising, which has been operating in the city of Whyalla under an advertising scheme about which I have some serious concern? It appears to me that this firm has created an advertising gimmick which supposedly benefits business houses by attracting new custom to the premises, and at the same time provides a free service to the consumer who purchases the gimmick. After both of these things happen ultimately it appears that the St John Ambulance is financially assisted.

I explain that the gimmick in question is a booklet containing over $400 000 worth of free services donated by various business houses. The booklet is sold to the consumer for $48, of which I understand St John obtains $1.50. My inquiries lead me to believe that business houses generally have not benefited to any great degree. Dollar Saver Advertising has sold approximately 1 000 books bringing in $48 000, of which St John has obtained approximately $1 500, and the consumer who has spent $48 possibly has used all the free services available in the booklet and then returns happily to the firm he or she usually deals with. I further point out that if the inquiry shows that this operation is quite legal (and I have a suspicion that it will), in my opinion this firm has conservatively taken out of a depressed and welfare community pretty close to $30 000, and this side of the exercise concerns me very greatly.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. I will refer the information that he has given to the House to my colleague in another place and obtain a report for him.

TOURISM INDUSTRY

The Hon. JENNIFER ADAMSON: Following the commitment given by the Premier on 17 March to consult with the Minister of Tourism about arrangements for the South Australian Tourism Council to assess the impact of new State taxation on the tourism industry, will the Minister of Tourism advise the House what action he has taken to fulfil the Premier's commitment and, if he has not yet taken action, what action does he propose and will he ask the council for its assessment of the impact of any new State taxation on the tourism industry?

The Hon. G.F. KENEALLY: The matter of the impact of State taxation upon the tourism industry was discussed with me by members of the South Australian Tourism Industry Council when I met with them the week before last. At that stage I was able to tell them what I am able to

tell the honourable member, that I am not in a position to discuss any increase in State taxation. That is a matter for the Premier and Treasurer. However, when he is in a position to discuss increases in taxation (if, in effect, that is what will happen) I will have discussions with members of the tourist industry as to how that may impact upon that industry.

WATER PUMPING

Mr HAMILTON: Can the Minister of Water Resources inform the House whether it is true that pumping water from the Murray River to metropolitan reservoirs has been stopped and, if that is so, what are the factors that have led to the stoppage, and can the Minister say whether there will be any reduction in pumping costs because pumping operations have been curtailed earlier than expected?

Mr Becker interjecting:

The Hon. J.W. SLATER: Despite the interjection from the member for Hanson, I would like to address myself first—

The SPEAKER: Interjections are out of order!

The Hon. J.W. SLATER: I realise that, Sir, but he still persists.

Mr Becker interjecting:

The SPEAKER: Order!

The Hon. J.W. SLATER: In answer to the last part of the question, the recent rains and the fall in water consumption in the Adelaide metropolitan area will reduce the cost to the State Government of pumping costs to the extent of about $1 000 000 this financial year. Previously it was estimated that for the full financial year pumping costs would be about $12 000 000. However, after the recent rains it has been estimated that this cost will be reduced to $11 000 000. I point out that pumping into the Adelaide-Mannum main was stopped on 12 April, while pumping into the Murray Bridge-Onkaparinga and Swan Reach-Stockwell mains ceased last month. I should also make it clear (this may have been misunderstood by some) that the Morgan-Whyalla main must continue to carry Murray River water to meet the needs of Iron Triangle towns and other Mid-North towns and properties. For the information of the member for Albert Park and other members, I point out that yesterday's metropolitan consumption was 337 megalitres, which is well below the April daily average of 463 megalitres. Metropolitan water storages are now 44 per cent full. The Engineering and Water Supply Department will continue to monitor rainfall, reservoir holdings and consumption. At this stage I do not expect substantial pumping from the Murray River to be resumed for metropolitan needs until after the winter.

SHEARERS STRIKE

The Hon. W.E. CHAPMAN: Will the Premier, the Minister of Labour, and the Minister responsible for police take positive action to intervene, persuade, or at least employ their respective officers in an attempt to make a direct effort to resolve the current shearing strike in South Australia? Will the Premier seek the co-operation of his interstate Ministerial and trade union colleagues in an effort to resolve the issue and thereby eliminate the violence that is occurring as was recently reported?

Reports in the rural press and on rural radio in recent times have indicated the impact on the rural community that the recent strike action has had. I do not wish to explain at great length the impact of this on the sheep industry in particular, let alone the owners of the livestock. The impact is cruel to say the least. Despite the fact that the strike was apparently incited by a minority group, it has now developed to a point where groups of trade union shearers are forming vigilante teams awaiting in sheds and in country towns the arrival of shearers who wish to work, and who, incidentally, may do so quite freely and openly under the law. These groups of people are then setting out to prevent shearers from attending their work and they are using violence.

A vivid report of this was given recently on a *60 Minutes* programme which was produced leading up to last weekend. A contractor was shown being bashed by no fewer than five other shearers waiting at a hotel for the arrival of shearers. He was kicked in the head to the extent that the only local policeman in that town commented that had he received such treatment he would not have had a head at all. That shearing contractor's wife was attacked (as she described the incident on the *60 Minutes* programme) by a bullying heavy from within the shearing industry. The shearer's wife was hit and knocked down.

The Hon. H. Allison: Even the Mafia leaves the women alone.

The SPEAKER: Order!

The Hon. W.E. CHAPMAN: The children of the contractor were on site as they were travelling with their parents at the time. There was at least one who was threatened. As I understand from more recent reports, other members of families of shearers who had set out to work in the industry were threatened by telephone, by way of letter, and head on. The most recent report received, as recently as last night, is that this sort of violence is still continuing in the northern areas of South Australia, if not over the border into New South Wales and beyond. Therefore, it is against that background of recent events that I ask the Premier, in these circumstances, to take whatever steps he considers desirable to have this quite ridiculous and ill-founded situation resolved, not just in the interests of—

The SPEAKER: Order! The honourable member is now clearly arguing a case.

The Hon. J.C. BANNON: I am certainly aware, as anyone would be, of the dispute, and it does have economic implications which are of considerable concern. I point out—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: —that it concerns an award of the Federal Conciliation and Arbitration Commission, and the conditions under the shearing industry are, in fact, covered at the national level. Therefore, in terms of any arbitrary decisions to be made in this area, that is clearly—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: That is clearly the prerogative of the Federal Court. I am not aware of the parties involved in this dispute specifically approaching the State Government in South Australia for any sort of assistance, mediation or whatever. It is a dispute with national connotations and certainly if they did approach us, as we do in all other cases, we would be willing to respond. I will take this up with my colleague the Minister of Labour and see what he thinks about it and whether or not there are ways in which we can assist the resolution of this dispute.

SANDBAGS

Mr PETERSON: Will the Chief Secretary investigate the possibility of the State Emergency Services setting up a store of sandbags for use when flooding occurs in the metropolitan area? Recently we had very heavy rains and many homes in my electorate and other electorates were damaged by flooding. I am well aware that there were unsuccessful

attempts made by people in my area to obtain sandbags to prevent the flooding of their houses. There do not seem to be any reserve stocks of sandbags anywhere in the metropolitan area. They are not stocked by the emergency services people, who made it very clear to those who contacted them that they were not there to supply sandbags. Many thousands of dollars of damage was inflicted during that heavy rain. However, this does happen every year during the winter when drains are ineffectual and overflow. This damage is not covered by insurance. It has been suggested to me that perhaps a scheme could be undertaken in conjunction with local government to hold sandbags in council yards for use in situations such as these. Can the Chief Secretary investigate this possibility?

The Hon. G.F. KENEALLY: I am pleased that the honourable member has drawn the attention of the House to the State Emergency Services, a group of unsung heroes in South Australia for the back-up support they give to our other emergency services that are more prominent in this State. I will raise his question with the State Emergency Services and obtain a report for him.

SHEARERS DISPUTE

Mr BLACKER: I ask a question of the Premier which is supplementary to the question asked by the member for Alexandra. Can the Premier act on this matter as much as he can in an endeavour to settle this dispute in the interests of the animal welfare people and the animals themselves? The member for Alexandra did explain much of what I intended to say. However, there are circumstances at this moment where there are near full-woolled sheep which are grazing on lush green pastures and which need to be either shorn or crutched because of fly strikes around the community. In many cases, these animals are fly struck. Constituents of mine have endeavoured to get shearers to do the crutching, but they have declined because of the union strike. There is an animal welfare problem because these sheep are struck, they are dying, and we are now locked into the situation in which nothing can be done whilst the situation prevails.

An article in the *Advertiser* in the last day or so summed up the situation when it said that in-lamb ewes need to be shorn before lambing otherwise there will be heavy losses in the breeding flock because of the problems with in-lamb ewes getting their fleece wet, and becoming over-wool type animals. This has developed into an animal health problem which is of grave concern to pastoralists and farmers, as well as the animals concerned. I am adding to the comments of the member for Alexandra, without repeating what he has said.

The Hon. J.C. BANNON: Again, I am not aware of the details of the dispute, nor am I able to comment on the matters raised. For instance, in the early stages the basis of the dispute was the use of wide combs, and animal welfare was brought into that situation as well. It is really a matter for the parties in the dispute to get together and try to sort it out.

Mr Lewis: The courts have already done it. How many people have to be hit and smashed up?

The SPEAKER: Order! I call the honourable member for Mallee to order.

The Hon. J.C. BANNON: Unfortunately, the sorts of attitude that are being expressed by the member for Mallee, in direct contrast to those of his colleagues the members for Alexandra and Flinders, are the reasons for some of these incidents occurring in the outback.

Mr Lewis interjecting:

The SPEAKER: Order! I give the honourable member for Mallee his last warning.

The Hon. J.C. BANNON: I suggest that he had better cool it because he, as a representative of that area, should be trying to solve the problems, not carrying on with an aggressive display, as he has just done. It is a serious issue, but it is not one in which the State Government has a direct role to play unless the parties to the dispute believe there is some way in which it can help. I have undertaken to investigate if that is so, but I do not think this forum is an appropriate place for us to discuss the matter. I suggest that all honourable members who have contacts in the industry should try to ensure that the parties come together to get some resolution of the matter.

The Hon. W.E. Chapman interjecting:

The SPEAKER: Order! I call the member for Alexandra to order.

BUSHFIRE INSURANCE CLAIMS

Mr MAYES: Will the Minister of Community Welfare investigate delays that are being incurred by owners of property who suffered losses during the Ash Wednesday fires in February this year with settlement pay-outs from insurance companies? Will the Minister encourage insurance companies to settle all claims urgently? It has been brought to my attention by persons who have lost virtually everything in those fires that they have yet to receive any acknowledgement and any pay-out from the insurance companies with which they were insured. The situation has been reached where solicitors acting on their behalf have asked for documentation relating to their policies which were destroyed in the fires on 16 February 1983. What they received, in fact, were coloured brochures outlining the prospectus of those insurance companies and no documentation or duplicates of the documents lost. It has reached the point where they have been forced now to take legal action against these insurance companies in order to regain their rightful claims and to see that they are satisfied. These people have lost everything. They are forced to travel 35 kilometres each day to service their properties as well as work a 10-hour day, seven days a week. Will the Minister take up this matter urgently?

The Hon. G.J. CRAFTER: I thank the honourable member for his question. I am somewhat surprised that this situation has arisen, because it has been my experience and that of the officers of my department involved in the follow-up to the Ash Wednesday bush fires that there has been excellent co-operation from the insurance industry as a whole. I know that many claims have been settled speedily. I would be pleased if the honourable member could give me the specific information to which he has referred, and I will most certainly take it up with the insurance company involved, or with the Insurance Council, if there are difficulties. If any other member has similar problems, I will ensure that they also are attended to. I reiterate that there has been magnificent co-operation from the insurance industry and, indeed, the many like groups in the community concerned in one way or another with the bush fires, so that they have joined together to make sure that such circumstances either do not occur or are minimised.

PUBLIC TRANSPORT FARES

The Hon. D.C. BROWN: Will the Minister of Transport say whether the deficit of the State Transport Authority has blown out beyond the $58 900 000 provided in the Budget; if so, what is the deficit now likely to be; does this increase

in the deficit mean that there is likely to be a sharp increase in the fares of the State Transport Authority; if so, when is that increase in fares likely to take effect?

The Hon. R.K. ABBOTT: The member for Davenport has asked for some detailed information about the State Transport Authority budget, and I will be happy to provide it for him. Although comments have been made recently in the press concerning fares and increases in fares, no proposal is before me at the moment to increase fares. Obviously, the S.T.A. will be looking at this, if it has not already started to do so, but I am not aware of that. I know that the Chairman of the S.T.A. Board would notify me if the department was considering increases in fares. I have not been advised of that; however, the board could soon be giving it serious consideration.

COPPER PRICES

Mr GREGORY: Will the Minister of Mines and Energy advise whether the current price of copper on the world metals market is sufficient to maintain viable mining in the Roxby Downs area? Recently, the price of copper has reached a 30-year low, caused by economic recession generally, as well as a change in the use of copper contributed to by the miniaturisation of electronic equipment and the increased use of that miniature equipment in manufacturing industry.

The Hon. R.G. PAYNE: I thank the honourable member for his question. He gave me some notice of his interest in the matter, and so I have been able to obtain some information for him. While it is difficult to relate base metal prices now to the situation which might prevail when the Roxby joint venturers are closer to completing their feasibility study, I believe it would be fair to say that the upward movement in copper prices would be good news for current producers and those who are planning a mining project.

Figures prepared on the movement in copper prices during the last nine months indicate that a substantial recovery is under way. Effectively, prices have been climbing steadily—with minor hiccups—since June of last year, when the price was at the bottom, as mentioned by the honourable member. By the end of October, the price had climbed to $1 600 per tonne; by the end of February it had reached $1 740 per tonne; and by the end of March it had advanced to $1 840 per tonne. If this improvement can be taken as just one indicator that the process of recovery has begun, it is certainly good news for the mining industry generally, as well as for Roxby Downs in particular.

As has been pointed out often in this House, by both the former Government and this Government, Roxby Downs is an enormous prospect, with a proposed annual production of 150 000 tonnes of copper. I imagine that the joint venturers would be hoping that the price improvement of recent months is sustained, because undoubtedly it would make the project even more attractive than it is at present.

Mr Becker: Why did you try to block it?

The Hon. R.G. PAYNE: The honourable member shows his ignorance in suggesting that we tried to block the Roxby Downs project. That is not the situation.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. PAYNE: If the honourable member had paid enough attention during the debate on this matter, I am sure he would have had a different opinion. Perhaps one way of indicating what the improvement in copper prices could mean to the Roxby Downs producers is to say that the value of copper production mooted when the market bottomed in June last year would have been $186 000 000, whereas at the price of $1 840 a tonne the same quantity of copper would have brought $276 000 000.

OUTBACK ELECTRICITY CHARGES

Mr GUNN: Is the Minister of Mines and Energy aware of the high cost of electricity paid by people whose properties are connected to the undertaking run by the Outback Areas Community Development Trust at Coober Pedy? Under the appropriate legislation most of the people residing in country areas must pay the Adelaide rate plus 10 per cent for their electricity, which means that a certain number of country people in this State are discriminated against. However, persons living in areas where electricity is generated by diesel power are forced to pay well over the Adelaide plus 10 per cent rate. As an example of this, one of my constituents for a 91-day period was sent an account for $493, whereas for the same consumption over the same period in Adelaide the charge would have been only about $120. As a further example, another of my constituents at Coober Pedy over a 90-day period received an account for $727. As a result of this discrimination, my constituents in that part of South Australia are wondering what is taking place. If the Minister is not aware of the position, will he have urgent inquiries made with a view to alleviating the discrimination applying to many of my constituents?

The Hon. R.G. PAYNE: I am aware of the concern about this matter expressed by people at Coober Pedy and in other areas. From experience in my portfolio, I know that the honourable member often raised this matter with the former Minister in the previous Government. In fact, the former Minister arranged for an inquiry into the matter and I understand that I may be receiving the results of a further investigation soon. I assure the honourable member that I will give the question the attention requested, and see whether any alleviation can be arranged.

EDUCATION LEGISLATION

Mr TRAINER: As last Saturday's *Advertiser* reported that the introduction of legislation to cover certain aspects of senior secondary schooling was imminent, will the Minister of Education say when such legislation will be introduced?

The Hon. LYNN ARNOLD: I intend tomorrow to give notice that such a Bill will be introduced on Thursday. It has been a matter of considerable consultation between me and the secondary and tertiary education sectors over many months, so it is not surprising that there is public awareness that the introduction of the Bill is imminent. The Government has treated the matter as urgent. The previous Government introduced the PEASA legislation, and we realise that something similar is needed as soon as possible to cover the areas of education referred to. However, a couple of these areas were of major concern to the education community, so we have tried with our best efforts to resolve those areas of difference. The legislation to be introduced will propose a solution to the difference of opinion in the education sector. The Government commends the legislation to the education community so that it may be discussed. In this respect there will be a two-week recess at the end of this week's sittings, so an opportunity will continue even further for public discussion before the House debates the matter fully. The legislation is urgent, because it is necessary to redress the needs of children eligible for senior secondary schooling. If we do not make changes very soon, we will do those young people a disservice.

PERSONAL EXPLANATION: NATURAL GAS PRICE

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

The Hon. E.R. GOLDSWORTHY: Earlier today I was misrepresented by the Minister of Mines and Energy in his reply to a question, when he gave the clear impression that the former Government granted an 80 per cent increase in the price of natural gas. However, the true position is far from that. Under the terms of the contracts agreed by the Dunstan Government (contracts which I have criticised for their lack of preserving the interest of South Australians), the price of gas in South Australia, if not agreed by the producers and the Pipelines Authority, the parties charged with negotiating the price, is to be fixed by an independent arbitrator. In the past few years, agreement has not been reached, and an arbitrator has had to be appointed. In this case agreement on the appointment of an arbitrator was not reached, and, in the event, a Supreme Court judge (Judge Roma Mitchell) appointed an arbitrator who was, I understand, a retired judge from Queensland. That appointment was made under the terms of the contracts agreed by the Dunstan Government. After hearing evidence, the arbitrator awarded an 80 per cent increase in the price of natural gas in South Australia.

Under the terms of those deficient contracts negotiated by the Dunstan Government, that price was made retrospective to 1 January last year. The decision of the arbitrator was handed down on 9 September 1982 and, under the terms of the contracts, was retrospective to 1 January. This was in clear contradistinction to the arrangements entered into by the Australian Gas Light Company, whereby, under their contracts, the arbitrator's decision is not made retrospective.

In the event of this enormous and unprecedented increase of 80 per cent, the Government and the Pipelines Authority sought to mount an appeal in the Supreme Court, an action never previously taken. The chance of success of such action was hard to assess. Nonetheless, the Government believed that it was the only way in which pressure could be brought to bear on the producers to ameliorate the situation. The Supreme Court could not have awarded any other increase; as I am advised legally, the only judgment it could hand down was that the arbitrator had erred and must reconsider the matter. However, we entered into negotiations with the producers, the Pipelines Authority, and, as Minister of Mines and Energy, I—

The SPEAKER: Order! I have been very generous indeed in my interpretation of Standing Orders in this personal explanation, but I now ask the honourable member to return to the facts, as distinct from argument in support of his then position.

The Hon. E.R. GOLDSWORTHY: Mr Speaker, I am trying to put the facts in sequence, and these are the facts. We entered into negotiations. I am refuting the allegations that the then Government awarded an 80 per cent increase. The increase was awarded by an arbitrator, and I am now putting into perspective the events which led to a final settlement. In the event, those negotiations led the producers to agree to waive the 80 per cent increase from 1 January. They agreed that it would then apply only from the date of the arbitration (9 September) and that they would hold it at that figure for the whole of 1983. In effect, those negotiations saved the taxpayers $16 000 000. For the Minister to suggest that the Government awarded an 80 per cent increase to producers is clearly false.

ASSENT TO BILLS

His Excellency the Governor's Deputy, by message, intimated his assent to the following Bills:

Builders Licensing Act Amendment,
Bulk Handling of Grain Act Amendment,
Consumer Transactions Act Amendment,
South Australian Health Commission Act Amendment,
Supreme Court Act Amendment (No. 2),
Wheat Delivery Quotas Act (Repeal).

RACING ACT AMENDMENT BILL, 1983

Returned from the Legislative Council without amendment.

LOCAL GOVERNMENT BOUNDARIES OF THE DISTRICT COUNCILS OF BALAKLAVA, OWEN AND PORT WAKEFIELD

The Hon. T.H. HEMMINGS (Minister of Local Government) brought up the report of the select committee, together with minutes of proceedings and evidence.

Report received.

The Hon. T.H. HEMMINGS: I move:

That the report be noted.

On 8 December 1982 the House of Assembly appointed a select committee to inquire into the uniting of the District Councils of Balaklava, Owen and Port Wakefield. My purpose, as Minister of Local Government, in moving for this select committee was to complete a course of action which had been undertaken by a select committee appointed under the previous Government and interrupted by the State election. However, I was also mindful of the responsibility upon me as Minister of Local Government to view all aspects of local government which have an influence on the interests of local government employees, councillors and residents. Having just tabled the report of the select committee, and in order to give all members of the House time to consider that report, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

LOCAL GOVERNMENT BOUNDARIES OF THE DISTRICT COUNCIL OF MEADOWS

The Hon. T.H. HEMMINGS (Minister of Local Government) brought up the report of the select committee, together with minutes of proceedings and evidence.

Report received.

The Hon. T.H. HEMMINGS: I move:

That the report be noted.

On 8 December 1982 the House of Assembly appointed a select committee to inquire into the Local Government boundaries of the District Council of Meadows. The move by me, as Minister of Local Government, for a select committee on this subject had followed a progression of events in the rural areas of the district council area over the past three years. Much of these events, I might emphasise, involved the deliberations of the previous Minister of Local Government. In line with my previous statement on the other select committee, and to enable other members of this Parliament to look at the report and make their own deliberations, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

SURVEYORS ACT AMENDMENT BILL

The Hon. D.J. HOPGOOD (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Surveyors Act, 1975. Read a first time.

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

That this Bill be now read a second time. I seek leave to have the explanation of the Bill inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

It embodies the results of a minor review of the operation of the Surveyors Act undertaken by the Surveyor-General in conjunction with the Surveyors Board of South Australia to identify provisions which need strengthening or amendment to achieve the objectives of the Act. The Surveyor-General and the Surveyors Board have advised that some amendments are necessary in order to ensure better protection of the public and maintenance of the State Cadastral Survey to the standard necessary for the proper support of the State's land boundary system. The areas of the Act which require amendment are those relating to the protection of survey marks, disciplinary control over registered and licensed surveyors, and the adequacy and appropriateness of penalties. In particular, the amendments proposed in the Bill are designed to correct the following deficiencies in the legislation:

1. The current enactment prohibits interference with survey marks regardless of whether they were placed by qualified persons or not and does not make provision for compensation for their replacement without further legal process. The Bill proposes amendments to limit the protection for survey marks to those placed by licensed and registered surveyors, and to empower a court, upon convicting a person of interfering with a survey mark, to award compensation for loss or damage resulting from commission of the offence.

2. At present a registered or licensed surveyor may continue practice in South Australia despite the fact that his registration or licence to practise as a surveyor in another State or in New Zealand may have been suspended or cancelled. The Bill proposes an amendment to permit the temporary suspension of his registration in South Australia once disciplinary proceedings have been instituted in South Australia for the same misconduct.

3. The Act currently empowers the Surveyors Disciplinary Committee to adopt for the purposes of disciplinary proceedings the findings of a court but not the findings of an interstate or New Zealand counterpart of the committee. The Bill proposes an amendment to allow the Disciplinary Committee to adopt the findings of a similar tribunal in another State or in New Zealand in relation to misconduct of a South Australian registered surveyor and thereby avoid the necessity for a complete re-hearing.

4. The provisions of the Surveyors Act require that offences under the Act be summarily prosecuted which in practice requires prosecutions to be launched within six months of an offence being committed. Experience has shown that offences against this Act are seldom disclosed until some time after their commission, and as field investigations are then normally necessary, insufficient time exists for proceedings to be commenced. It is therefore proposed to extend the available period for prosecution to a period of two years after an offence is committed.

5. Occasions arise when survey marks are incorrectly placed by registered and licensed surveyors, and where marks are placed for the purposes of transactions which subsequently lapse. The presence of these marks may subsequently confuse the public and surveyors as to the correct position of land boundaries. At present the Surveyor-General has no clear authority to order the removal of such marks. The Bill therefore contains a provision authorising the making of regulations for this purpose.

6. The penalties currently prescribed are out of date in real money terms and in many cases do not reflect a correct relationship between the severity of offences. The proposed amendments increase the penalties to levels which more closely reflect the relative severity of offences and constitute a realistic deterrent.

In addition, the opportunity has been taken to include in the Surveyors Act a provision to relieve the Surveyor-General of the necessity to personally discharge and exercise in every case his statutory duties and functions under the principal Act and a number of other Acts. The Surveyor-General has many duties and obligations imposed on him by statutes which in most cases do not include authority for the Surveyor-General to delegate any of those duties or obligations to officers or other persons under his direction. The absence of this facility restricts the flow of work through his office and consequently an amendment is proposed to authorise the Surveyor-General to delegate any of his discretions, powers or functions to persons under his supervision.

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 amends the definition section, section 5 of the principal Act. The clause updates a reference to the Legal Practitioners Act. The clause also amends the definition of 'survey mark' by deleting the element of the definition that a survey mark is one that is in the prescribed form. This is necessary in order to ensure that the provision of the Act prohibiting interference with survey marks operates in relation to survey marks established in earlier times when the current form was not required. The Bill, at clause 14, contains a consequential amendment which will enable the form of survey marks to be prescribed by regulation for future purposes.

Clause 4 increases the penalty in section 25 for the offence of an unregistered person holding himself out to be a surveyor. The present penalty is a maximum of $500 and the clause proposes a new penalty of a maximum of $5 000. Clause 5 increases the penalty in section 26 for the offence of a person who is not a licensed surveyor or acting under the supervision of a licensed surveyor performing a prescribed cadastral survey. The clause increases the penalty from a maximum of $500 to a maximum of $5 000.

Clause 6 amends section 27 which sets out the grounds for disciplinary action to be taken against a registered surveyor. The clause amends the section so that it is clear that disciplinary action may be taken against a surveyor registered under the principal Act for an offence related to surveying or involving dishonesty committed outside South Australia and for professional misconduct that takes place outside South Australia. Clause 7 increases the maximum fine that may be imposed upon a registered surveyor by the Surveyors Disciplinary Committee from $500 to $5 000.

Clause 8 inserts a new section 34a which provides that where an inquiry is to be held into the conduct of a person outside South Australia and registration granted to that person under the law of the place in which the conduct took place has been suspended or cancelled, the board may suspend the person's registration under the principal Act pending the determination of the inquiry. Clause 9 amends section 36 of the principal Act which sets out the powers of the Surveyors Disciplinary Committee. The clause increases the maximum penalty for failure to obey a summons of the committee or misbehaviour before the committee from $200 to $2 000. The clause also amends the section so that the committee is empowered to receive in evidence a transcript of proceedings before not only, as at present, a court, but also any other tribunal or body constituted under South Australian law or the law of any other place. The clause also provides for the same extension of power in relation to the adoption by the committee of the findings of such bodies.

Clause 10 increases the penalty in section 40 for the

offence of hindering or obstructing a registered surveyor or his nominee in the exercise of the right under the section to enter land for the purpose of conducting a survey. The clause increases the penalty from a maximum of $100 to a maximum of $1 000. Clause 11 substitutes for section 41 a new section prohibiting interference with survey marks. The new section limits the protection for survey marks to those established by licensed or registered surveyors or by persons acting under the supervision or direction of such surveyors or the Surveyor-General. The new section also empowers a court convicting a person for such an offence to order compensation for loss or damage resulting from the commission of the offence.

Clause 12 amends section 44 of the principal Act which provides for summary proceedings in respect of offences against the Act. The clause inserts a new provision providing that proceedings for an offence may be commenced within two years of the date of the alleged offence. Clause 13 inserts a new section 46a providing that the Surveyor-General may delegate, and shall be deemed always to have been empowered to delegate, any of his powers, discretions or functions under any Act to a person holding or acting in an office or position under the supervision of the Surveyor-General. Clause 14 amends section 47 which provides for the making of regulations. The clause amends the section so that regulations may be made providing for the form of survey marks and for the removal of survey marks. The clause also increases the maximum penalty for an offence against the regulations from $200 to $5 000.

The Hon. P.B. ARNOLD secured the adjournment of the debate.

EVIDENCE ACT AMENDMENT BILL

Second reading.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That this Bill be now read a second time.

It gives effect to the recommendations of the Select Committee of the Legislative Council on the Unsworn Statement and Related Matters. The committee recommended that the unsworn statement should be retained but that reforms should be made with respect to it. The reforms suggested by the committee were that the unsworn statement should be made subject to the general rules of evidence applying to sworn evidence except those relating to cross examination, that section 34 (i) of the Evidence Act should cover assertions in unsworn statements, that the prosecution should have the right to rebut any new matters raised in an unsworn statement, and that section 18 VI *(b)* be amended to define more clearly the circumstances in which previous convictions or character of a defendant can be brought before the court. The report sets out the arguments for the proposed reforms. The Bill also contains two changes to the select committee's Bill of a minor technical nature. I seek leave to have the detailed explanation of the Bill inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 amends section 18 by providing that the protection against evidence of character is lost only if the defendant places his own character in issue or if imputations are made against Crown witnesses which would not necessarily arise from a proper presentation of the defence. Subparagraph 18 VI *(a)* is redrafted to make it consistent with the paragraph as a whole. Clause 3 inserts a new section 18a in the principal Act which affirms the right to make an unsworn statement but prohibits assertions in the unsworn statement which would be inadmissible if given as evidence on oath; affirms that evidence may be given in rebuttal and provides that evidence of character and previous convictions may be given if in the unsworn statement the defendant makes assertions establishing his own good character or makes imputations on the character of the prosecutor or witnesses for the prosecution which would subject him to cross examination on character if such evidence had been given on oath; it makes clear that a person is not entitled to make both an unsworn statement and give sworn evidence. The clause retains other rules of common law relating to unsworn statements.

Clause 4 amends section 34i to ensure that assertions made in the unsworn statement are governed by the provisions of section 34i relating to prior sexual history. Clause 5 amends section 68 to ensure that the existing judge's discretion to prohibit publication of evidence contained in section 69 also includes any statement made before the court. This gives effect to recommendation 8 in the report. Although this recommendation referred to an amendment to section 69, the recommendation has in fact been given effect to by this amendment to section 68. This is in line with a proposal made in a report on victims of crime and will make it clear that a judge's discretion to prohibit publication extends to any material in an unsworn statement or any other statements made during the trial.

The Hon. H. ALLISON secured the adjournment of the debate.

MEDICAL PRACTITIONERS BILL

Second reading.

The Hon. G.F. KENEALLY (Minister of Tourism): I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* with my reading it.

Leave granted.

Explanation of Bill

It seeks to repeal the existing Medical Practitioners Act and replace it with legislation appropriate to the practice of medicine in the 1980s. The fundamental purpose of the Bill is to ensure that the highest professional standards of competence and conduct in the practice of medicine are achieved and maintained, thereby ensuring that the community is provided with medical services of the highest order.

The Bill is similar in many respects to that introduced by the previous Government towards the end of the last Parliament. However several new provisions have been added and these will be canvassed during the course of the second reading explanation. Due acknowledgment is given to the previous Minister of Health for originally introducing the legislation. In particular the medical profession is commended for its initiative in seeking many of the changes and its patience in awaiting the legislative outcome of its efforts.

The Government actively campaigned for the introduction of the Bill prior to assuming office and believes it goes a long way towards a restatement of the high principles and philosophies of the medical profession. The profession of medicine has traditionally occupied a position of pre-eminence in our society, especially in terms of prestige and expert authority. Historians and sociologists have traced the development of medicine into a profession from the disparate collections of healers of early civilisations, through the Renaissance, with its new discoveries, to ensuing centuries which

saw the further development, reinforcement and dominance of a scientific foundation for the discipline of medicine.

Concurrent with the development of a scientific basis for medicine was the development of medicine into an identifiable occupation, whose members shared a common background of training, who gained the support of the State in being the arbiters of medical work, and whose work gained public confidence and acceptance. Attempts at formal regulation of healing practices on the basis of a set of credentials had early beginnings. In the Australian context, medical boards were established long prior to Federation. In South Australia, for instance, an enactment in 1844 provided for the appointment of a three-member Medical Board and for persons 'desirous of being declared legally qualified practitioners to submit their diplomas or other certificates for approval of the board'.

The role and function of Medical Boards in monitoring medical qualifications and regulating the practice of medicine has thus been long established. However, the last few decades have seen dramatic developments in medical technology throughout the world, accompanied by an explosion in the costs of curative health care. This, together with increasing numbers of practitioners and in many cases, an unrealistic expectation in respect to prospective income, has resulted in members of the profession being faced with challenges to traditional medical ethics and procedures. A minority of the profession has unfortunately responded in a way which has reflected badly on the profession as a whole, the majority of whom espouse high principles. This response, and to a larger extent, the impact of the changes themselves, have pointed to the need for a review of the purpose of registration systems and a reappraisal of the role and functions of Medical Boards, to ascertain whether those systems, role and functions can adequately keep pace with today's needs and problems.

Registration obliges practitioners to ensure, and entitles the public to believe, that certain standards of competence and ethics will be maintained. In effect, this requires members of the profession to be accountable to the public, as well as to their peers for their actions. It is not just a question, however, of establishment and monitoring of standards by the profession—it is a question of the public's confidence in the system. Registration boards have an important role to play in terms of the relationship between the public and the profession. They are, in a sense, the interface between the public and the profession. They must be responsive to community needs. By their action, or lack of action, they can have a major effect on the public image of the profession and the public's confidence in it.

To be effective, they must also be provided with legislative powers appropriate to deal with contemporary needs. The Government recognises that the legislation under which the Medical Board presently functions has long passed the stage where it adequately protects either the public or indeed, the majority of the profession dedicated to high standards of medical ethics and professional excellence. It is no longer adequate as a means of distinguishing the dedicated from the delinquent or the diligent from the deceitful. The Bill before you today will completely replace the existing legislation.

The first major provision of the Bill envisages a restructuring of the Medical Board. The board will consist of eight members, instead of six as at present. To give practical effect to the Government's and the profession's acceptance of the legitimacy of the public interest perspective being brought to bear on the profession, the board will include two non-medical members, one of whom is to be a legal practitioner and one of whom is to be a lay person.

For the first time, a specific charter of powers and functions for the board is defined in the legislation. Emphasis is given to the board's role in maintaining high standards of competence and conduct. The board is given power to establish committees. One important area in which it is envisaged that a committee would be formed is that of education and training. The Minister of Health hopes in due course that the committee will deal with the vexed question of continuing education and whether there ought to be some degree of interdependence with annual registration. In some overseas countries, it is a prerequisite for annual registration that doctors produce evidence of a minimum number of hours spent on refresher or further education programmes. The Minister of Health has indicated that he is not immediately attracted to such stringent requirements and would seek the guidance and assistance of the profession on the matter.

An important initiative in the Bill is the power for the board to deal with situations where the competence of a doctor is in question. It may be that competence in a particular facet only is concerned, for example, a declining competence in the performance of certain surgical operations. Currently, the board does not have specific power to investigate a doctor's competence in such situations, or on that account, limit his practice or suspend his registration. (It has only limited powers in relation to mental or physical incapacity.) Provision is made in this Bill to remedy these deficiencies.

Another major initiative in the Bill is the establishment of the Medical Practitioners Professional Conduct Tribunal, to investigate complaints alleging unprofessional conduct. From time to time, criticism has been levelled at the existing investigative and disciplinary mechanism, on the grounds that the board must in a sense be both prosecutor and judge. The Government believes the proposed division of responsibility between the board and the tribunal answers that criticism and will streamline the handling of complaints.

The tribunal will be a five-member body, chaired by a person who either holds judicial office under the Local and District Criminal Courts Act, or is a special magistrate, or a legal practitioner of not less than 10 years standing. The previous Bill provided for the Chairman to be a legal practitioner of not less than seven years standing. The Government believes, however, that in view of the considerable powers vested in the tribunal, the Chairman ought to be a more senior member of the legal profession. Provision is again made for the inclusion of a lay person on the tribunal. The Government believes it is particularly important for the community voice to be heard in this context.

Complaints will initially be lodged with the board, which may itself investigate the matter, or taking account of the seriousness of the matter, may refer the matter to the tribunal. The tribunal will have a range of sanctions it can apply, including reprimanding the medical practitioner, imposing a fine of up to $5 000; imposing conditions restricting his right to practise medicine; suspending the practitioner for up to one year or cancelling registration. There will be the right of appeal to the Supreme Court against a decision of the tribunal.

An important addition to the Bill is the power for the board to require parties to appear before the Registrar if it is satisfied that a complaint was laid as a result of a misapprehension or misunderstanding between the parties. This is essentially a conciliation clause, based on the assumption that some complaints are really the result of poor communication. The Government believes that such a mechanism will enable a significant number of complaints to be dealt with more quickly, will encourage improved communication and, hopefully, will facilitate the restoration of positive relationships between the profession and the community.

The Bill provides in similar fashion to the existing Act, for registration of general practitioners and specialists. Qualifications for registration will be set out in regulations.

Members will note that, with the repeal of the existing Act, the provisions relating to the Foreign Practitioners Assessment Committee are repealed. This committee was included in the 1966 amendments to the Act, for the purpose of examining certain foreign graduates whose qualifications were not automatically registerable. The committee has performed a useful function. However, its functions have now been superseded with the development of the Australian Medical Examining Council (AMEC). Medical boards, in an attempt to introduce uniform registration requirements, have adopted the principle that any overseas doctor who wishes to practise in Australia and whose qualifications are not such as to entitle him to immediate registration, should be required to pass an examination of the same standard as that required of graduates of any Australian medical school. The Australian Medical Examining Council (AMEC) was established to conduct examinations for this purpose. It will be through regulations that recognition of AMEC examinations, or indeed, recommendations of any future similar body, will be able to be achieved. Accordingly, it is no longer necessary to retain any reference to the Foreign Practitioners Assessment Committee in the Act.

Also on the subject of registration, provision has been included to enable the suspension of the registration, of a medical practitioner who has not resided in the Commonwealth of Australia for 12 months immediately preceding his application. The Medical Register currently presents an inaccurate picture of the number of medical practitioners in the State. It is considered that many practitioners on the register have never practised in the State, and are unlikely to do so.

At the request of the medical profession, the Government proposes to allow the practice of medicine by companies. Other States have allowed this to occur, but in contrast with the situation in other States, which do not have specific legislation dealing with the matter, the Government believes that safeguards to regulate such a practice by companies should be contained in the Medical Practitioners Act. The Bill makes provisions accordingly, and I shall deal with specific aspects in the clause explanation which follows.

The attention of members is particularly drawn to the provisions relating to practice of medicine by unregistered persons. The Government regards it as a serious matter indeed for unregistered persons to hold themselves out, or permit others to do so, as if they were registered under the Act. Substantial penalties, including imprisonment, are provided.

Provision is included to enable certain treatment, diseases or illnesses to be prescribed, should it be deemed necessary, the effect of which will be to restrict provisions of such treatment to medical practitioners or persons registered or authorised under other health legislation. Recovery of fees is restricted to registered persons.

The attention of members is drawn to a new clause inserted by the Government, prohibiting the practice of medicine by a practitioner unless he has entered into a contract with a person approved by the board whereby he will be indemnified in the event of loss arising from claims in respect of civil liability. The Government sees this as a protection for the medical practitioner, and more particularly, the public. The public can be confident that, in the event of a successful action against a registered practitioner, they will have access to some monetary redress.

A power of exemption is included which is intended to apply, for example, to practitioners on limited registration working within a hospital. In these circumstances, the hospital would be obliged to meet any liability of the employed doctor, as is presently the case by virtue of the Wrongs Act.

Another important provision in the Bill is the requirement for declaration of interest in hospitals and nursing homes by medical practitioners or prescribed relatives. The information is required to be supplied to the board and patients must also be informed prior to being referred to such institutions. Substantial penalties are provided for non-compliance. As members would be aware, the Minister of Health is on record as being critical of the present state of affairs in this regard. It is not the Government's intention to prohibit ownership by medical practitioners at this time. In co-operation with the board, we will carefully monitor the situation following implementation of the Act. If the proposed controls prove to be inadequate, the Government will have no alternative but to consider legislating.

In respect of each of the matters dealt with by the Bill, Parliament and the public are entitled to be informed of the directions which the profession is taking and the manner in which the board approaches the interests of both the profession and the public. Accordingly, the board will be required to prepare an annual report for presentation to the Minister of Health and tabling in Parliament. By this means, it is intended that the community should be better informed about the manner in which the profession operates and the profession itself should become further accountable to the public.

This Bill is the first major revision of the Act for many years. It embodies an awareness of public accountability, as well as serving the purposes of proper regulation of medical practice. I commend it to the House.

Clauses 1 and 2 are formal. Clause 3 sets out the arrangement of the Bill. Clause 4 repeals the Medical Practitioners Act, 1919-1976, and provides for the necessary transitional matters on commencement of the new Act. Clause 5 provides definitions of terms used in the Bill. Subclause (2) provides that the Act will apply to unprofessional conduct committed before its enactment. This is in the nature of a transitional provision. A practitioner who is guilty of such conduct cannot be penalised by removing his name from the register under the old Act after it has been repealed. This provision will enable his name to be removed from the register under the new Act. Paragraph *(b)* of the subclause ensures that a practitioner can be disciplined for unprofessional conduct committed outside South Australia.

Clause 6 establishes the Medical Board. Clause 7 provides for the membership of the board and related matters. Clause 8 provides for the appointment of a President of the board. Clause 9 provides for procedures at meetings of the board. Clause 10 ensures the validity of acts of the board and gives members immunity from liability in the exercise of their powers and functions under the Act. Clause 11 disqualifies a member who has a personal interest in a matter under consideration by the board from participating in the board's decisions on that matter. Clause 12 provides for remuneration and other payments to members of the board. Clause 13 sets out the functions and powers of the board. Clause 14 will enable the board to establish committees.

Clause 15 provides for delegation by the board of its functions and powers to the persons referred to in subclause (2) *(a)* (i) and to a committee established by the board. Clause 16 sets out powers of the board when conducting hearings under Part IV or considering an application for registration or reinstatement of registration. Subclause (4) gives a witness before the board the same protection as he would have before the Supreme Court. This provision will give witnesses protection in relation to any defamatory statements that they might make in the course of giving evidence. Clause 17 frees the board from the strictures of the rules of evidence and gives it power to decide its own procedure. Clause 18 provides for representations at hearings before the board. Clause 19 provides for costs in proceedings before the board. Clause 20 provides for the appointment of the Registrar and employees of the board.

Clause 21 requires the board to keep proper accounts and gives the Auditor-General powers as to the audit of those accounts. Clause 22 requires the board to make an annual report on the administration of the Act. The Minister must cause a copy of the report to be laid before each House of Parliament. Clause 23 establishes the Medical Practitioners Professional Conduct Tribunal. Clause 24 provides for the membership of the tribunal and related matters. Clause 25 provides for the constitution of the tribunal. Clause 26 provides for the determination of questions by the tribunal.

Clause 27 ensures the validity of acts and proceedings of the tribunal and gives the members immunity from liability in the exercise of their functions and powers under the Act. Clause 28 provides for the disqualification of a member who has a personal or pecuniary interest in a proceeding before the tribunal. Clause 29 provides for remuneration and other payments to members of the tribunal. Clause 30 prohibits a person from holding himself or another out as a general practitioner or a specialist unless he or the other person is registered on the general or specialist register. The penalty is a fine of $5 000 or imprisonment for six months. Clause 31 makes it illegal for an unqualified person to provide medical treatment of a prescribed kind or in relation to a prescribed illness or disease. The clause also prohibits the recovery of a fee or other charge for the provision of any medical treatment by an unqualified person. The effect of this is that fees charged by such persons may be paid but cannot be recovered in a court of law. Subclause (2) excludes a person conducting the business of a hospital, nursing or rest home from the operation of the provision. A 'qualified person' is defined in subclause (3) to be a medical practitioner or a person who has qualifications recognised by or under an Act of Parliament.

Clauses 32 and 33 provide for the registration of persons on the general and specialist registers. The qualifications, experience and other requirements for registration will be prescribed in regulations. Clause 34 provides for reinstatement of registration. A person whose name has been removed from the register for any reason will not have a right to be automatically reinstated. Before being reinstated he must satisfy the board that his knowledge, experience and skill are sufficiently up to date and that he is still a fit and proper person to be registered. The tribunal may under Part IV suspend a practitioner for a maximum of one year or may cancel his registration. Subclause (3) of this clause provides that a practitioner whose registration has been cancelled may not apply for reinstatement before the expiration of two years after the cancellation.

Clause 35 provides for limited registration. Registration under this clause may be made subject to conditions specified in subclause (3). Subclause (1) will allow medical school graduates, persons seeking reinstatement and any other persons requiring experience for full registration to be registered so that they may acquire that experience. Subclause (2) gives the board the option of registering a person who is not fit and proper for full registration. He may be registered subject to conditions that cater for the deficiency.

Clause 36 provides for provisional registration. Clause 37 provides for registration of companies on the general register and provides detailed requirements as to the memorandum and articles of such a company. Clause 38 provides for annual returns by registered companies and the provision of details relating to directors and members of the company. Clause 39 prohibits companies registered on the general register from practising in partnership. Clause 40 restricts the number of medical practitioners who can be employed by a registered company. Clause 41 makes directors of a registered company criminally liable for offences committed by the company. Clause 42 makes the directors of a registered company liable for the civil liability of the company.

Clause 43 requires that any alterations in the memorandum or articles of a registered company must be approved by the board. Clause 44 provides for the keeping and the publication of the general and specialist registers and other related matters. Clause 45 provides for the payment of fees by medical practitioners. Clauses 46 to 48 make provisions relating to the register that are self-explanatory. Clause 49 will enable the board to obtain information from medical practitioners relating to their employment and practice of medicine. This information is considered important to assist in manpower planning of medical services for the continued benefit of the community.

Clause 50 is a provision which will allow the board to consider whether a practitioner who is the subject of a complaint under the clause has the necessary knowledge, experience and skill to practise in the branch of medicine that he has chosen. This important provision will help to ensure that practitioners keep up to date with latest developments in their practice of medicine. If the matters alleged in the complaint are established the board will be able to impose conditions on the practitioner's registration. Clause 51 is designed to protect the public where a practitioner is suffering a mental or physical incapacity but refuses to abandon or curtail his practice. In such circumstances the board may suspend his registration or impose conditions on it.

Clause 52 places an obligation on a medical practitioner who is treating a colleague for an illness that is likely to incapacitate his patient to report the matter to the board. Clause 53 empowers the board to require a medical practitioner whose mental or physical capacity is in doubt to submit to an examination by a medical practitioner appointed by the board. Clause 54 gives the board the power to inquire into allegations of unprofessional conduct. If the allegations are proved the board may reprimand the practitioner. However, in a serious case it may take the matter to the tribunal. Clause 55 gives the board power to vary or revoke a condition it has imposed on registration or that is imposed by clause 4 of the Bill. Clause 56 empowers the board to suspend the registration of a practitioner who has not resided in the Commonwealth for 12 months.

Clause 57 makes machinery provisions as to the conduct of inquiries. Clause 58 provides that a complaint alleging unprofessional conduct by a medical practitioner may be laid before the tribunal by the board. The orders that can be made against the practitioner or former practitioner are set out in subclause (3). Clause 59 provides for the variation or revocation of a condition imposed by the tribunal. Clause 60 provides for a problem that has occurred in the past. A practitioner who is registered here and interstate and has been struck off in the other State can practise here with impunity during the hearing of proceedings to have him removed from the South Australian register. Experience has shown that these proceedings can be protracted. This provision will enable the board to suspend him during this process. Clause 61 makes machinery provisions as to the conduct of inquiries. Clause 62 relaxes the rules of evidence in inquiries before the tribunal and enables it to conduct its hearings as it thinks fit.

Clause 63 provides powers of the tribunal as to the taking of oral and other evidence. Subclauses (5) and (6) empower the Supreme Court to make necessary orders to enforce the powers of the tribunal. Clause 64 provides for the assessment and payment of costs. Clause 65 is a rule-making provision. Clause 66 provides for appeals to the Supreme Court. An appeal will lie from the refusal of the board to grant an application for registration or reinstatement or imposing a condition on registration. Appeals will also lie from orders of the board or the tribunal under Part IV. Clause 67 allows orders of the board or the tribunal to be suspended pending

an appeal to the Supreme Court. Clause 68 empowers the Supreme Court to vary or revoke a condition that it has imposed on appeal.

Clause 69 requires medical practitioners to be properly indemnified against negligence claims before practising medicine. Clause 70 makes it an offence to contravene or fail to comply with a condition imposed by or under the Act. Clause 71 requires the disclosure to the board by a medical practitioner or the prescribed relative of a practitioner of any interest that he or the relative has in a hospital, nursing home or similar institution. The practitioner must also inform a patient of the interest when referring him to the hospital. The clause requires that practitioners and prescribed relatives who have such an interest at the commencement of the Act must inform the board within 30 days of the commencement. Clause 72 requires a practitioner to inform the board of claims for professional negligence made against him.

Clause 73 provides for the service of notices on practitioners. Clause 74 provides a penalty for the procurement of registration by fraud. Clause 75 provides that where a practitioner is guilty of unprofessional conduct by reason of the commission of an offence he may be punished for the offence as well as being disciplined under Part IV. Clause 76 provides that offences under the Act will be minor indictable offences except where otherwise provided. Clause 77 provides for the making of regulations.

The Hon. D.C. WOTTON secured the adjournment of the debate.

STATUTES AMENDMENT (IRRIGATION) BILL

The Hon. J.W. SLATER (Minister of Water Resources) obtained leave and introduced a Bill for an Act to amend the Irrigation Act, 1930-1982; the Irrigation on Private Property Act, 1939-1978; the Lower River Broughton Irrigation Trust Act, 1938-1972; and the Pyap Irrigation Trust Act, 1923-1979. Read a first time.

The Hon. J.W. SLATER: I move:

That this Bill be now read a second time.

The purpose of this Bill is to increase the level of interest charged on overdue irrigation and drainage rates in Government-administered irrigation areas in order to encourage reduction in the high levels of rates that are now outstanding. The Lower River Broughton Irrigation Trust and the Pyap Irrigation Trust have requested that similar amendments be made to the Acts under which they administer their areas, and accordingly appropriate amendments to those Acts are included in this Bill. A consensus in support of similar amendments to the Irrigation on Private Property Act, 1939-1978, has been demonstrated by trusts that operate under that legislation.

The Acts that are amended by this Bill provide for interest or a fine on rates that are overdue at the rate of either 5 or 10 per cent. The effect of the amendments will be that, in future, interest will be 5 per cent of the rates unpaid after three months and 1 per cent of rates and interest unpaid at the expiration of each subsequent month. The initial moratorium of three months will assist those irrigators where cash flows are irregular, but the increased level of interest will more closely reflect the current market situation and provide an inducement for early payment.

The Bill also makes a number of minor amendments that will be explained in the notes to individual clauses. It is proposed to proclaim Act No. 65 of 1981, which amends the Irrigation Act, 1930-1981, and this Act on 30 June 1983. The amendments to the Irrigation Act, 1930-1982, made by this Bill are therefore as it is amended by Act No. 65 of 1981. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 sets out the arrangement of the Bill. Clause 4 is formal. Clause 5 amends section 75 of the Irrigation Act, 1930-1982. Paragraph *(a)* removes from subsection (1) the requirement that the notice of the rate published in the *Gazette* prescribe a time and place for payment of the rate. This information will be printed on individual rate notices which will be of assistance to ratepayers and will give greater administrative latitude. Paragraph *(b)* strikes out subsections (2) and (3) and substitutes four new subsections. New subsection (2) is an improvement on the existing subsection (2) because it states clearly the persons who will be liable for rates and interest. New subsection (3) provides that both rates and interest on rates will be a charge on the land instead of rates only being charged on land as is provided by the present subsection (2).

New subsection (4) replaces subsection (3) and provides that a notice setting out the rates must be served on the person liable and that the rates will be due and payable from the date stated in the notice. New subsection (5) provides for interest at 5 per cent in respect of rates unpaid after three months with an additional 1 per cent of rates and interest at the end of each subsequent month. Subclause (6) is a transitional provision that provides that interest at the rate of 1 per cent calculated at the end of each month will be payable on rates and interest unpaid at the commencement of the amending Act.

Clause 6 amends section 78 of the principal Act. This section provides for charges to be made for the supply of water where rates are not applicable. The amendments correspond to those made to section 75 by clause 5. Clause 7 makes amendments to section 80j in line with the amendments to section 75 (1) made by paragraph *(a)* of clause 5.

Clause 8 enacts new section 80ja which makes provisions in relation to drainage charges that correspond to those made by clause 5 in relation to irrigation rates. Clause 9 is formal. Clause 10 amends section 43 of the Irrigation on Private Property Act, 1939-1978, in line with the amendments to the Irrigation Act, 1930-1982. Clause 11 is formal. Clause 12 amends section 91 of the Lower River Broughton Irrigation Trust Act, 1938-1972, in line with the amendments made to other Acts by this Bill. Clause 13 is formal. Clause 14 amends section 56 of the Pyap Irrigation Trust Act, 1923-1979, in line with the amendments made to other Acts by this Bill.

The Hon. P.B. ARNOLD secured the adjournment of the debate.

SOUTH AUSTRALIAN OIL & GAS (CAPITAL RECONSTRUCTION) BILL

Adjourned debate on second reading.

(Continued from 30 March. Page 779.)

The Hon. E.R. GOLDSWORTHY (Kavel): This Bill seeks to clarify and resolve the situation which has arisen as a result of the way in which SAOG was originally structured. I guess that one could be critical and say that those who thought of the original structure of SAOG may not have envisaged the situation that could arise and that, therefore, the structure was deficient. Nonetheless, I think that the intention of those responsible for drawing up the original structure of the company is clearly known.

A problem has arisen in relation to the way in which the company is structured in that it was desired to give SAOG something of a public company format. In fact, the second reading explanation suggests that the Commonwealth Government insisted on this and, although the Minister has not said so, I also understand that the structure of the company was such that the strictures of Loan Council would not apply to it.

The company was structured to operate as largely as possible as a private company does. However, I believe that it was perfectly clear from the start that the transfer of the Federal Government's interest was to the State and, as such, to the people of South Australia via the State Government. In effect, it was the South Australian Government's acquisition of a Commonwealth Government interest in the Cooper Basin. In structuring the company, 51 per cent equity (51 per cent of the 50 000 shares issued) was attributed to the South Australian Gas Company, which in itself is in some respects akin to what is in effect a public company but which has constraints on it that are not common to the vast majority of public companies. However, 51 per cent of the interest in SAOG was assigned to the South Australian Gas Company for $25 500; 25 500 $1 shares were issued, and that attracted from the Gas Company a token contribution of $25 500. The remaining 24 500 shares issued in that company were issued to the Pipelines Authority of South Australia, and that was the basic structure of the company.

However, the people (the Government, I guess, and its advisers) who devised the structure of SAOG ensured South Australian Government control, in effect, by dictating in the articles of association that three of the five directors of SAOG should be appointed by the Pipelines Authority of South Australia (PASA), which is a statutory organisation, and that two directors would be appointed by the Gas Company.

Moreover, the voting strength of the shares was assigned such that PASA shares carried three times the voting rights. Therefore, in all circumstances control at board level was by Government nominees. As I understand, the original purchase price was of the order of $17 000 000 for the Commonwealth Government's interest in the Cooper Basin. As time went on the 51 per cent equity of Sagasco was picked up by investment advisers and others, and they were of the view that this would invest in the shareholders of Sagasco a 51 per cent equity in SAOG which would lead to a 51 per cent interest in terms of dividend payments, if such ever came to pass. Indeed, if the company was ever wound up and the assets were distributed, 51 per cent would flow to the shareholders of Sagasco. I think it is true to say that that was never intended, and it was made perfectly clear to the directors of the Gas Company when SAOG was set up that this was not the position, that they could not expect to attract any dividends; that in fact, if dividends were to be paid they would be paid in such a way that benefits would flow to the gas consumers of South Australia. It was never envisaged that any windfall profits would accrue to the shareholders of the Gas Company.

This led to some legal opinions being sought and given, which to my mind, if anything, tended to muddy the waters. The legal opinions were not unanimous and some legal opinons were quite clear in the view that the Gas Company directors had a legal obligation to press for the rights of their shareholders and to see that any interest that they had in SAOG would be recognised. However, the actual position, as understood over the years, to my way of thinking is quite clear. This was acknowledged by the Liberal Government and by me as Minister of Mines and Energy when speculation in Gas Company shares began to emerge, namely, that share prices would increase. I made a Ministerial statement to the Assembly to the effect that the Liberal Government did not believe that that speculation was justified. In that Ministerial statement I think I quoted from a letter sent by the Chairman of the Gas Company, Sir Bruce Macklin, to the Stock Exchange to make quite clear the position of the directors of the Gas Company. That statement and the statement that I made indicated clearly that no-one believed that any particular benefits would accrue to shareholders of the South Australian Gas Company as a result of their contribution of $25 500 for the original purchase of SAOG.

Of course, over the years SAOG has become a very valuable company, because, as hydrocarbons have been developed and liquids discovered and further developed, the interest that SAOG has in the Cooper Basin has meant that the company probably has an all-up capital value of maybe $400 000 000. I guess the only indication of its position we could get would be to compare it with the sums that have been paid for other interests in the Cooper Basin, and I refer, for example, to some of the enormous sums paid in the Cooper Basin which no doubt have in them a component to take allowance for the prospectivity of the Cooper Basin. If we look at one of the major acquisitions in the Cooper Basin it can be seen that, by comparison, SAOG is a very valuable company.

In view of the warnings of the previous Government and the warnings given by me as Minister and by Sir Bruce Macklin as Chairman of the Gas Company, speculation was dampened down, but pressure for some other type of recognition of the interests of the shareholders of Sagasco came to bear on various people involved and on Government. The present Labor Government by this Bill is seeking to clarify the position once and for all. There are other possible ways of resolving this problem. As I have said, the position of the Liberal Government was made perfectly clear by me as Minister, and it is true to say that we were contemplating ways in which this position could be clarified. All of the so-called compromise solutions that were put to the previous Government in effect meant giving some equity in SAOG to Gas Company shareholders. In my view, deciding what would be a reasonable interest to assign to Gas Company shareholders would have been a fairly arbitrary exercise. I was of the view that the position had been made clear: warnings had been given to investment advisers and other speculators that there was no justification for any particular beneficial interest to be assigned to Gas Company shareholders as a result of this speculation.

The Opposition has no argument with the Government, but I point out that there are other ways that the matter could have been handled. The directors of SAOG could have passed a resolution to amend their articles which would have done what this Bill seeks to do. However, that prospect was accompanied with the further prospect of litigation and legal action from those who believed that they had much to gain if in fact a legal point could be proved that more of the equity than had been understood to be in SAOG did reside with Sagasco shareholders. The spectre then loomed of litigation going through the courts, maybe even to the High Court, in relation to the matter, whereby the situation would have been far from clear for quite a protracted length of time. That was an unattractive option to all considering the matter.

I might add that the legal opinion sought and received by the Government and by others indicated that the position was not clear. Some strong advice was that the directors could act in that way, but that if there was any succeeding litigation it would fail. However, as often happens in this sort of situation, legal advice was not unanimous, but the prospect outlined was one that could not be contemplated. Therefore, one option was for the Parliament to give the directors of SAOG immunity from such litigation. In effect,

that would have had the same effect as the provisions of this Bill. I think that the present Government has opted for what could be called a sharp axe, although I was going to say a blunt axe.

The Hon. R.G. Payne: Sledgehammer.

The Hon. E.R. GOLDSWORTHY: I do not know whether it is a sledgehammer. I am not saying the Government is using a sledgehammer to crack a walnut. It is a major problem which has arisen and which has led to decisions that have been made involving a lot of large investments and large sums of money. It is a major problem. I believe that it is certainly time that the position was clarified. I have got no argument with the fact that the Government has introduced this Bill. With all the options which were available to the Government, it has opted for a sharp-axe treatment and it is making the position perfectly clear by way of legislation and the articles being amended by this Bill.

I have obtained and perused a copy of the articles and the second reading explanation fortunately is not couched in political point-scoring terms as second reading explanations often are—some notably on the Notice Paper at the moment. I believe that the second reading explanation is factual, accurate, and is a fair representation of the situation and faithfully outlines the amendments proposed to the articles.

One other feature with which I do not disagree, and with which the Liberal Party does not disagree, is the fact that the amendments to the articles make it perfectly plain that the Minister of the day shall be influential in the selection of the directors of SAOG. In fact, no directors or alternate directors can be appointed without the concurrence of the Minister of the day. I believe that that is a proper provision in view of the fact that the company is, in effect, owned by the taxpayers of South Australia. Although it is a *quasi* public company, in effect, which has led to some difficulties in structuring SAOG, it is publically owned. In those circumstances I do not believe that it is inappropriate for the Minister of the day to have the final say in relation to the appointments to the board of SAOG. That is another amendment which is incorporated in the schedule which amends the articles.

The board of SAOG is relatively small. I think that there could well be argument for enlarging the board. It is, as I say, a very valuable company. When in Government I took the step of enlarging the size of the Electricity Trust board because that is an enormous undertaking which has an enormous impact on almost every member of the South Australian community. Generally speaking, I have a distinct aversion to large committees and large boards when one is trying to transact business, as there is a fine balance to be struck whereby a degree of expertise can be gathered from throughout the business community and governmental circles when important and major decisions can be made involving tens of millions of dollars. I have no intention of moving any amendment to this Bill to enlarge the size of the SAOG board, but it does occur to me that there could be a case in the future for enlarging the size of the SAOG board because I do not know of any public companies (and this is not a public company but it is a *quasi* public company and it is a Government instrumentality) with assets such as those of SAOG which have boards controlling them and making decisions which are down to five in number. I may be wrong, but in my experience that is the case.

All in all, I have no argument with this Bill. The Opposition has no basic argument with this Bill. I think our position was made perfectly clear. Investment advisers who were urging people to buy Gas Company shares, I believe, were doing so on a mistaken premise. We took the first opportunity of advising them of what we believed was a mistaken premise. Legal opinion was divided as to the structure of sale, but there was clear opinion from some eminent legal men that even at law they had no real claim to any particular windfall profits or enormous capital gain as a result of the winding up of Saog which would occur in due course and which would give 50 per cent of its value to Gas Company shareholders.

With those remarks, I indicate that we support this Bill. I do not know whether the Liberal Government would have done it in quite this way. That decision had not been made, but as I have indicated earlier in my remarks it was being actively considered because the position had to be clarified one way or another. However, the election intervened and the previous Government had not, in those circumstances, brought the matter before Parliament. Nonetheless, I believe that the recommendation that I would have made as Minister (even though it had not been made) would have been for an alternative which would have in the long term had the same effect as this Bill, which as I say is a fairly sharp-axe treatment to resolve the problem.

The Hon. R.G. PAYNE (Minister of Mines and Energy): I congratulate the Deputy Leader on his approach to this matter and freely acknowledge that a great deal of the preliminary work which has resulted in this measure to correct the situation (and which has gone on for too long) was done during his time in office. I accept that he has told the House that there were other ways of doing this, but I would just mention briefly that the other ways that have been tried already have failed to resolve the position, and it seems to me that the method that the Government has now chosen—

The Hon. E.R. Goldsworthy: The legislation.

The Hon. R.G. PAYNE: It seems to me that the method that we now have before us certainly puts it beyond any doubt and I trust that the measure will receive a similar degree of understanding in another place as has been given by the Opposition in this House.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Schedule.

The Hon. E.R. GOLDSWORTHY: Has the Minister been able to ascertain if there was any correspondence between the South Australian Gas Company and the Government of the day in relation to the setting up of SAOG? One of the problems has been to verify the clarity of the situation and the understanding in relation to the establishment of SAOG. It has been perfectly clear from a perusal of Sagasco's annual report that they understood what the position was.

I think it has been made abundantly plain, certainly by the Liberal Party, that its understanding was clear and I think a perusal of the original debates when the matter was introduced in Parliament makes the position fairly clear, but other than that I was unable to find any record of correspondence or formal dealings with the Gas Company when this company was being set up that made the position perfectly clear. However, the Minister might have been privy to information to which I was not. There seems to be no clear definition of the role of the Gas Company when this company was set up. This is one of the difficulties I have.

The Hon. R.G. PAYNE: I am not aware of any correspondence, but I think the Deputy Leader would understand that I have been able to speak to some of the principals involved in the setting up of the company at a different level from that which he might have been able to. I am referring, of course, to the former Minister some years ago, the Hon. Hugh Hudson, Sir Norman Young, and some other proponents who were involved at the time the Act

was introduced. I do recall being in Cabinet when the actual matter was discussed but beyond that I cannot say with any certainty that I have seen any correspondence. I certainly have not seen any correspondence which relates to the matter raised by the Deputy Leader since taking over the portfolio.

Schedule passed.

Title passed.

Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL

In Committee.

(Continued from 30 March. Page 810.)

Clause 11—'Power to declare general rule.'

The Hon. B.C. EASTICK: I have indicated previously that there is quite a degree of concern about the action being provided for in this clause. Generally, I am in no way against the general proposition because I believe that we have already experienced, many times, indeterminate delays in the eventual striking of a rate in councils which have caused major financial embarrassment to the local government body involved. This clause seeks to eliminate the special protection which has existed in the past for a differential rate. The Opposition believes that this matter should be stood aside. The Minister has indicated publicly, and there is no secret about it, that major changes to the Local Government Act are being drawn up and it is quite competent for a change such as provided for in this clause to be considered in the greater context of the next major amendments rather than being proceeded with at this time.

Ratepayers understand that their council will determine a rate and it is known that a rate will be struck at a certain time of the year, and there is general public knowledge of the rating. However, in respect of a differential rate, quite frequently in the recent past a council, without having made public its intention, has sought fit to introduce a differential rating system, and because the council has not thoroughly understood the measure, or because there is disquiet in the minds of the councillors, the council has not been able to determine that differential rate because it has not been able to get 75 per cent of the councillors to vote for it. That fact has led to the public who would have been affected by the decision becoming fully aware of the implications of a differential rate.

Having been made public, the matter can be discussed and, after reasonable discussion, the council may see fit to carry a motion by the required majority. In such circumstances, that action is taken after public discussion of a vital issue affecting the responsibility of ratepayers to pay and the way in which they must pay in respect of certain properties.

If it is the intention of the Government to proceed with clause 11 as drafted, I would move to amend the clause so that, the first time a differential rate was presented to the council, a 75 per cent majority would be required for the motion authorising such a rate. That protection is in the Act at present. However, if the council could not reach a decision by a 75 per cent majority, my amendment would provide that, when the matter was reconsidered in say six weeks time, the motion could be carried by an absolute majority.

The interval of six weeks would allow the matter to be discussed publicly so that members of the council, the council staff, and the ratepayers would be fully aware of the implications of the measure being considered. Members of the Opposition are opposed to the situation where people wake up and find that a course of action different from any taken by local government in the past has become a *fait accompli* without the ratepayers having been given the opportunity of considering the proposed action. So, my amendment would be a complete and sensible compromise to safeguard the position of all parties by enabling the council to make a decision within a reasonable time but not before members of the public were alerted to the consequences of the proposed action.

It is possible to draft an amendment to the clause to give effect to such an intention with the provision of a six-week interval to which I have referred. As that aspect has not been discussed widely by members of local government throughout the State, it is probably unreal to come into this Chamber today and ask the Minister to support such an amendment. Although I could do that, I think it would be far better to say to him, 'As the Act is to be revised soon, it will be far better not to disturb the time-honoured arrangement concerning a differential rate.'

Members of the Opposition oppose clause 11, not because we want to see it tossed out (indeed, I have admitted that it may have merit), but rather because it may have serious consequences to the public. The Minister should accept my proposition that the Committee should not proceed with the clause and that, before the introduction of the revised legislation, all parties be given a chance to consider the consequences of a compromise that would achieve the end sought by local government but which would not destroy the confidence that many people have enjoyed for so long that they will be protected from an overnight decision that would place their property in jeopardy as a result of the creation of a differential rate.

It is not imperative that the clause be passed today. It may well be that the same wording as we are considering now will be acceptable in the revised legislation after the matter has been discussed fully. However, it should be discussed thoroughly by members of local government generally throughout South Australia. Indeed, it would be appropriate to say to the Minister that local government as a whole does not know about the amendments before the Committee, even though the Minister has said that the Local Government Association had given the 'all clear' to the provisions of the Bill. I know that such a statement is true but, had the Minister been able to wait a little longer at a meeting both he and I attended last Friday (and I make no criticism of him in saying this), he would have learned from questions asked by members of local government that they were unaware that some provisions of the Bill were currently being considered. Certainly, such measures have been spoken for by the Local Government Association, but members have not spoken for them because the Bill has not been circulated to them by the association.

I do not want to be critical of the situation, because the association told me, as it told the Minister, that the contents of the Bill have been talked about for a long time and therefore the association was able to support them. However, on the occasion to which I have referred a member of the executive of the association clearly indicated that members generally were unaware of the consequences of at least some of the provisions of the Bill. For the reasons that I have given, the Minister should allow clause 11 to be defeated so that its provisions, which are in isolation from the rest of the Bill, may be properly considered by members of local government, including the individual councils responsible for their implementation.

The Hon. T.H. HEMMINGS: The member for Light has said that this clause should be defeated but, if the Liberal Party had won last year's State election, these amending provisions would have been placed before members, perhaps not now but eventually, and Labor members would have supported this clause, because the 75 per cent majority has

caused considerable problems over the past two or three years where differential rating has become the accepted norm in local government affairs.

The member for Light says that local government generally has not had a chance to look at the ramifications of clause 11. He said that it might be agreed between the Local Government Association and my department that clause 11 should be included but that we should defeat the Bill so that local government generally can look at the ramifications for the ratepayer.

The Hon. B.C. Eastick: I said the clause, which is an entirely different thing from the Bill.

The Hon. T.H. HEMMINGS: The clause; I apologise. I remind Opposition members that, if they are persuaded by the argument of the member for Light on this clause, they should contact their own local government body, because the information I have received, not only from the Local Government Association but also from my department, is that time and time again over the past few years problems have arisen where a council has tried to introduce a differential rate, and, due to the 75 per cent majority requirement, has been unable to do so. In the area represented by the member for Light, a problem arose in 1980-81 when the council could not obtain a differential rate because of the 75 per cent requirement. The member for Light would be well aware of that.

I could cite a number of councils that have contacted my department stating that they are having problems in achieving a differential rate because of that requirement. The member for Light advocated defeating the clause and putting it in the revision of the Local Government Act, which will come before the House in the Budget session. The revision Bill to come before the House in the Budget session deals with electoral reform. It will involve considerable debate. The working party is dealing with other aspects of the revision Bill. Quite conceivably, it could be 18 months before this aspect is dealt with if we follow the argument of the member for Light to defeat the clause and bring it in with the major revision Bill.

I have received advice from the Local Government Association, from my own officers, and from individual councils. The clause is a simple amendment to ensure that, where a council wants to bring in differential rating, it can do so quite easily. It is not at the expense of the ratepayer. If the council so desires, it can introduce differential rating. I am sure the member for Light would not want me to read out all the examples I have of councils throughout the State having such problems. It is important to note that the problem is not with metropolitan councils but rather with country councils. The situation arises in the district represented by the Leader of the Opposition, as well as that represented by the member for Light. It also occurs in Mount Gambier. It has been an on-going problem for many years. This is a simple clause to ensure that, when a local government body wishes to introduce differential rating, it can do so with a simple absolute majority.

Therefore, I oppose the proposition of the member for Light. The Government is convinced that the clause should go through. I hope that members of the Opposition will support it. I can assure them that, if the clause is defeated, letters will come in from local government bodies, particularly in country areas, saying that they cannot introduce differential rating because the Act, with its restrictive 75 per cent majority requirement, cannot enable them to do so.

The Hon. B.C. EASTICK: I am not convinced by the Minister's argument. He indicated that, had the previous Government stayed in office, those measures would, in effect, have been presented by the then Government. Let me tell the Minister that the measures contained within the document were never considered by the Liberal Party in the Party room. They may well have been a series of measures presented to the Minister by officers of his department. They may have been matters presented to the Minister by members of his own Party representing the views of councils which those members represented. However, the matters contained within the measure had never been put to members on this side for consideration when we occupied the benches opposite. Had they been put to the Party, I suggest that they would not have had passage in their current form. It may well be that some aspects would have been welcomed.

We have already identified some measures which can have total support but, from the experiences of a number of members in relation to this matter, I suggest to the Minister that there is no way that this measure would have gained the support of the former Minister's colleagues in the Party room. The Minister has put his finger on the pulse by saying that it has been an on-going problem. I accept that the corporation of Gawler found itself in a real pickle in 1980-81—the year that the Minister identified. There is no argument about it. The corporation of Gawler found its way out of the problem. It had a problem because insufficient members of council were convinced that a new directive or measure was in the best interests of the community which they all represented.

I think that I am correct in saying that the Mount Gambier council, many years ago, was the first to give attention to a differential rate. The problems experienced in the city of Mount Gambier for a long time as a result of the divisions caused by the measure give testimony to what I have already suggested, namely, that it is a contentious matter. Because it is a contentious matter, the Opposition is saying to the Minister, 'We do not believe that it is in the best long-term interests of local government at this time, until the matter has been properly researched and discussed with local government, to alter the *status quo*,' and the *status quo* provides for a safety valve.

The alternative half-way point that I have suggested to the Minister offers another compromise, and I am happy to present these words to the Minister as such a compromise if he needs them. I would seek by clause 11 (and I say 'I would seek' because I am not seeking) to insert new subsection (4a) in section 214 of the principal Act. New subsection (4a) would state:

(4a) Where—

(a) a motion brought before the council that differential rates be declared is lost;

and

(b) at another meeting of the council, held at least six weeks after the date of the meeting at which the motion referred to in paragraph *(a)* is lost, another motion, in the same terms as the previous motion, for the declaration of differential rates is passed by an absolute majority of the council,

then the motion shall be carried.

That is a clear indication of the compromise and the genuineness of the Opposition's argument: it is prepared for the matter to proceed so that the business of council can get on, but only after it has become a public issue and only after there has been a pause (six weeks is suggested here) which has allowed the matter to be aired publicly. If there is an absolute majority of council prepared to vote for it, the full council area having been made aware of the issue, then so be it: it is passed.

However, the Opposition's problem with this measure is that the ratepayers of a council could wake up one morning and find that, at a council meeting the previous day, without the issue of differential rating ever having been considered or publicly discussed, they were to be lumbered with it. If they were lumbered with it by virtue of 75 per cent of the councillors around the table having been prepared to accept

it, that to the members of the Opposition, would be a fairly clear indication that it was a subject which was well understood and which 75 per cent or more of the councillors were prepared to accept on behalf of the people that they represented. However, until such time as the people have the support in the council of 75 per cent of the councillors on the first occasion, or subsequently, an absolute majority on the second occasion, members on this side do not believe that the protection afforded in the present clause ought to be altered.

That is the basis upon which I approach this subject with the Minister. It is a very vital issue to members on this side in relation to the responsibility to the ratepayers that they see as being that other essential element of the total local government scene about which the Minister and I had words on an earlier occasion. It is not only what the Local Government Association or the local governing body says; it is what the people represented by local government say that is important and is contained within the proposition that I put.

If the Minister would like to indicate by a nod that he would like me to put this forward as an amendment for consideration so that I can withdraw the total resistance to clause 11, I am happy to do that. For the moment, I indicate to the Minister that we have given it a lot of thought. There is a half-way point which allows the matter to proceed now as opposed to a delay of a few months. The Minister says that it will be a delay of perhaps 18 months or more, but there is the opportunity of a delay for a period of time, and I ask the Minister to give it serious consideration.

The Hon. T.H. HEMMINGS: I do not agree with the member for Light. I think that seeking to get my approval for the amendment that he could move does not really overcome the problem. It strikes me as rather ironic (and I place the blame on the previous Labor Administration as well as on the previous Liberal Administration) that, whilst this problem was coming to the fore, no-one bothered to do anything about it. Now, because of letters coming to my department, and because of members of the Local Government Association coming to my department and talking about this matter, we are prepared to do something about it. If the member for Light had indicated some two or three years ago, or even in 1980, when his own council was in severe difficulties and had to be bowed out by the previous Minister under section 214a of the Local Government Act to get it off the hook, that there was a real problem and that we needed to do something about it, I would be more inclined to listen to his argument with a little more sincerity.

I think that the Opposition is saying in effect that clause 11 will cause problems to some ratepayers. I accept that. If I am the Minister in charge of the Local Government Act, my office should be looking after ratepayers as well as local government. However, time and time again we have had examples of councils trying to achieve a differential rate in many cases for the benefit of ratepayers and for the benefit of the area. However, because certain members were not present or were dogmatic in their opposition, local government was unable to introduce that differential rating.

For the member for Light to canvass the argument that he is trying to protect ratepayers who wake up one morning and find that a differential rating procedure has been carried by the council and that we need to have this 75 per cent majority to protect those people, is hard to swallow. We all know that every year ratepayers wake up and find that the local government body has increased rates by 10 per cent, 12 per cent or 15 per cent and no-one is really concerned about that.

The member for Light is trying to introduce red herrings into this argument. Members opposite might have been taken in by his persuasive argument about differential rating, but they should contact the local government organisation within their own areas and find out exactly what is happening. If members opposite do that they will come to the conclusion that has been reached by my department, the Local Government Association, and me, that the 75 per cent majority required for differential rating is unworkable. The provisions of this clause remove that requirement. I indicate that I will not accept any amendment. I think that common sense will prevail in this place and elsewhere and that this simple clause for the good of local government, ratepayers and the department will be carried.

The Hon. B.C. EASTICK: It is a great pity that the Minister cannot get his mind above the gutter level and that he has to stoop to abuse and imputation about what I am saying in this matter. If the Minister had listened he would have heard my statement that it is an expectation that ratepayers will wake up after a certain date in the local government calendar to find that rates have been struck relative to the district. However, the point that the Minister has missed is that by doing what he seeks to do he would be allowing for discrimination against certain ratepayers in a district. I am happy to accept a situation whereby if an increased rate is struck it be a burden that everyone in the council must bear. However, when a differential rate is struck, there having been no previous discussion about it, that is discriminatory against some ratepayers. That is why the simple proposition I put to the Minister as a half-way house was formulated. I indicate that it is my intention to move an amendment to clause 11.

The CHAIRMAN: Does the honourable member want to speak to the amendment now?

The Hon. B.C. EASTICK: I am quite happy to speak to the amendment. I move:

Insert new subsection (4a) in section 214 of the principal Act:
(4a) Where—
(a) a motion brought before the council that differential rates be declared is lost:
and
(b) at another meeting of the council, held at least six weeks after the date of the meeting at which the motion referred to in paragraph *(a)* is lost, another motion, in the same terms as the previous motion, for the declaration of differential rates is passed by an absolute majority of the council.
then the motion shall be carried.

The amendment seeks to meet the requirements of individual local government bodies which have presented a case to the present Minister, the previous Minister and also, if I accept what the Minister has said, the Minister before the previous Minister, in relation to the need to find a way to avoid the difficulties that arise with a 75 per cent vote on a diffential rate. The amendment provides for a degree of protection that I sincerely suggest is a right of all ratepayers. If there is to be discrimination against anyone, that discrimination is something that will be clearly understood by the electorate at large. I would not be at all upset if the Minister was to suggest that a meeting be held four weeks or three weeks after the first meeting of the council. However, I do not believe it would be reasonable to make it a period of less than three weeks.

I have indicated that I believe that six weeks is a reasonable time, and certainly council will not get itself into a great deal of difficulty during that six-week period if it applies itself to the need to properly represent its electors. This would certainly overcome the problem that currently exists, namely, of allowing people to wake up one morning to find that there is discrimination working against them for which they have no opportunity to press a case for or against, because it may well have been that there was an overwhelming vote for action to be taken to strike the differential rate. That matter could be taken into account during the interim period.

I would be quite happy to meet the Minister part of the way in changing the six-week period proposed to a period of not less than three weeks. It is the spirit of the amendment that is important, something which would be beneficial to local government across the State and which would provide the necessary protection for ratepayers. I would be quite happy to refer to them as electors, but it is not something that affects electors *per se*. It is on that basis that I present the matter to the Minister for his consideration.

The Hon. T.H. HEMMINGS: I understand quite fully the member for Light's amendment. I am a little hurt that he said that I had stooped to the level of the gutter, as I have always thought that he and I had a rather amicable relationship. The member for Light suggests in his amendment that, where a motion for differential rates to be declared is brought before a council but is lost, there be another meeting of the council held at least six weeks after the date of the original meeting. I have already indicated that the amendment would not meet with my approval. The member for Light wants two bob each way. He said that if the Government is not prepared to accept a period of six weeks he would be happy if the Government accepted a period of three or four weeks. However, I have indicated already that I am not prepared to accept the amendment. The amendment now before us will not work.

Mr Mathwin: Why?

The Hon. T.H. HEMMINGS: Because rates have to be declared by 3 August. If the member for Light was really sincere, he would have proposed three weeks, but he did not: he proposed six weeks. He knew full well that that six-week period could not meet the requirements of the Local Government Act stipulating that rates have to be declared by 3 August. The honourable member knows local government, but I know local government as well. The honourable member started to put out the olive branch, as I think the member for Torrens said, but one does not move an amendment and then suddenly say, 'Well, look, if the Minister wants to consider it, we can reduce it to three weeks.' I had already made perfectly plain that I would not accept an amendment. Clause 11 stays as it is.

The Hon. B.C. EASTICK: There was no amendment to which the Minister could address himself previously. I accept the Minister's proposition that six weeks is too long, but it is only too long if the council has been tardy in doing its work. Councils now, because they are required to declare a rate by 31 August, find themselves approaching their budget details well before the end of June. Most councils can, if they so desire, declare their rate by the first meeting in July. The six weeks provided here would come within the required period, and protection would exist. For the Minister to say that six weeks was not honest—

The Hon. T.H. Hemmings: I didn't say that.

The Hon. B.C. EASTICK: That was the implication: that the six weeks was put in because it was known that it was of no value and that I then started on a trading operation. The Minister has been here long enough to know, as have other occupants of the Chair, that on numerous occasions a figure has been changed by agreement because it is more realistic than the original figure which was intended to promote a purpose and not necessarily to be the final word. If the Minister so desires, I am happy to seek leave to withdraw 'six' and insert 'three'. So that there can be no doubt about the sincerity with which this amendment is moved, I will seek leave to alter the amendment accordingly.

The CHAIRMAN: If the honourable member wishes to alter the amendment, he must seek leave.

The Hon. B.C. EASTICK: I seek leave to do so, Sir.

Leave granted.

The Hon. B.C. EASTICK: I believe that I have met the requirement directed to my attention by the Minister, and I therefore look forward to his assistance in having the amendment carried.

The Hon. T.H. HEMMINGS: One thing I like about the member for Light is that he has a sense of humour. I do not accept the amendment. Whilst the member for Light has at least clarified exactly what his amendment does mean, I still feel that as clause 11 of the Bill stands at present it will better serve local government and ratepayers.

Mr MATHWIN: It is very disappointing that the Minister has been so unreasonable in this situation. The member for Light has sought to include a safety valve to remove a danger which was obviously worrying the Minister. We are making a great attempt at consensus (the 'in' word this month), and we have concealed the need for an absolute majority in this situation, but we have said, 'Let us have a cooling-off situation for the ratepayers concerned.'

I appreciate the Minister's concern, but that concern would be removed by the amendment of the member for Light which would reduce the period from six to three weeks. This is a safety valve that would enable the public and the ratepayers to know what council intends; it will protect them and give them an opportunity to make their representations if they believe that they will suffer hardship as a result of the new rating. From his experience in local government, the Minister would know that this is exactly the same as the situation allowing any councillor to move a call of the council at the next council meeting, usually three or four weeks afterwards, when every councillor or alderman must name himself or herself as representing a particular ward or area. The discussion is then opened up again, and all members of council are expected to take some part in the debate or, at least, in the voting. The Minister was concerned about people suddenly finding that their rates had been increased. A council budget is prepared by the administration, to be presented by the Town Clerk, over a long period: a rate is not struck only a few weeks before council meets, and all relevant matters are taken into consideration before the rate is fixed.

I believe it is a great shame that the Minister is being so dogmatic on this occasion. It is obvious that he has made up his mind on this matter and will not be moved at all by any reasonable suggestion from this side. I do not know whether he hates to think that the Opposition is making a good point, but he does not want to give in. I have known him to be a reasonable person in the past (he is not reasonable today but it might be one of his off days), and I do not see why he will not accept this amendment, which I believe will help ratepayers generally. I hope that the Minister will realise that in fact the amendment does not defeat clause 11 and that, in fact, it makes the position of ratepayers and councils even safer.

The Committee divided on the amendment:

Ayes (20)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick (teller), Evans, Goldsworthy, Gunn, Lewis, Mathwin, Meier, Oswald, Rodda, Wilson, and Wotton.

Noes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings (teller), Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Whitten.

Pair—Aye—Mr Olsen. No—Mr Wright.

Majority of 3 for the Noes.

Amendment thus negatived.

The Committee divided on the clause:

Ayes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings (teller), Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Whitten.

Noes (20)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick (teller), Evans, Goldsworthy, Gunn, Lewis, Mathwin, Meier, Oswald, Rodda, Wilson, and Wotton.

Pair—Aye—Mr Wright. No—Mr Olsen.

Majority of 3 for the Ayes.

Clause thus passed.

Clause 12—'Minimum rates.'

The Hon. B.C. EASTICK: Clauses 12 and 13 correct anomalies which have existed for far too long and which have resulted in real discrimination. I should be unhappy if the problems to be remedied by these clauses are not remedied soon merely because the passage of the Bill is delayed because of the lack of responsibility that the Minister has shown in respect of other clauses.

Clause passed.

Clauses 13 and 14 passed.

Clause 15—'Construction and repair of private streets in the City of Adelaide.'

Mr MATHWIN: New subsection (10ba) provides:

The council may, for proper cause, remit or reduce a fine under this section.

I submit that the wording 'for proper cause' is unsatisfactory and that 'with reasonable excuse' would be far better. Will the Minister consider such an amendment?

The Hon. T.H. HEMMINGS: The point made by the honourable member is noted, but the wording of the new subsection as drafted clearly conveys to local government the requirements concerning the remittance of fines.

The Hon. B.C. EASTICK: I support the clause, but it has been suggested to me by the industry that a new subsection (10c) may be required, providing:

(10c) And subject to this section may be treated and recovered in the same manner as if they were rates in arrears.

After discussing the proposed provision with the Minister's officers and with councils, I believe that the wording of my proposed new subsection represents an overkill, but it is based on legal advice proffered by one sector of the industry. Such wording clearly would spell out the intention of the clause as drafted. As this legislation will be resubmitted later for revision, consideration could be given to my suggestion in the meantime.

Clause passed.

Clause 16—'Powers of other councils to make private streets and roads.'

Mr MATHWIN: I draw to the attention of the Minister the wording of new subsection (5ba), as follows:

(5ba) The council may, for proper cause, remit or reduce a fine under this section.

As that wording is unsatisfactory, will the Minister consider deleting 'for proper use' and inserting 'with reasonable excuse' in lieu thereof?

Clause passed.

Clause 17 passed.

Clause 18—'Construction and repair of private roads.'

Mr MATHWIN: I refer again to the wording of the clause. I believe that 'for proper cause' is not good wording in legislation and that there are better ways in which to word it. 'With reasonable excuse' would be better wording and would make it easier for local government or anyone reading the Act to define it. I ask that the Minister consider this matter.

Clause passed.

Clauses 19 to 22 passed.

Clause 23—'Expiation of offences.'

The Hon. B.C. EASTICK: I move:

Page 6, line 7—Leave out 'or' and insert 'and'.

The clause was inserted as a result of a decision by Mr Justice Jacobs which highlighted some of the difficulties which have existed for local governing bodies over a period of time, particularly the major urban councils, such as the City of Adelaide. There is undoubtedly much to be said for a scheme of arrangement which allows a late fee to be paid before it becomes an expensive fee associated with a court appearance. However, in the presentation of the amendment to the Committee, the Minister has seen fit to insert the word 'or' rather than the word 'and'.

In a brief encounter on an earlier occasion, the Minister suggested that he was determined that the word 'or' would stand, because the member for Light was seeking to suggest that people should pay twice for their indiscretion. I ask the Minister to reconsider that statement, because it is not a matter of people being asked to pay twice for their indiscretion. If the Minister fails to accept the amendment before the Committee, he will discriminate against people who are meeting the late expiation of a fee. Put simply, a person obtains a document which says that, by payment of a certain fee, the misdemeanour may be expiated by a given date. If the fee has not been met by that date, the council is required to take action to get the matter to court. The time between the final expiation date and the necessary action being taken to get it to court can be quite a long period. It does not happen the next day. It is an administrative role and sometimes takes several weeks.

In some councils it may require a council direction that action be taken. If a person were to attend at the council or make arrangements to meet that expiation fee, we now seek to provide them with the opportunity of paying a late fee to be able to call the whole incident finished. The person who arrives late but before the court action is commenced pays the original expiation fee, plus a late fee. I understand that the intent is of the order of a maximum of $10 as the expiation fee. The council has been placed in the position of having to handle that outstanding matter again and, therefore, from an administrative viewpoint the council has expended funds in the handling of that late-paid expiation.

The next move (which is the third part) is that, if eventually action is taken and a summons issued, arrangements are made to allow the costs associated with the presentation of the summons to be paid to the council before the court appearance occurs, and the person is able to meet the expenses of the council to avoid a costly court appearance. That is wise; the Opposition is in full accord with that arrangement. However, if the Minister is going to persist with his previously expressed attitude, he will say to councils that he believes there should be a late payment fee and also that he will allow that fee to be eliminated from the cost which the late payer will pay once it has commenced into a court situation, namely, the issuing of a summons.

The view held by local government administration is that, if a late fee applies (as it does once the expiation date has passed), it should be part of the sum which the person is called upon to pay when paying the other associated costs which are part of the total activity. Councils will find themselves raising a potential debt of a late fee against those expiation documents which are not handled by a due date, being unable to collect that late fee if there is a subsequent arrangement between the council and the miscreant, and then having to work its way around, via the auditor, the writing-off of that late payment fee which has been correctly raised. In suggesting that we would seek to make people pay twice, the Minister has not completely understood the three separate sums of money involved.

I can inform the Minister that it is the wish of a number of administrators to whom I have spoken that he reconsider that attitude, and that the insertion of the word 'and' rather than 'or' be considered and accepted by this Committee. I assure the Minister that local government will find itself with a considerable amount of unproductive and costly

bookwork for which there will be no recompense as far as it is concerned. We appreciate that no person will be forced into court. That is a major issue. We believe, along with those people in administration who have spoken to us, that the person who has allowed the expiation time to pass should not be given up to $10 benefit, as would be given to a person who meets his commitment before the summons is issued. That is the proposition which I ask the Minister to consider.

The Hon. T.H. HEMMINGS: When we last discussed the Bill in Committee I said that, if we accept the amendment moved by the member for Light, we are in effect introducing a double penalty. New subsection (4a) *(a)* deals with the expiation fee. New subsection (4a) *(b)* deals with the legal proceedings of that particular council. That is the advice that I have received from my advisers and from Parliamentary Counsel. The member for Light says that local government administrators have advised him otherwise. I prefer to listen to the advice of Parliamentary Counsel and my advisers. I take the point that the member for Light is trying to get across, but if we use the word 'and', we can encourage certain councils (not all councils, but those that wish to do so) to obtain a double penalty, that is, to obtain the expiation fee and then go into legal proceedings. I do not accept the amendment.

The Hon. B.C. EASTICK: I do not want to pursue the matter at great length, because I believe that eventually the Minister will find himself in the position of having to make the correction himself. I mean that in all sincerity, because the administrators have made the point, along with their legal advisers. It is not a double penalty. The penalty has already been struck the moment the person fails to meet the final date on the expiation notice. That is a charge for late payment which is provided for in the Act.

By refusing the proposition that has been put to him, the Minister is discounting every payment that is made by the amount of the late fee once the subject goes to court: he is giving a $10 bonus (if that be the figure that is eventually agreed upon by way of regulation for the purpose of a late payment) to every person who allows the matter to proceed into the court area. That is a $10 loss to local government, which I strongly suggest that local government should not have to bear but which the Minister, by his attitude, is condoning.

I will not divide on the issue. I believe that it is quite important. The point has been made, and I repeat again, that I believe that the Minister will find himself, in the best interests of local government and so that there be no discrimination at any level of delivery of service to the community, coming forward on another occasion and asking that that alteration be made, so that local government is given the due regard that it should have.

Amendment negatived; clause passed.

New clause 23a—'Amendment of fifth schedule.'

The Hon. T.H. HEMMINGS: I move:

Page 6, after line 12—Insert new clause as follows:

23a. The fifth schedule of the principal Act is amended by striking out from Form No. 2 the passage 'that I am a natural born (or naturalised) British subject and'.

This is a purely machinery motion. Elected members no longer have to be British subjects. They can be non-citizens and they could have been non-citizens since 1978.

Mr BLACKER: I, too, was a little interested in the late circulation of the amendment. I cannot accept the Minister's amendment. I think that the Minister claimed that one does not have to be a British subject or a naturalised British subject to become an elector. That may or may not be right, but I think that in terms of local government it is expected that a person has an obligation to society and to the country in which he lives and which he has adopted as his home. I oppose the amendment.

The Hon. B.C. EASTICK: This matter is completely new to the Opposition: it is not one that was presented to the House previously.

The Hon. T.H. Hemmings: The matter was around during the last week of sitting.

The Hon. B.C. EASTICK: The first indication that any member of the Opposition had that this matter was in train was the delivery of a piece of paper on to the desk not more than three minutes ago. The amendment is dated 28 March 1983, but I suggest that it was not circulated previously. It is not on file and has only just come from a source which I know not. While endeavouring to find out precisely what the Local Government Act provides in regard to this matter I failed to hear the explanation that the Minister gave. Will the Minister explain the matter again so that the Opposition can have some idea what it is that the Government intends to do in regard to the fifth schedule? Unless the Opposition is extended that courtesy there will be no alternative other than to blanket call against the proposition and to indicate that the Committee will be divided on the issue.

The Hon. T.H. HEMMINGS: If members opposite have only just received the amendment I apologise for that. To my knowledge it was circulated when the Bill was last before the Committee. If the delay is due to machinery, we can overcome that. The fifth schedule is to be amended to read as follows:

I, the abovenamed candidate hereby consent to the nomination and I declare that I am an elector from the municipality or district.

The amendment purely and simply provides that the words 'that I am a natural born (or naturalised) British subject and' be struck out.

The Hon. B.C. EASTICK: I am mindful of a course of action that the Minister's colleagues in Victoria recently implemented in regard to the requirements of being a naturalised citizen or otherwise, and I know the degree of furore that occurred in that State. Quite obviously the form that currently exists in the Local Government Act requires that a person be a natural born or a naturalised British subject. The Minister is seeking to delete the need for naturalisation, and that is breaking new ground.

The Hon. T.H. Hemmings interjecting:

The CHAIRMAN: Order!

The Hon. B.C. EASTICK: I would appreciate that advice from the Minister in terms and in a voice that can be heard and understood from this side of the Chamber.

The CHAIRMAN: Order!

The Hon. T.H. HEMMINGS: I understand the problems that the member for Light and other members are having in trying to get through their copy of the Act, because I would bet London to a brick that it is not up to date. Section 88 provides for non-naturalised British subjects to be enrolled as electors of an area and, therefore, to become members of a council. The fifth schedule is only the form of the nomination. When section 88 was introduced, form 2 of the fifth schedule should have been amended but it was overlooked. What we are doing now in this amendment is simply striking out the words 'natural born or naturalised British subject'.

The Hon. B.C. EASTICK: I point out to the Minister that we will check this matter out between here and another place, not because of what the amendment is doing (I accept that it is formalising a provision which already exists in the Act), but having regard to a great deal of furore currently occurring in other States as a result of the action being taken. This may well be a matter which the members of another place will need to consider with a view possibly to seeking to amend section 88, if in fact a problem exists there. I support the proposition at this juncture.

Mr BLACKER: If the Minister had explained section 88 when introducing this amendment I certainly would have taken a different attitude rather than opposing it *in toto* as I first indicated. As it was presented, it was just a matter of taking form 2 out of the fifth schedule and, as such, I could not accept it on that basis, but when it is put into context I accept what the member for Light has said that maybe we should be looking at the whole measure again.

New clause inserted.

Clause 24 passed.

Clause 10—'Repeal of heading and section 213 and substitution of new heading and section'—reconsidered.

The Hon. B.C. EASTICK: When we were previously dealing with this clause the Minister accepted some of the amendments proposed. The issue left for further consideration was the proposition that a fund of money held by a council could be applied against other parcels of property in that council area. I suggested to the Minister that it was unconscionable and in fact morally wrong that a local governing body, having raised funds on a particular parcel of land, and holding those funds under the provisions of this Act, would then of its own motion take those funds and apply them against another parcel of land existing in that council's area.

I suggest that the courts would find that a person's funds raised against a particular parcel of land may be only applied with the concurrence of the person who paid the fees on that parcel of land, and that it behoves a local governing body to take action to recover funds in respect of another parcel of land directly from the owner and not against any credit that he may be holding. I am informed that that is the legal position and that, if the matter proceeds in the manner in which it is currently presented, it will be a bonanza for lawyers in the courts should a council use the funds that it is holding against another parcel of land.

I ask the Minister to accept my amendment in relation to the funds being expendable only against the parcel of land against which they were originally raised and against which they are being held by virtue of a revaluation. I understood that that was the matter being considered by the Minister. The Minister and other members will appreciate that this debate came on this afternoon, even though it is not on the Notice Paper, without either myself or the Minister being present in the Chamber. There is a consequential amendment. My original amendment occurs at line 43, as shown in the schedule of amendments. I move:

Line 43—After 'rates' insert 'assessable on the same property to which the relevant assessment applied'.

The CHAIRMAN: To make it clear, I take it that the member for Light is recommitting his amendment to line 43. Is the Chair correct in its assumption?

The Hon. B.C. EASTICK: It was necessary that the whole of clause 10 be recommitted so that clause 10 could be reconsidered. More specifically, the Committee is dealing with line 43 of clause 10.

The CHAIRMAN: Order! The Chair recognises that clause 10 had to be recommitted. The Chair is asking, to allow orderly debate if nothing else, whether the amendment that appears in the member for Light's name to line 43, to insert after 'rates' the words 'assessable on the same property to which the relevant assessment applied,' is the amendment that we are now dealing with.

The Hon. B.C. EASTICK: That is the amendment that I have just moved.

Amendment carried.

The Hon. B.C. EASTICK: I move:

Page 3, line 3—Leave out 'ratable property in the area of the council' and insert 'the ratable property'.

This amendment is consequential upon the previous amendment. I appreciate the Minister's acceptance of my argument put on this motion on a previous occasion. It is a pity that it was not carried further into other areas.

Amendment carried; clause as further amended passed.

Title passed.

The Hon. T.H. HEMMINGS (Minister of Local Government): I move:

That this Bill be now read a third time.

The Hon. B.C. EASTICK (Light): I speak against the Bill as it leaves the Committee stage. I appreciate that it is a better Bill than it was when first introduced as some worthwhile and necessary amendments have been made to it. However, I believe that there are other amendments that need to be made. I indicated earlier that it was my intention to call for a division on the third reading of this Bill unless all the amendments were accepted. I am not going to take that course of action because of the hour, but I point out to the Minister that I am sure we will be seeing this measure again.

Bill read a third time and passed.

[Sitting suspended from 5.58 to 7.30 p.m.]

MINING ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill makes two amendments to the Mining Act in regard to the appointment of wardens. The increasing complexity of warden's jurisdiction requires the exercise of a greater degree of legal expertise than hitherto. The Bill accordingly enables the Attorney-General to nominate a special magistrate to act as a warden under the Act.

The present senior warden is about to retire from the public service. It would be helpful if he could continue to act on a sessional basis in the exercise of the jurisdiction of the warden's court. A further amendment makes such an appointment possible.

The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 makes an amendment to section 6 of the principal Act, which is the interpretation section. The definition of 'warden' is repealed and a new definition substituted. Under the new definition 'warden' means a special magistrate nominated by the Attorney-General to exercise the jurisdiction and powers of a warden under the principal Act or a person appointed under the principal Act as a warden.

Clause 3 repeals section 13 of the principal Act, the effect of which was to empower the Governor to appoint suitable persons to offices for the purposes of the Act and its administration, subject to the Public Service Act, 1967-1981. The clause substitutes a new section 13 which provides for the appointment of officers and employees for the purposes of the administration of the principal Act. The appointment of such an officer or employee may be made subject to the Public Service Act, 1967-1981, or on some other basis determined by the Governor or the Minister. The Public Service

Act, 1967-1981, does not apply to a person appointed on such other basis.

The Hon. M.M. WILSON secured the adjournment of the debate.

SECOND-HAND MOTOR VEHICLES BILL

Received from the Legislative Council and read a first time.

OATHS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is principally introduced to enlarge the classes of persons who may act as commissioners for taking affidavits in the Supreme Court under the Oaths Act, 1936-1981.

A review of the classes of people who should be able to act as commissioners was instigated after the Law Society of South Australia recommended that the principal Act be amended to permit all legal practitioners to take affidavits and administer oaths. The Government accepts the Law Society's view that members of the public will be better served if all solicitors are able to act as commissioners for taking affidavits, and not just those solicitors who have specifically been appointed by the Governor as commissioners under the Oaths Act, 1936-1981, or by the Supreme Court under the Supreme Court Act, 1935-1982.

Furthermore, as part of the review of that Part of the Oaths Act which deals with commissioners, it has been decided to include as commissioners the Supreme Court and District Court judges and special magistrates. In this way those who are well qualified to take affidavits and administer oaths will clearly be available to the public to do so.

The amendments do not affect the power of the Supreme Court under the Supreme Court Act, 1935-1982, to appoint in its own right commissioners for taking affidavits in the Supreme Court.

The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 repeals sections 28 and 29 of the principal Act and substitutes new sections. Section 28 presently provides that the Governor may appoint any justice, legal practitioner or clerk of a court to be a commissioner for taking affidavits. The section also recites their powers and provides for the signatures of clerks of courts acting as commissioners to be authenticated by the court's seal. The proposed new section 28 expands those who may be commissioners to include Supreme Court judges, District Court judges, special magistrates, legal practitioners on the roll of the Supreme Court, provided that they are not suspended from the practice of law, and all other persons whom the Governor may wish to appoint. The new section also does away with superfluous matters presently appearing in the section. The enactment of a new section 29, dealing with perjury, is consequential to the proposed new section 28 and revamps the present wording.

Clause 4 provides a consequential amendment to section 31 of the principal Act, which directs the Supreme Court to take judicial notice of the signatures of commissioners subscribed to affidavits, declarations or affirmations.

The Hon. M.M. WILSON secured the adjournment of the debate.

LOCAL GOVERNMENT BOUNDARIES OF THE DISTRICT COUNCIL OF MEADOWS

Debate on motion resumed (on motion).

(Continued from Page 848.)

The Hon. T.H. HEMMINGS (Minister of Local Government): Earlier I outlined the conditions in the rural areas of Meadows and I told the House that over the past three years, there has been some move to incorporate a rural council in that area. In September 1980, a residents committee was formed to explore the possibility of the rural portion of the district council of Meadows breaking away to form its own separate council leaving the urban area to regroup and form a new council of 20 000 persons. The grounds for this argument rested on the assumption that rural/urban tensions in the council would dissipate and the rural area would be much better off.

A series of public meetings were held and, in January 1981, some 70 per cent of electors from the district council of Meadows formally petitioned to have severed from the area essentially that rural portion to form a new rural council, tentatively described as the district council of Kondoparinga. The Local Government Advisory Commission investigated the matter and in reporting to the Minister of Local Government recommended against the secession and suggested that there was room for reorganisation of the boundaries of the District Council of Meadows but that it should not be considered in isolation from the surrounding local government areas.

On 10 May 1982, Cabinet accepted the then Minister's recommendation that His Excellency the Governor be advised not to grant the prayer of the petition. However, the recommendation was not forwarded to Executive Council for action. On taking office, the present Government moved quickly to settle the matter. I might add that the situation had created an unsettling effect on the residents and staff of the District Council of Meadows. The petition was rejected in Executive Council on 2 December 1982 and, as mentioned earlier, a select committee was formed one week later.

In arriving at its recommendations the committee heard a number of submissions from individuals and organisations with an interest in the question of the District Council of Meadows boundaries. The Committee heard evidence from councils with common boundaries with the District Council of Meadows, particularly the District Councils of Mount Barker, Strathalbyn and Stirling and the City of Mitcham. The committee has heard evidence from residents and organisations concerned with a perceived community of interest between the urban wards of Meadows and the 'Hills Wards' of the City of Mitcham. Much time was given to deliberation on this matter, and to the problem of Coromandel Valley. The committee visited the District Council of Meadows and adjacent areas. In addition, the committee has had discussions with the representatives of the district council and has, in its recommendations, taken into account the submission by the council.

The committee heard evidence from the Australian Workers' Union and the Municipal Officers' Association relating

to the impact of any change in boundaries on the conditions of employment of their respective members. It was clear to the committee that the Happy Valley/Aberfoyle Park areas have a distinct urban character and have shown a high population growth rate of 70 per cent between 1976 and 1981. The Clarendon area of the council (and specifically the Clarendon ward) also has a distinct urban trend with subdivision activity, urban recreation services and a population growth of 36 per cent in the 1976 to 1981 period. The remaining parts of the district council area comprising the wards of Echunga, Macclesfield and Kondoparinga are rural in character with a more stable population structure.

Thus the committee was aware of the rural/urban differences in the district council and considered the possibility of a separate council based on the three rural wards. However, this option has been rejected on the grounds that it was not now widely supported locally. In its deliberations the committee noted that there were significant topographic similarities in the Echunga, North Macclesfield and North Kondoparinga ward areas. These similarities are characterised by smaller holdings and significant rural living development. In addition, there is a perceived community interest between the townships of Meadows, Prospect Hill, Macclesfield and Echunga with Mount Barker. There is a strong north-south movement of activities, such as shopping, schooling and use of community services. As distinct from this area and to the south, the character of the landscape changes to hillier, undulating farmland with a broadacre function. The southern Kondoparinga ward and the southern part of Macclesfield ward have definite links with Strathalbyn.

The committee has heard evidence from both the District Councils of Strathalbyn and Mount Barker and residents of the respective areas who have expressed an interest in these respective areas. Both councils have indicated their capacity to manage the rural area and the committee believes that the urban area of the District Council of Meadows would form a viable council with relevance to its residents. The committee recommends that the area to be annexed to the District Council of Mount Barker be composed of two wards, Meadows-Echunga and Macclesfield and that the area to be annexed to the District Council of Strathalbyn be composed of one ward, Kondoparinga. The persons who are currently members of these wards will hold office until the annual elections to be held in October 1983. This decision will not, of course, preclude any future changes to ward structure determined by any of the councils.

The remaining urban wards of the District Council of Meadows will have a population of 19 000 to 20 000 persons with a focus on the Aberfoyle Hub. The committee considers that this area should be given a change of status and therefore recommends that this area become a city following the annual election date in October 1983.

As previously mentioned the committee gave deliberation to Mitcham Hills. The committee does not believe that it is appropriate to express a view on the claims for severance of the 'hills wards' of the City of Mitcham and their annexation to urban Meadows. However, the committee recognises that the community which centres on Coromandel Valley is split by the boundary between the council of Mitcham and urban Meadows. The committee acknowledged the force of the representations made by individuals and organisations from this community but, given that the evidence placed before the committee may not be a thorough account of the situation, it is recommended, that no change be made to that boundary at this time.

The committee has given particular attention to the impact of its deliberations on the job security of persons currently employed by the three affected councils. The committee has heard submissions from the Municipal Officers Association and the Australian Workers Union regarding the rights and conditions of workers currently employed by the District Council of Meadows. I have a great degree of sympathy for the union claims. It is recognised that the considerable concern expressed by officers and employees for the future of their jobs, should a change of boundaries eventuate, occurred because of premature and mischievous announcements from other than the committee or the Department of Local Government. I would like to emphasise my feeling of disquiet at these activities. I am well aware of the actions of certain persons whose innuendo has added to the difficulty of the committee in assuring council staff that their interests were being carefully handled. It is realised that the select committee process relies very heavily on co-operation in this procedure and in this particular case confidences have been broken.

The committee wished to reassure the officers and employees of the District Council of Meadows of its clear intentions in matters which concern their welfare and therefore recommends that no officer or employee whose place of employment is currently within the boundaries of the proposed new urban Meadows Council shall be compulsorily transferred to either the District Council of Strathalbyn or the District Council of Mount Barker.

The committee heard evidence from the District Council of Mount Barker that it would be willing to retain the Mawson Road depot. It considers that the continued existence of this depot is essential and will have many local benefits. The committee therefore concluded that, when the depot facilities and offices at the township of Meadows are taken over by the District Council of Mount Barker, they should be retained and the present level of employment maintained.

Specific and detailed provisions for officers and employees at the Meadows depot are contained in the report. Basically, they may become employees of the District Council of Mount Barker unless, by negotiation, they wish to remain with the District Council of Meadows or be located elsewhere. It is noted that there are further matters for deliberation, particularly in regard to staff who may wish to further their ambitions in the District Councils of Mount Barker and Strathalbyn. It is emphasised that the report gives considerable scope for this to occur. There are also further matters which will involve the reapportionment of assets and liabilities. Negotiations on these matters will take place as soon as possible with the necessary assistance being given by the Government.

The decisions of this negotiation will be taken up in a second proclamation. I invite all parties to proceed to these negotiations in the knowledge that there will be advantages for the communities involved. In closing, I wish to thank each of my committee colleagues and the committee's secretary for the excellent support they have given in attaining the aforementioned recommendations.

The Hon. B.C. EASTICK (Light): I support the noting of the report. I would like to address my remarks in regard to the report in a slightly broader sense so that it can be brought into proper perspective. First, I would say that the committee saw that its role was to project its thinking forward, taking into account all the evidence that was brought before it, having regard to the public feeling and attitude, and then weighing the evidence available and coming down with a decision which would not necessarily satisfy everyone but which would be a decision based on the weight of the evidence presented.

I firmly believe that the decisions of the select committee in regard to the Meadows area represent a balanced approach to the weight of evidence made available to the committee. Every opportunity was given to members of the public, organisations, councils, councillors, staff, and those in other

areas to make their feelings known. An opportunity was given to take into consideration documents that arrived after the date that was originally specified. In some cases these were important documents and influenced the final decision of the committee.

Rarely is everyone satisfied with the decisions of this Parliament. There are occasions when the majority view prevails and where a large minority is disturbed.

As best can be determined in relation to this matter, there is a very small minority, even though there has been a fairly vocal minority, and it would appear from the evidence available to the members of the select committee that the minority voice has been stirred by one person who ought to have had a greater responsibility than that which he exhibited.

The Minister has referred to the very deliberate statement in the report that the committee was quite firm in its appreciation of the work carried out by the officers of the Department of Local Government in seeking additional information for the committee's consideration and of the manner in which they have had dealings with people who wished to state a point of view and who have been asked to respond.

Notwithstanding the very professional manner in which that work has been undertaken and which has been recorded, there has been a series of meetings, urgings and activities of a public nature that do great discredit to the perpetrator of those actions. Regrettably, a number of people in the Meadows council area are at present voicing opposition which is based on false information given to them and which bears no direct relationship to the original or indeed the subsequent evidence that was available to the select committee.

The select committee identified that there are areas on the fringe that still need adjustment. More particularly, I refer to the boundary that exists between Stirling and Meadows. Whilst it might have been a proposition for the committee to make decisions relative to adjustments necessary to correct minor anomalies, it was believed that in that instance it was far better for the new council to consult with the Stirling council and to seek to make corrections both ways. I say 'both ways' because it is not all to Meadows from Stirling or from Meadows to Stirling. A number of adjustments need to be considered, and the committee has requested that those two councils take action. Local government can only benefit by that action being taken.

It is possible that the wards that have been decided and the exact boundary that has been decided between the division of Meadows and Mount Barker and Meadows and Strathalbyn will require some fine tuning. The opportunity exists within the Local Government Act for that action to be taken, and the committee most seriously recommends to all the councils involved that they look objectively at any of those necessary adjustments and seek to effect them at the earliest possible time, because by doing so they will be better able to serve the people whom they represent.

The committee could, if it had wanted to, have made a decision as to the name of the new Meadows council. It may well become the City of Meadows, it may become the City of Aberfoyle Park, or it may have some other name altogether.

Mr Evans: Happy Valley.

The Hon. B.C. EASTICK: Even Happy Valley, as my friend the member for Fisher suggests. It is for the new council to decide, as they are the people close at hand, and they will be able to take heed of the prevailing attitude and make a decision with which they can relate right from the word 'go' rather than having a decision foisted upon them.

There are variations in different circumstances where it is possible to give that leeway to new council areas. I would like to point out that in relation to the proposed new Meadows area, on the evidence which was available to us, and having regard to the quite dramatic increases in population, there was no fear in the mind of the committee but that it would become, right from the word 'go', a very viable council and that, with the expansion of its population, it would become a very vital local governing area. It was claimed, and the evidence is available for all to see, that the urban area of the present Meadows council provides a subsidy of about $200 000 to the council's rural areas and that it has been happy to do so.

I suggest that it must be a pretty fair indication that the people in the urban areas, if they are subsidising or were subsidising the outer areas, were tending to pay rates that were greater than the commitment which might reasonably be expected for them to bear. Again, in the evidence that was available to the committee, as opposed to the people from the Mitcham Hills area who expressed no desire whatever to be conjoined with the Meadows area, because of the massive increase in rates that would apply, it may be that the people in the Meadows area will from this point on be able to enjoy a reduction, or at least a minimal increase, in their rating because they will not be providing that subsidy to rural areas.

It may be suggested that as a result of the rural areas not receiving the subsidy that they have hitherto received from the urban area they will have to have their rates increased considerably. There is sufficient evidence available to the committee to show that a number of rural people believe that they are over-rated and that they are, or were, in some instances, being provided with services that they did not want. Those people see a greater affinity with the councils to which they will now become attached; they will enjoy a lifestyle that is more in keeping with their desires; and they will have a rate structure that they believe is more in keeping with their determined lifestyle.

Many aspects of the report could be highlighted. Suffice it to say, I believe that the committee has come down with a series of suggestions and recommendations that are consistent with the original request of the local governing body that a select committee view and overview the whole of the activity. Further, that the decisions that have been taken, while they may cause some concern in the initial stages, will, when they are read against the evidence which is now available for all to see, prove to be a worthwhile final recommendation.

I support the creation of the new city. I hope that those people who are charged now with the responsibility of directing the actions of that new area take heed of the suggestions made and that they get on with the job and move right away from the rather unfortunate sniping, action and reaction on rumours that have most recently been part of the scene in that area.

Mr MAYES (Unley): At the outset, I would like to say that this was my first opportunity to participate in a select committee of this nature. With my background in local government, particularly in the Unley council area, it was an opportunity for me to see local government from an alternative point of view.

It certainly proved to be an interesting and worthwhile exercise. In supporting the select committee's report, it is important to look carefully at the wide range of evidence taken by the committee. In particular, we received submissions from many interests throughout the community both from within and outside of the existing Meadows council area. I think it is important to note that the depth of the evidence received gave the select committee a good overview of the existing situation in the council area.

If one looks at the appendix attached to the report one can see quite clearly that the interest in this select committee has certainly been picked up by the community at large. The select committee took evidence from the Department of Local Government, from the council itself, from Mount Barker, from individuals in and about Meadows, from Strathalbyn and from groups such as the Kondoparinga Ratepayers Association, the District Council of Stirling, the District Council of Strathalbyn, the Corporation of the City of Mitcham, the Corporation of the City of Stirling, and from the Municipal Officers Association and the Australian Workers Union. All of the possible interests that could be affected by the select committee's recommendation, we believe, had an opportunity to put forward their evidence to Parliament through the auspices of the select committee.

As the Minister has said, we also received many written submissions from interested groups throughout the area concerned and from the perimeter of the Meadows council district. In essence, the evidence that was weighed by the select committee in its report to Parliament dealt with the community interest that exists within the existing Meadows council area. I believe that the committee's report properly weighs the evidence suggesting that there should be changes and the evidence suggesting that the existing boundaries should not be changed. One must make particular reference to the way in which the Meadows council itself presented its argument and the way in which that evidence was drawn upon when it presented its submission to the committee.

It is important to note that the select committee made particular reference to and placed importance upon that submission. However, in weighing up the situation I believe that the committee came to a proper and appropriate resolution. It was clear to me from the evidence that there currently exists a rural community within the existing boundaries of the Meadows council; as well, there is a growing population of an urban nature centred around the current council offices in the Hub.

It is also important to note from the evidence received by the committee that there appear to be conflicting demands placed on the council resources and facilities from the ratepayers and residents of those areas. I think it is more appropriate to refer to the people within those areas as residents of any local government area. Although I found it difficult as a member of the select committee to clearly mark any particular piece of evidence as directing itself to identify the rural or urban nature of the council, it is underlined in the evidence submitted to the committee from people in the rural area that they had different demands from those of people who live in the urban area. As a consequence of the submissions placed before the committee, I believe that it arrived at the appropriate resolution in regard to resolving how local government services and facilities should be presented and packaged to those people who live in the areas in question.

Local government is an important and valuable arm of Government. It needs to be given particular emphasis regarding issues concerning not only rates, roads and rubbish but also other community facilities. Evidence was put before the select committee which strongly suggested that people living in urban areas desire that matters other than merely rates, roads and rubbish be considered. They want issues such as community care and child-care facilities, as well as other community facilities such as community centres and library facilities, developed within a community structure that will have a direct link with their particular interests.

The rural area also has demands. It became clear to me that the rural area has demands of a different nature. It might be that in time its demands will be for the same sorts of facilities as those provided to, and which are common to, urban councils, such things as community centres, child-care facilities, extensive library resources, senior citizen facilities and the many other facilities that are becoming regular and common-place in the urban situation. However, rural people are interested in good quality roads that provide them with access for their produce to rural centres. Also, they require good quality bridges, control of weeds, proper fencing and a rural setting that provides them with an opportunity to develop their activities in such a setting. Because of those aspects it is important to note that the Meadows council, as it currently exists, has two conflicting aspirations. Although those aspirations might not be as obvious today as they were several years ago, there are still competing demands. There was clear evidence given to the select committee to suggest that those demands cannot be met by a single council based in a hub situation and operating from a particular centre.

I believe that the diverse demands made by the people involved led the committee to look carefully at providing a resolution to the situation which would allow economic and efficient local government facilities to be provided—one important factor taken on board in arriving at the committee's conclusions. The committee's recommendations provide for an economic base in the urban situation and for an extension of the rural situation to Mount Barker and Strathalbyn. The committee carefully considered how those future councils might operate, not only from a financial point of view but also from the point of view of a service to ratepayers and residents. In addition, the committee took careful note of the way in which those future councils might operate, how wards could be structured and how boundaries would provide a clear community of interest for each council area.

Local government must be given an opportunity to have a clear say about where it is going in the 80s and 90s. We must implement a democratic structure to provide a proper base for local government to do this. This is why the select committee made reference to some of the peripheral issues, which relate not only to the Meadows council but also to those councils which adjoin its boundaries. It is important that the Blackwood-Coromandel Valley issue be considered by the Mitcham council and that the proposed Meadows council (as the select committee envisages it) should also consider those boundaries. There is no doubt in my mind that there is some community of interest flowing across the hills area. Evidence was placed before the committee which suggested that there are strong links between the hills sector and the plains sector of Blackwood.

In concluding my remarks about the evidence that was placed before us and the resolution of that evidence into a final summary and report, let me say that I feel satisfied that what has been placed before the Parliament is an appropriate recommendation to provide for efficient local government, with a base to provide services to the ratepayers and residents of the future council areas.

I turn to the question of the employees, which is one aspect which has concerned me greatly in the whole of the discussions and evidence that was placed before the select committee. It is a very difficult task for a select committee to look at the issue of the employment security and job satisfaction of the employees who are in a council area that is proposed to be divided and parts given to other council areas. A great weight is placed upon not only the select committee but this Parliament in looking at any issue related to the security and the expectations of those employees in dividing them from their fellow employees. We have a situation here in which, potentially, employees who have known and worked with each other for many years now may be sent to another council area. I do not support their

being compulsorily forced into any situation which may detract from their expectations as employees of a council.

We have given very careful and deliberate consideration to those aspects of the submission. It can be said, looking at past select committee reports which relate to employee job security, that we have extended and clarified this to a far greater extent than has any other committee that has reported. However, there still may be misgivings and concerns on the part of those employees in those council areas, and I can understand that because they may not have the advantage of having the evidence or the background material that we had as members of the select committee.

As will be seen set out in the report (at pages 5 and 6), we go to some detail to establish the existing employment structure. I certainly would have liked to go into greater detail. It is not possible in this report to do that; that will be part of negotiations between the Municipal Officers Association, the Australian Workers Union, the Department of Local Government, and the councils concerned. It is a matter for them to resolve. However, it is our responsibility not to place those employees in no-man's land. We must set out very clearly and very specifically what we intended with this report, so that we can assure those employees that they will not be left in the cold. Anyone who has lived in the industrial relations world will know how things can change with one word, how they can alter in the process of one meeting, or how they can be influenced by one individual and that individual's interpretation.

We must clarify—and I hope that we have—our report sufficiently to provide guaranteed job security for all those who currently are employed by Meadows council. We have had detailed submissions from the Municipal Officers Association and the Australian Workers Union and their representatives from the council area, and we have referred to that in our report. As I said, there will need to be continuing negotiations in order to resolve all the current problems that will be encountered.

No-one should take the report or its implications lightly. We have a situation where an employee of the Meadows council, who may have been an employee for 20 or more years, could be faced with being moved to another council. Meadows council has a good record in relation to its staff and conditions of employment. We can see the possibility of someone who is enjoying very good conditions of employment being placed in a situation where they may consider that their employment conditions are being jeopardised. As a select committee, we cannot and have not supported that. We have guaranteed their conditions of employment being maintained. I have a word of warning for those councils if the select committee report goes through: the councils that will inherit the situation of an increased geographic area and employees must maintain those conditions of employment. That is part and parcel of my support for the report. I am assured by the Minister that that will be the case.

So, we have a situation where a number of employees who work for a council are faced with the prospect of moving to another council area. It must be made quite clear to those councils that will inherit the employees that all of their conditions of employment are guaranteed. For example, we can talk about a nine-day fortnight, sick leave, long service leave, and holiday leave which may be unique to a council area.

One of the factors we have maintained from the evidence put before us is that the Meadows depot should be retained. That is obligatory in our report. It would be economic sense for the Mount Barker council to maintain that depot in that location. However, the employees at the Mawson Road depot have enjoyed certain conditions of employment for a number of years. Those conditions of employment must be maintained. They have a unique management structure relationship. I am told that the employees at the Meadows council have regular meetings with their managers at which they have an opportunity to put forward a viewpoint as to how the organisation and the structure of that facility should operate.

The Hon. W.E. Chapman: Is it your understanding that the Meadows employees would remain there and become employees of Mount Barker?

Mr MAYES: I will deal with that during the remainder of my address. It must be made clear to the councils that employees placed in that position will retain all their existing benefits, privileges and rights; it could be summarised as being their conditions of employment, their status and their privileges. A point to which the honourable member referred was the negotiations we have cited on page 6, paragraph 47, of the way in which the situation of employee transfers must be handled.

I believe (and am given to understand from past select committee reports and the amalgamation of local government boundaries) that negotiations have transpired once the report to alter the boundaries has been presented to the Parliament. It would be clear to me that now is the time when the process of negotiation must be undertaken with the appropriate industrial organisations, the Department of Local Government, and the council areas. I believe that it is incumbent on all four parties to enter those negotiations on the basis that officers currently employed outside the proposed new boundary (and I suppose we are talking of the Meadows Mawson Road depot) will become officers and employees of the District Council of Mount Barker (the Meadows depot) or, by negotiation with persons from their appropriate industrial organisation, can remain an officer or employee of the District Council of Meadows, or, if so desired, can transfer to a work site in the township of Mount Barker or within the District Council of Strathalbyn.

I think that it is important to note that the negotiations must be undertaken now and I would hope that local government, the industrial organisations and the councils concerned enter into those negotiations as soon as possible. Why do I say that? I say that to prevent any misunderstanding, and I know that the Minister and the member for Light have already referred to some of the misunderstandings that have occurred because of certain assumptions and premonitions about the way in which perhaps the select committee would report.

I do not wish to go into that because it has been referred to already, albeit to say that no-one should ever assume that a committee will come out with a particular resolution of a problem because one or a group of people think that that is the obvious answer. What appears obvious to a particular group may not be obvious to one who is in the position of having all of the evidence in front of one. Therefore, it would seem to me that it is important that the employees of the Meadows council be given every opportunity to endeavour to reach an appropriate solution which they wish for their own future. We do not want to see a situation where there is misunderstanding and perhaps industrial disharmony because of poor communication or inaccurate communication of a situation.

So, I make those comments in regard to this report very carefully. I am sure that in further debate on this report we will find that the weight of evidence in support of our resolution was overwhelming; it is a situation that in my opinion must be supported in order to provide for a future economic and appropriate community base for the development of local government. I would hope that in the future local government will pick up these internal and external issues and develop them so that it can reach a resolution

with them, rather than relying upon the services of the State Parliament.

In final comment I would like to highlight why I believe that the resolution we have adopted is the appropriate one. In a question to one of the witnesses before me (a professional officer of that council) I asked whether in his opinion there was a difference in demands from the people in the rural area, such as Kondoparinga ward, from those of the urban area. His answer was that there was a totally different group of demands for services in that area. I think that that sums up my view that one comment is not the weight of evidence in support of it. Numerous witnesses came in and supported that not as clearly, but certainly as directly, that there should be a split between the urban and the rural areas. I would like to finish on that note.

The Hon. W.E. CHAPMAN (Alexandra): In this debate I do not propose to canvass the details of the report as I understand that to be wholly read into *Hansard* by the Minister, except to say that in summary the terms of reference given to the select committee were wide and embracing. In fact, they constituted a licence for the committee to consider either the retention of the council in its present form, the division of the urban and rural characteristics of the existing Meadows, or the annexation of a ward or wards from that council to other adjoining councils.

That grouping of reference terms applicable to the select committee's role is quite embracing, because also added to it was a further term of reference that provided the opportunity for the committee to take, on invitation, evidence from the Mitcham council, adjoining on the northerly boundary of the Meadows council, and to make determinations in regard to its boundaries ceding or otherwise to the Meadows-Aberfoyle Park urban end. Therefore, even to that extent that allowed an incredible amount of evidence to be brought forward. As mentioned by the member for Unley, there was an incredible amount of evidence submitted (much more than I had anticipated) on this subject, particularly having regard to the history of events that have occurred in and about an undoubtedly disturbed council facility in that region for a number of years. There is no question about the disturbance factor that has applied and there is no denying the situation that has existed in regard to the division that has occurred from time to time within the ranks of those on the council, and perhaps more importantly, between the ratepayers themselves concerning whether or not the existing Meadows council should prevail in its current form.

One does not have to go back very far into history to recall a massive petition that was lodged with my colleague, the former Minister of Local Government (Murray Hill), which sought to have the four rural wards of Meadows council, that is, the Clarendon ward, the Echunga ward, the Macclesfield ward and the Kondoparinga ward totally divorced from the urban end of Meadows. I recollect that that petition, albeit carried, coaxed, conjured or whatever, by the active participants of what was then known as the secession committee, attracted the signatures of some 70 per cent or more than 70 per cent of the ratepayers residing in that rural portion of the region. That result was significant.

In recent times, it has been revealed in the evidence taken by the select committee that employees of the council, who have captured a considerable amount of attention both at select committee level and also in this debate, also signed that petition. A significant number of them supported the secession mooted a year or a year and a half ago. One can reflect again and again on the varying history of events that have demonstrated from time to time during recent years that all has not been well in administration of local government business in the Meadows region.

From my experience with local government, extending over a period of about 10 years, and my association with other councils situated around South Australia, I have found that there are problems. The Meadows council is not unique in its range of problems that have bobbed up from time to time. I hasten to add that, in my view and from observations and association with that council, many if not all of the councillors individually as well as collectively have set out to resolve their problems responsibly as they have occurred. However, in relation to the future shape and servicing of the Meadows community, neither councillors, the secessionist committee, the ratepayers from Kondoparinga ward, nor the ratepayers individually have been able to solve the problems which would not simply blow away with a hot northerly or by any other natural means.

Therefore, in more recent months a decision was made to have a select committee overview this matter, take on board evidence from the people themselves, assess that evidence, and report to the Parliament, as has been canvassed at some length. I do not propose to expand on that history of events further, except to say that in my view the action taken by those purporting or promoting a select committee system to apply in this instance was well justified and the committee has in my view done its job.

It does not mean, however, that the recommendation of the committee is the be all and end all of the problems in the community; indeed, it could be to the contrary. As a result of the recommendations laid before this House today, a number of areas will need to be canvassed, negotiated and discussed rationally and reasonably between the parties concerned. I have no evidence to suggest at this stage that that will not be done, but if done and if carried out with the rational application that I referred to, there is no doubt in my mind that the anomalies, albeit small but several, will be ironed out satisfactorily.

I refer specifically to the facility servicing that has been applied for a number of years, and as I understand from the evidence a little more effectively in recent years, to the rural wards of Meadows by the Meadows administration. That level of servicing which has progressively improved and more recently significantly improved in that region I hope will continue. I hope that the recommended recipient councils of Mount Barker and Strathalbyn will take on board not only the assets accrued from the move and the liabilities that go with those assets, but the councillors, and welcome those councillors to their own respective ranks. Added to that range of responsibilities I hope that they also take on board and take careful note of the level of servicing that has been the norm in those respective ward regions, and make every effort within their resources to maintain and where applicable improve those servicing activities.

I mention this because the district roads in the wards of Kondoparinga, Macclesfield and Echunga are nothing to write home about. The sealed surfaces that apply to the roads within those regions are of course of a high standard. I know that from the points of view of engineering and the work force, every effort is being made to bring the district roads up to a fair and reasonable standard; however, I repeat that they are nothing to write home about.

The ratepayers in that area, as indeed in other like areas of the State, deserve appropriate attention to their district roads because there is no form of effective public transport in those areas. These roads are the lifeline between the respective properties, their towns and the City of Adelaide, or wherever else they may need to travel in their ordinary activities, and are extremely important to the community in so far as the level of servicing is concerned.

If there are other community facilities in the region that I have referred to that have still to be serviced financially and/or physically by their respective council principals, I

hope that the recipient councils will take on board those responsibilities and continue to maintain or assist the respective communities in the maintenance of those community facilities, whether they be district halls, sporting facilities or tennis courts, etc.

I have no doubt, from my limited experience of the councils of Mount Barker and Strathalbyn, that every genuine effort will be extended in that direction. I think that the ratepayers of the respective areas to be annexed to neighbouring councils should, on reading the report and the part of the evidence that is relevant, be somewhat comforted by the fact that the councillors elected by those ratepayers are in these circumstances portable.

The councillor for Kondoparinga ward, for example, will go with the ward, as do the debts, assets, and liabilities. The councillors for the Macclesfield and Echunga wards will go with those wards into the care and control of Mount Barker. From that point of view it is important that those who are interested in the subject (and obviously, a number of people around the traps are interested in it) act as agents for this Parliament and convey the real benefits of these moves as well as conveying any concern that they may feel about the report now before us.

I might say that I believe that those persons—ratepayers, residents and concerned representatives of organisations, etc.—who came before the committee, are a responsible group within the community and that they do recognise the benefits of this move in the long-term interests of local government, in the long-term interests of ratepayers, in the interests of the community's development and, last but not least, in regard to the welfare of the individuals that they purport to represent. On that basis, I believe that we can reasonably expect that a fair assessment of the situation will be conveyed through the agencies and the people to whom I have referred.

In regard to staff, from the comments that have been made both in the field and in evidence given to the committee, as well as in this Parliament by previous speakers, it would appear that there is still some concern, not so much about the wefare of individual employees presently on staff or in the field, because their situation is well, appropriately and justifiably covered in the recommendations, but about the financial burden flowing from the continued and guaranteed employment of all those employees by the remaining Meadows council.

Even then, only in the event of those employees not seeking voluntarily to go with their wards, to Strathalbyn or Mount Barker, and only in the event of those employees not wishing to cease employment or shift to some other community or whatever, but if, after all the reasonable and rational avenues have been explored and those employees *en bloc* choose to remain in the employ of the Meadows council, according to the Meadows councillors it will constitute a real financial burden. Therefore, in the limited time available to me, I should concentrate my attention on that matter.

It is my understanding that in such circumstances the employees who could be employed by the Meadows council will be surplus to the council's immediate or short-term requirements.

Mr Evans: Even long-term requirements.

The Hon. W.E. CHAPMAN: There is the possibility, as the member for Fisher has signalled, that it may even be in the long term. Whichever way it falls, a financial burden on a local government body or, indeed, any other employer in these times requires careful attention. I do not blame the Meadows council, the Mayor, his colleagues on council, or his staff for expressing concern about that aspect. That matter was not treated lightly or overlooked in any way by the committee. However, we had access to information from the Local Government Office, from the Minister's own office, that the Meadows council, by virtue of a pre-budgeted detail, has in its possession about $200 000 for 1982-83 that would otherwise have been expended in a rural ward or wards of the existing Meadows area.

As a result of annexation, a substantial part, if not all, of that $200 000 will be available to the remaining Meadows council for other purposes. In those circumstances, it does not seem to be inappropriate that Meadows council should expend that budgetted money in hand for the purpose of carrying what might be described as the over requirement of staff. However, as the member for Fisher has said, if the overloading or the overburden of staff thrust upon the council (to use its own words) becomes a financial embarrassment to it, I believe that the council should not have to carry the financial loan.

As a result of the Government principally, and the Parliament generally, making the report and I expect the decisions that it will make in relation to this subject, it is outside the control of the Meadows District Council. As a result of its being outside and beyond its control, some assistance should be forthcoming. I also understand that the Meadows District Council has an avenue along which it may explore such assistance if and when it is required.

At the end of the current financial year, during or at the end of the next financial year, and if it is still faced with the problem in later years, it can approach the Grants Commission. In fact, I am aware of a conversation that has already taken place between Meadows councillors and principal members of the staff and the Chairman of the South Australian Grants Commission, Dr Ian McPhail. That very point has been solicited and canvassed at that level. In turn, Dr McPhail has explained to councils the avenues that they should explore if they found themselves later in a difficult financial position.

I hope that the *Hansard* record of this debate will confirm the importance of that discussion and of the council having access to an avenue which it rightly should be able to explore if and when the necessity arises. It is no guarantee that the council will be paid an identified additional amount should the occasion arise. However, it was important to see that the matter was canvassed at that level. I believe that it is also important that it is canvassed at this level during this debate and thereby placed on the record.

It is also important that the employees themselves understand the security of tenure of their respective positions. As little as that may appear to be a matter of security, it is yet another element of not only protection for the welfare of the grader drivers, tractor drivers, staff members, field officers, rubbish runners, and so on, who may be involved, but it is also security for their families, their wives and children, in relation to their commitments to the life styles that they follow in this region. Whether they be home commitments or whatever, it is important that that element of security prevails.

A degree of mirth was expressed when during the select committee hearings I canvassed at length my concern for the welfare of councillors because of the adjustments that they must make when taking up their positions, for ratepayers and their needs in matters associated with services in and about their respective districts, and, more especially, the importance that should be placed on the welfare of individual employees. I am not sure on what grounds the witnesses involved were justified in expressing some mirth about my concern in those directions. One or two of them indicated that they had grounds for being surprised at such interest being expressed by me in that direction.

Let me assure members of this House, and members of those organisations who appeared as witnesses before the committee, that I have over a period of time employed

many hundreds of people some of whom would not be happy about the terms of their employment, the absence of work, or the fact that there was too much work and not enough pay for it. However, generally speaking (and I think that the member for Peake would concede this, even though he may do it in an undertone), my attitude toward the welfare of employees and their families is a long standing one, and I am proud to say so in this debate. It is no different from the continuity of employment enjoyed by employees of the Meadows District Council, and nor will it be different when those or any other persons are employed by the councils which take on board, under this recommendation, the responsibility for the wards of Kondoparinga, Echunga and Macclesfield.

It was suggested to me during a period when rumours about this matter prevailed that perhaps the Mount Barker council does not have the level of public facilities to service its ratepayers that the hub at Aberfoyle Park has. I am aware of the magnificence of the facilities at Aberfoyle Park, as I was fortunate enough to be present on its opening day. Also, I have been in and out of the premises, sometimes in the company of the local member, the member for Fisher, on a number of occasions. I know that this is not the place to canvass the hospitality extended to me on those occasions, but I do so because the Chairman of the council, his colleagues and staff have on each occasion gone out of their way to make me welcome within the council district generally, for most of which I am the local representative, and outside the district at the hub, the centre of activity. I believe that many councils in the State can reasonably be jealous of the installation at the hub centre.

The SPEAKER: I hope that the honourable member will not expand too much further along this line, as I have been terribly tolerant.

The Hon. W.E. CHAPMAN: In what respect, Mr Speaker?

The SPEAKER: In relation to the hospitality extended to the honourable member by various organisations.

The Hon. W.E. CHAPMAN: With great respect, Mr Speaker, I assure you that it is a very important part of local government in the country (I do not know what happens in the metropolitan area) to make not only local members but also visitors welcome and to extend a friendly hand to them, and the Meadows council is no exception. I take exception to any reflection that might be placed on the hospitality and hand of friendship extended by that council.

The SPEAKER: Order! For a start, the honourable member well knows that he must not reflect on the Chair, and he has just done so. Secondly, he well knows that he must link his remarks to the debate. He has received a great deal of toleration from the Chair, and he well knows that. I ask him to continue and to link his remarks to the debate at hand.

The Hon. W.E. CHAPMAN: I cannot say that I have enjoyed to the same extent the facilities and the hospitality extended by the Mount Barker council and, therefore, I am not in a position to make real comparisons. It has been put to me, for example, that the library facilities at Mount Barker are not anything like the level of facilities provided at the hub and that a councillor and some ratepayers may feel jilted about services of that kind. They may feel that, as has been expressed, the Mount Barker council is not equipped to pick up the rubbish from the region as effectively as is the Meadows council, but I do not really see that as a problem because, if some degree of co-operation is extended in this whole exercise, by persons at all levels, the same people who are employed now in the Echunga and Macclesfield wards, for example, will be doing the same work under the banner and in the employment of a new council, and the choice is theirs, although they will have a guarantee of employment if they choose not to work for the new recipient council.

The same goes for the situation that is to apply to the Kondoparinga South annexation to the Strathalbyn council. In that respect, I understand (and this was clearly demonstrated on the evidence given to us by witnesses who came forward), that there is some apparent concern that employees currently working in the rural area of the Meadows council region are members of the A.W.U. I do not think that anyone gets uptight about that; it is their right. No problem exists there, in my view, but the problem outlined to the select committee was that employees of the Strathalbyn council are not members of the A.W.U. So what? I really cannot see that that is a problem, either, or that a great problem is looming whereby members of the A.W.U. currently engaged in the Kondoparinga ward will not be able to live, work or participate in activities (social or otherwise) with employees who are currently engaged in the Strathalbyn council area or employed by the Strathalbyn council in particular.

What is the problem? These people do not have two heads. There is no argument about their capacity to work. As I understand it, the only differential that can reasonably be cited is that the employees currently within the boundary of the Meadows District Council allegedly enjoy a greater superannuation benefit and long service leave benefits than do those employees in Strathalbyn, or that they have some other terms of employment like a nine-day fortnight which is not enjoyed over the border by the employees of the Strathalbyn council. I would have thought that if good sense prevailed—and I am sure it will—they could get around those problems at a local level. The councillors at Strathalbyn, and I am certain that the councillors at Mount Barker, are rational people.

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

Mr FERGUSON (Henley Beach): I would like to thank the Parliament for appointing me to this select committee. It is my first experience of a select committee and I was enjoyably surprised at the harmony and at the way the job was tackled in a bipartisan way. Indeed, I was able to draw upon the experiences of people who have been in the Parliament for longer than I.

It was an experience that was well worth while. I agree with the member for Light that it is not possible to please everybody. The decision made by the committee is, in my opinion, the only decision that could be made in light of the evidence that was put before the select committee.

I will deal with some points involved, although as this matter has been thoroughly canvassed it is not my intention to take the full time available to me. Some people who provided evidence to the committee originally petitioned for a separate rural council in the rural area of Meadows. After providing evidence to the committee, in every case they agreed that it was not now possible to establish a separate rural council in the area and all expressed the view that they ought to be attached to another rural council. Evidence was tendered suggesting that, while the Meadows council remained as it is presently, there would always be friction between the urban and rural people in that area, because their demands are different.

I entered the committee with an open mind and initially could see no reason why the Meadows council should be divided. As the evidence unfolded, it became obvious to me as a committee member that, in order to overcome the differences of opinion that exist both within the council and among the residents, it was necessary for the committee to bring down the report which is now before us. Strong evidence was tendered by the rural people seeking attach-

ments to other rural councils. By the same token, strong evidence was tendered by council ratepayers in the urban areas objecting to what is now known in that area as the rural subsidy. After considering all the evidence, it appears that this report was the only one that could be put before the House. I support the recommendations for giving job security and the maintenance of existing benefits to the current staff of the Meadows council. As has already been stated, evidence was put to the committee by the Municipal Officers Association and the Australian Workers Union in respect of their members at the Meadows council.

The committee as a whole took cognizance of that evidence. I support the member for Unley in his plea that the recommendations, as laid down on pages 6 and 7 of the report, be followed in their entirety and that the negotiations which are about to commence between the organisations involved be conducted in a proper and sensible manner with recognition being given to the recommendations in the report.

After listening to the evidence, I could be easily convinced that the Coromandel Valley should be amalgamated in one area and that it should go to a single council. The community of interests that was tendered in the evidence is very strong indeed, and I hope that it will not be long before this Parliament takes the opportunity to examine that question separately, because it seems to me that there is a good case for this area to be amalgamated.

Similarly, I support the member for Unley in his suggestion that the Parliament should look further at the possibility of a separation of the Mitcham Hills area or, if not a separation, whether some further action should be taken to assist the people from that area who gave evidence to our committee. Although I am not so convinced as I am about the Coromandel Valley situation, I believe that this area warrants further examination and that the Parliament should look again at this proposal in due course. Of course, I added my name to the proposals before the Parliament, and I ask the Parliament to support this report in due course.

Mr EVANS (Fisher): The motion before the House is for the noting of the report, and it is traditional that members support that motion. Supporting the noting of the report does not mean that that individual member of Parliament automatically supports the report in total or in part. Therefore, I merely make the point that I have reservations about some aspects of the report. In saying that I do not reflect in any way upon the personnel who served on the committee or worked with the committee in preparing that report. I believe that they are all very capable and dedicated people who took note of the evidence that was given and gave a very honest and sincere report as they interpreted the evidence before them, whether by way of words, letter, written submission or inspection of maps or other more local detail.

The Hon. B.C. Eastick: Or on the ground.

Mr EVANS: My colleague who interjected mentioned 'or on the ground'. I said, 'or other detail'. This evening the Meadows council has met; it may still be meeting. It has informed me that as a counci it has moved a resolution that it does not support the report and it has resolved that it would like the matter to go before a referendum of the people of the Meadows council area.

During the remarks of the previous speaker, a member said that he believed that local government should be democratic. I believe that most people who have spoken tonight also referred to democracy in relation to local government, how important local government is, and how important it is that people have a say. I agree with that. We all know from our experience within the political scene as I think those who work within trade union or any other organisations know, that when an opportunity is given for evidence to be submitted, those who have strong feelings against or in favour of a move are the ones who come forward.

The people who go on living their every-day lives and who do not really get involved, because they do not believe that a change is likely to take place or that their words are likely to affect the end result, are always in greater numbers—the silent majority. One does not necessarily get a true indication of the feelings of the community through the committee system. I am not reflecting on the committee or on the committee system; I am simply pointing out that that is the situation. I have been privileged to serve as chairman of a committee, and I know that that is the case. As a Parliament, we must accept that.

In regard to the Mitcham Hills area, on several occasions the comment has been made that that area should be looked at in the future either by negotiation or by a select committee to ascertain whether part of it can be annexed and added to what could now be termed the suggested Meadows urban area, or some other change made so that the Mitcham council and the Meadows council have different boundaries. I hope that, if ever an attempt is made to vary the boundaries in that area, the people of the community will be given an opportunity to vote on the matter and that sufficient time will be given for this to occur. No doubt there will always be someone who lives just on the other side of the creek or just over the road who will want to belong to the other council; the grass always looks greener on the other side of the fence, until one has to eat it, when one finds that it has a nasty taste.

The rates paid by people in the Mitcham council area, on average, are less than most others in metropolitan Adelaide, which is to the credit of the management of that council. However, more particularly, it is an area that has developed over a long period of time and the demand for new facilities to serve the community is not as great as it is in a rapidly growing area, such as the urban part of Meadows. That is all that I wish to say about the Mitcham Hills area at this stage. I hope that the people involved are given plenty of time to express an opinion and that it is done by means of a referendum, and not by the other system.

The Meadows council is very concerned about the end result. It is concerned in regard to one aspect which has been referred to on many occasions tonight: the allocation of staff. In referring to staff, I refer to the total work force and not just those referred to in normal practice as the hierarchy; I am talking of all employees of the council. I hope that the staff can be guaranteed that they may join the urban Meadows area by way of negotiation.

The member for Unley said that it is easy to put a different interpretation on words and that each individual interprets words differently to suit his own argument. Unfortunately, that is the case with the English language. However, my interpretation of the report is that if all of the present employees of the Meadows council wish to work for urban Meadows, if created, they should be able to negotiate to do so. I am not arguing that they should not be able to negotiate; I am simply saying that if 23 people or 25 people want to negotiate such a move, why should only one, for example, be able to do so? If urban Meadows is asked to take on all of those 23 or 25 people (I am not sure of the exact figure), or a significant number of them, but does not need the staff (Parliament having directed that it should have that staff) what is that council to do? Some mention was made of $200 000, as though it is an amount which the Meadows council is able to create and which will be available to pay wages for those in the urban Meadows area, because it is now not going to spend it in what was the Meadows rural area.

In the future it may not be Meadows. It is not true to say that all of that money would have been spent on salaries. It is not true to say it would all be spent on salaries if it was used in urban Meadows. You cannot employ a group of people and say that the money is all going to be used for salaries, including money for long service leave, holiday pay, sick pay, superannuation, and so on, as there has to be materials purchased, fuel purchased for the machines if those employees are going to work them, and there may even need to be machines purchased of a different type if they are going to be used in urban Meadows. If that is the case, what will be the cost to urban Meadows? The number of employees wishing to stay with urban Meadows may be as little as six or as large as 14. I have been told that a decision has been made that all of the employees wanted to stay. If that is the case, each employee has the same right as the other to negotiate. I want the Minister to give a clear indication later tonight, when he sums up this debate, of where the money is going to come from.

The member for Alexandra said that there is an avenue to go to the Grants Commission and ask for a grant. There is that avenue, but what happens when one gets to the end of that avenue and there is no money there and the Grants Commission says 'Sorry, we do not accept that you have a burden'? It is possible that the number of employees with the Meadows council could place a burden on that council in salaries alone, when allowing for leave provisions, of over $400 000 per year. Even if the amount is half of that or even a quarter of that an on-going basis, it is something that the Meadows council did not ask for. At no time did the Meadows council take a vote to cut the council in half or have any part of it annexed. To my knowledge, it was never a decision of that council. It may have been a request by a section of the ratepayers of the Meadows council or it may have been a request by some of the councillors who fought for it—a minority of councillors.

However, let us be clear in our own minds that the Meadows council did not ask for that action to be taken. If the Meadows council has to pick up a financial on-going commitment, this Parliament needs to be told by the Minister where that money is coming from.

Regarding the allocation of grants money, one of the terms of reference is that, if the need for the money has not been created by an act of the council, there is a greater chance of money being made available to take up that need. Therefore, I ask the Minister to clarify quite clearly that he accepts that it was not the act of the Meadows council that brought about, or is likely to bring about, that extra burden on the Meadows council on an ongoing basis. I have a very strong view on that point because there are some employees that live in urban Meadows. I do not know the number but one gentleman told me tonight that he lived there, and I know there will be many others. What person would want to live in a community that may be lumbered with an extra burden of $100 000 to $300 000 because of overstaffing and then have his neighbours say to him, 'My rates have gone up because you negotiated and because you wanted to stay working in this area', all because he exercised the right that the Parliament has given him tonight. Why should a person have to live in those circumstances? That is just as disruptive to an individual as asking him to move to an area or work place that he did not wish to accept.

I only take up that matter as a minor point, but it is worth considering. I do not know who the person is for sure although I have heard a name mentioned, but it has been said that one person did the stirring that caused some of the problems for the committee when it decided the staff issue and other matters.

If that is the case, it is better that at least the person is directly named so that the rest of the council, the employee representatives and other people involved in all the negotiations that have taken place do not have to carry the can. There is no doubt, if the Government cannot guarantee that money, that the rates in urban Meadows will have to increase. I wanted to make the other point as well. Simply because the Meadows council decided this year to allocate $200 000 towards rural Meadows, it does not mean that that money is always available for rural Meadows. It may have been a decision just for this year, a decision to try to appease some of the complaints coming from that area about roads or other facilities not being upgraded. It is wrong for Parliament to be asked to assume that there will always be $200 000 extra for this area that can now be spent in an ongoing manner on over-staffing in the urban area.

Also, a point was made earlier by one speaker that the demands or requirements by rural people are different from those of urban people. That is not the case in real terms. In practice, it so happens that rural people do not put on the demands made by urban communities. Often people in a rural community are nearer to the practical side of life in handling and earning money from a direct effort and accounting for it each year through their own effort, especially on a percentage basis of the number of people involved. Rural people tend to look at a dirt road and say that it will cost much to upgrade. They will say that they do not believe they can afford to pay more rates and so they will not ask for that upgrading.

Certainly, if the money is available, rural people are just as keen to have a well serviced bitumen road in their rural area as are urban people, except that the pressure of the number of people per metre or mile of road is greater in an urban community. Rural people want just as good a bridge over the creek as do urban people. Certainly, rural people today in their family life structure seek the same opportunity to stimulate their mental activity in the family by going to a library or community facility as do urban people. They are no different. In fact, it can be said that in a rural community, especially in the near city part of the Meadows area, the need for those people to attend adult education and other classes to develop another skill is more important today than ever before, because the possibility of going on to make a living from a small farm becomes less and less each year. Rural people need to have an alternative. Certainly, one family member needs such an alternative, whether it be the wife or the husband or the children, because there is not the opportunity for them all to obtain a living from the same property. They have to get off the property to get a living.

Therefore, there is a need in rural areas just as great as in urban areas as far as the individual is concerned (not in terms of numbers) to have those facilities. In many cases the country people have carried the can over the years in trying to get education for their children in secondary, tertiary and even primary facilities at the same standard as has been available to urban people. I wanted to say that because I believed there was a reflection on country or rural people that they did not require the same standards. That is not true: they simply do not make the same demands because they happen to consider the cost of trying to service a scattered community. There has been some mention about the people at the Meadows depot automatically being employed by Mount Barker. I accept that, except if those people want to negotiate to work for urban Meadows.

It is not automatic that they go to Mount Barker. They could say that they do not want to go to Mount Barker but that they want to go to urban Meadows—someone must decide. If one wants it and the rest want it I ask again how does one say 'Charlie, you cannot go but Joe can'? In passing, I make the point, although it is not a strong point, that we are saying that the Meadows depot will stay. This

Parliament does not have the power to guarantee that the Meadows depot will stay indefinitely. I am pleased that the committee did not attempt to decide the name issue, that is, the name that will be given to urban Meadows.

I dropped the hint that it could be called Happy Valley. I did that because that would include the word 'happy' and that may be the only happy part of this scene for the Meadows council at the moment. Some people will argue that it could be named Aberfoyle. I point out that conflicts arise in a community when a council area is named after one of the towns or suburbs within the total community area. One could look at the Mount Barker council area, for example: people living at Hahndorf do not like the fact that their council is known as Mount Barker. One could also look at the Stirling District Council area: people living at Bridgewater and Heathfield object to that name.

When there is an opportunity to name a new council, the name selected should come from outside the council area and I suggest that the Meadows council (as we now know it; later it will be Meadows urban before it is changed to another name) should not name the new area after one of the existing suburbs. I do not care what name is selected but I point out that Windebank and Aberfoyle are old names associated with this area. I believe that there could be a problem if, say, Aberfoyle was selected, because the people living at Flagstaff Hill, Craigburn, Darlington, O'Halloran Hill, and so on could become concerned. I refer to an example in that local community. When the postal authorities changed the postal address area of Happy Valley and divided it so that part of that area became Aberfoyle Park and the balance remained as Happy Valley, there was a lot of concern and many letters of protest were written about that change. I hope that the Meadows council will consider that matter when it looks at a name for the new area, if that eventuates.

I do not know how I as an individual can express in any stronger terms the fears held by the Meadows council as a group of councillors meeting tonight. I am not saying that there was a majority view—I was not there. However, I assume that a couple of the councillors would not be as concerned as would others. In agreeing to the noting of this report one is conscious that the fine details cannot be covered, but those fine details form the important parts of this issue: the allocation of plant, buildings, and property has to be negotiated, and the allocation of staff must also be negotiated to some degree.

It is a rather poor term when one must refer to negotiating on jobs of individuals, where they live, their homes and their families. Some families may have set up a pattern where one partner travels to work with the other partner and suddenly another path will have to be taken to enable one of the partners to get to work. I do not know whether or not that will be the case, but problems of that type will be facing those people who will have to negotiate the fine details.

I am informed that, because of the boundary changes, there is every possibility that each of the councils so affected, whether it be Strathalbyn, Meadows (as it will be in the future), or Mount Barker, could have a greater chance of receiving more grant money than has been the case under their previous boundaries. I have not been able to work out that situation in my mind or why that will be the case, but I am told that that is a distinct possibility. However, I do not suppose that any of the councils would complain about that. They will accept that situation and say that it is at least one of the bonuses that they will receive from the overall situation.

I hope that the Minister will indicate how long he thinks the negotiations will be. I am told that if such negotiations fail then a judge must make a decision on the matter, which could result in a protracted hearing. In other words, if the parties cannot agree on the distribution and allocation of moneys then the matter goes before a judge for a decision, which can take time. I ask this Parliament to consider the concern of the Meadows council about having a referendum to let the people decide this issue. If we believe in democracy, if we believe that local government is an important part of the administration of the community, and if we believe it is the closest form of government to the people (and I have heard that said by almost every member of every Party who has ever spoken about this matter over the years), then let us accept that challenge. The Meadows, Mount Barker and Strathalbyn councils have been as they are now for a long time. Is time the essence of this matter? Does democracy demand that part of this process is speed, or is democracy achieved through a slower process of consultation and proper referral back to the people?

If that is not to happen then let us at least guarantee that, if more employees want to work for the Meadows council than it needs and if it has to speed up its works programmes, the Minister will give a guarantee about where the money required to do that will come from. The Opposition cannot do that, but I would support such a move. The Minister may say that that money has to come from the Grants Commission, and that he has some power there (although I do not believe that the Minister has any great power in that regard—the commission is an independent body). The Minister may say that if the commission fails to pick up the tab the Government will do so—that is the only commitment I want. The Meadows council did not ask for this split, so, if there is to be an increased burden upon that council, this Parliament must assure the ratepayers involved (because they pick up the tab) about where the money is coming from. I support the motion.

The DEPUTY SPEAKER: The question before the Chair is that the report be noted.

Mr EVANS: I rise on a point of order. I believe that the normal practice in these matters is for the Minister to at least answer some of the questions asked during the previous debate. Has the Minister forgotten to do that, or is he deliberately not answering the questions raised?

The DEPUTY SPEAKER: The motion before the Chair is that the report be noted. The Chair has, in fact, allowed certain questionable latitude during this debate. I point out to the honourable member that Standing Order 144 *(c)* states that when the motion that the select committee report be noted is put each member has the right to speak for 30 minutes and then that is it. If a Minister wishes to carry on with a proposed Bill then matters proceed from there. However, all that is before the Chair at the moment is the motion that the report be noted, so I do not uphold the honourable member's point of order.

Mr EVANS: For clarification for the future, I ask whether you are ruling that the Minister does not have a right of reply in closing the debate on this motion.

The DEPUTY SPEAKER: That is my ruling for clarification.

Motion carried.

The Hon. T.H. HEMMINGS (Minister of Local Government): I move:

That the joint address to His Excellency the Governor, as recommended by the Select Committee on the Local Government Boundaries of the District Council of Meadows in its report, be agreed to.

The Hon. B.C. EASTICK (Light): I believe that the motion that the Minister has moved is a completely necessary one relative to the report which has so recently been noted. It fulfils the requirements of the decisions taken in the noting document and, on that basis, I see no reason why it needs

to be opposed or talked about in any particular way so far as I personally am concerned, although I recognise the right of other members to question it or to talk to it if they so desire.

Motion carried.

The Hon. T.H. HEMMINGS (Minister of Local Government): I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

LOCAL GOVERNMENT BOUNDARIES OF THE DISTRICT COUNCILS OF BALAKLAVA, OWEN AND PORT WAKEFIELD

Debate on motion resumed (on motion).

(Continued from page 848.)

The Hon. T.H. HEMMINGS (Minister of Local Government): As I said earlier this afternoon, when I became Minister I was mindful in the select committee of all aspects of local government which have an influence on the interests of local Government employees, councillors and residents. The operation of a council is influenced by a number of factors. In a time of rising costs, when many skills are needed by staff to overcome organisational problems, the size of a council is critical. The Lower North and Mid North of South Australia are notable for the number of small councils. This situation developed during the last century when local population was relatively large because of the intensive labour requirements within the agricultural industry. Almost all the local councils in this region have a net general rate revenue less than $250 000. The population of many centres is either static or declining, and there are obvious pressures on those councils for change. There is a need at this time for decisions on how this change will take place.

Whilst there have been suggestions to coerce unions of councils, it is interesting to note that in most cases the moves for amalgamation have been taken in a voluntary spirit, a spirit which is still taking place, and a significant number of councils are discussing the advantages of uniting.

I was aware of the history of attempts to achieve amalgamation between the councils of Balaklava, Owen, Port Wakefield, Riverton, Saddleworth and Auburn, and I was also aware that the previous select committee concentrated on a union of Balaklava and Owen councils. It was considered, given the small size of the District Council of Port Wakefield and its location relative to the other councils, that it should be part of any discussions concerning Owen and Balaklava. Thus, it was included in the select committee's terms of reference.

The committee has now deliberated on the operational, financial, staffing and management issues involved in the union of the three councils and has heard evidence on the various community interests both within and across the council boundaries in the area. The committee met on 10 occasions and conducted a tour of the area. The committee also had access to evidence which was given at the previous select committee on this subject.

All three councils are relatively small in terms of population, rates, and collectable and fixed assets. Port Wakefield, for example, is ranked 116 out of the 127 councils in size of rate revenue and is relatively dependent on external funding from the South Australian Local Government Grants Commission and from grants for road works. The other two councils share the same problems, but, unlike Port Wakefield, are experiencing some growth in population. However, it was noted by the committee that the small size of all the councils was creating certain disadvantages in the delivery of services to residents and is stretching the resources and skills of council officers and members.

The committee was aware of the possible development potential in the area under investigation, particularly in relation to the Bowmans coal deposit. The committee considered that such a development, if it were to proceed, would require strong local government able to provide infrastructure works.

Whilst the committee was cognisant of the financial forces which are restricting the operations of the councils and the economies of scale requirements within local government, it was also sensitive to the community of interest of the people living in this region. As previously mentioned, the committee heard evidence on community activities which related not only to the subject councils but also to surrounding councils. Evidence indicated that there were community ties in the use of schools, shopping facilities, libraries, health centres and other services, and that these ties often transcended existing council boundaries. There are particular and important community links between the towns of Port Wakefield, Owen and Balaklava. The committee also perceived that there are community links in the southern area of Owen council, in the vicinity of Hamley Bridge, between local government areas to the south and east. These links occupied a good deal of the committee's attention.

In outlining the recommendations of the committee, I wish to point out that the recommendations were attained by a majority vote of the select committee and were not supported by two members of the committee. I regret that this committee was not able to obtain a mutual standpoint in this case, but I understand that the two committee colleagues would not support a union of the three councils which included the town of Hamley Bridge and a significant area of adjacent farm land. Thus, the committee by a majority vote makes the following recommendation: that the areas comprising the District Councils of Port Wakefield, Balaklava and Owen be amalgamated in their entirety to form a new council area.

It is considered, given the evidence available to the committee, that this was the only course of action that could have been taken. To remove Hamley Bridge and a surrounding area from the union would be to decimate the existing District Council of Owen, whilst leaving the remains as a very tenuous part of the new council. It is believed that such an action would have jeopardised the future of the new council even before it had been established. Let us look at the real effect of the severance in facts. If Hamley ward was removed from the District Council area of Owen, it would remove $81 105 or one-third of the rate base of Owen.

It would also remove a significant commitment by that council to a recreation centre, community health clinic and a roadworks programme. The facts show that the District Council of Owen had devoted an enormous amount of time, effort and money in Hamley Bridge to make it a model of good local government management. To remove this effort from the proposed new council would mean that the benefits of all this hard work would also be removed.

The severance question also raises problems of a severe imbalance of membership within the proposed new council. With the removal of Hamley ward the loss of electors would be at least 400 out of a total of 867 electors for the District Council of Owen. This would leave the Owen component of the new council with a proportionately small representation. The severance question would cause great concern to the staff of the Owen council. What staff, for example, would be moved to an annexing council? With the loss of one-third of the rate-base staff which must be lost, and

given that most staff live in Owen or north of Owen, there will be a greatly increased journey to work at the council offices at Freeling, Mallala or Riverton.

I appreciate the strong feelings of my committee colleagues on this matter. They feel that community of interest principles should be the basis of any decision. I am, however, not convinced by the arguments which would use community of interest to direct Hamley Bridge to an adjoining council. I believe that the main point which is clear from ties created by sporting, education and community links is that Hamley Bridge has a large number of interests in a large number of directions. There are no comprehensive links to the townships of Freeling, Mallala or Riverton, with the exception perhaps of the area school in Riverton. Nor are there direct links with the District Councils of Light, Riverton or Mallala. In fact, some very important links exist between Hamley Bridge, Owen and Balaklava in terms of transportation and health matters.

I am also not convinced by an argument which contends that Hamley Bridge should be placed with the District Council of Light because a part of the area of influence of Hamley Bridge extends into that council. This argument could just as well be turned around to justify annexing that area of influence to the District Council of Owen. The fact is that Hamley Bridge is on the edge of the proposed new council area, and no matter how the boundaries are drawn it will always be on the edge of a council area. It is accepted that it is not possible at this time to create a local government out of Hamley Bridge. It is therefore important that Hamley Bridge remain within a local government organisation where it has an established interest and where that interest has proven an advantage to its development. It will not become lost within a new council, because the interest it now holds will be maintained by its representation on the new council and the alliances it has built up within the District Council of Owen. It is noted that representatives of the District Council of Balaklava have mentioned that they can and will operate in a new council which involves Hamley Bridge.

It is noted also that the recommendation for union also involves the District Council of Port Wakefield. It was recognised that there were strong advantages with the inclusion of Port Wakefield in such a union. Port Wakefield has clear community ties with Balaklava, and these will be formalised under this arrangement. It is considered that community development advantages will flow to Port Wakefield without interference in the community identity of the town and its area.

It was recognised that there was a need to make an adjustment to the boundaries of the proposed council area and the District Council of Riverton which will overcome problems of access and which will allow certain services, which are sometimes carried out by the District Council of Owen, to become the responsibility of the new council. The select committee recognises that there are other boundary adjustments needed in the Salter Springs area and suggests that the District Council of Riverton and the proposed new council resolve these matters by consultation.

With majority support among the councils, the new council will be named the District Council of Wakefield Plains, and it will comprise seven wards. After the elections in October, the council will comprise 11 members and a Mayor. It is realised that within the constraints of the Local Government Act a council which is a combination of the three councils and which comprises 21 members must operate from the commencement date for the council which is set for 1 July until the annual election in October. The main purpose of the 21-member council will be to oversee the transition to the new council. The main office for the new council will be at Balaklava and there will be branch offices and depot facilities at Owen and Port Wakefield.

There is particular concern for the rights and benefits of officers and employees who are involved in the changes which will be caused by the uniting of the councils. The committee has given particular attention to job security and conditions of employment within the three affected councils. A submission has been made by the union representative. I would wish to commend the Municipal Officers Association for the very constructive comments made to the select committee. The committee agrees with the concept of a review of staff positions within a negotiated period of time from the proclamation date.

It is emphasised that a choice must be made of officers who will hold the senior positions within the new organisation. The committee has given very careful consideration to its choices and has based its decision on the willingness of staff to occupy positions of responsibility and the professional abilities of the staff concerned. The committee has made the decision of appointments in the knowledge that there is a direct responsibility to establish the new council.

In summary, I believe that the decision which has been made will create a thoroughly workable council with operational, financial, staffing and management advantages. Within the structure of the organisation there will be exciting opportunities to create a council which will be large enough to overcome the many demands of contemporary society and yet still small enough to retain the sensitivity to local issues which is the focal point of local government in this State. I move that the address be agreed to.

The Hon. B.C. EASTICK (Light): It is a great pity that the unanimity of purpose that was apparent in the last report considered by this House has been destroyed on this occasion in regard to a matter that is quite vital to local government now and in the future, and this is due to a determination that has been made against the evidence. I am quite sure that before this evening is out the lack of evidence to support the report currently being noted will become apparent to all members.

I recommend that all who are interested in local government and who are looking towards the future of local government and the future of the amalgamation process which is recognised as being important if local government is to blossom in the future in a number of areas, should read the evidence and see the folly of the decision taken by a majority of the committee.

I suggest that it is necessary to go back a little further in history on this matter than the Minister has by simply reading the report and virtually little else. Practically word for word is the report that has already been received by the House and brought down this afternoon. It truly reflects up to point 5 the combined thinking of all members of the committee. At point 5, in the preamble, comes the crunch, where a decision was taken against the will of the committee as a whole. That is what makes this report so different from the one we had previously. It is a disaster for local government because, if it is to be the method of approach adopted by this Government to use its numbers to get its way, there must be a question relative to the select committee process for considering local government amalgamation in the future, and local government will be the worse for that decision.

Initially, there was a move to get five councils to speak: the District Council of Port Wakefield, the District Council of Balaklava, the District Council of Owen, the District Council of Riverton and the District Council of Saddleworth and Auburn. Although those discussions were held, there was no unanimity of thought. There was an interest exhibited by three of those: Port Wakefield, Balaklava and Owen. There were discussions over a period of time between those councils, not necessarily as a threesome but on occasions two of them together. Certainly, evidence was presented

and is available for all to read in relation to discussions between Balaklava and Owen and between Balaklava and Port Wakefield. There was also the benefit of evidence presented to a select committee of another House undertaken during 1982. That evidence is part of this evidence. It is interesting to read that evidence and to find that it is almost word for word, in vital areas, the evidence given on this occasion.

However, another element in the argument, the introduction of Port Wakefield into what one might suggest is a forced amalgamation or compulsory amalgamation by Government decree, caused a number of people who had given evidence, and certainly councils, to reassess their position. It is only right that they should do that.

One must look at the lines of communication as revealed in the evidence and recognise quite clearly that Port Wakefield, for many purposes, has a north to south movement; that is, from Port Wakefield towards Adelaide; as a result, it has no direct contact with Hamley Bridge. Port Wakefield has a secondary and quite important lateral movement to Balaklava, because in movement from Port Wakefield to Balaklava it obtains its involvement with medical practices, the school, the shopping centre and the hospital. There are a number of actions in that lateral movement.

The District Council of Balaklava clearly indicated that it has a north-south movement. It has a definite involvement with Owen, but it has not been on a total basis by virtue of there being two council areas, and that the majority of people going from Balaklava to Adelaide, if we take the evidence as presented, go not through Hamley Bridge but through Mallala and Two Wells. There is a north-south movement there, and Hamley Bridge does not become part of their normal communication direction.

We recognise that there is and has been a close affinity between Hamley Bridge and Owen, they are in one council area and that has persisted since 1933 or 1934, when there was a previous amalgamation of councils. There is certainly plenty of evidence and information available from newspaper cuttings and much evidence available from former councillors from the Owen council who have been long-term residents of the Hamley Bridge area that they do not believe that Hamley Bridge rightly rests with Owen, if Owen is to conjoin with other areas to the north. In fact, there is some evidence from a number of them that they do not feel and have not felt comfortable with Owen over a period of time.

To the credit of the District Council of Owen, one must quickly say that in recent times it has sought to recement the arrangements, development, fraternisation, council representation and all other lines of communication with Hamley Bridge. As the Minister chronicled, there have been a number of worthwhile developments in Hamley Bridge in recent times. They are identifiable and will be found simply by going through the evidence.

I suggest that the Minister almost wanted us to believe in his report that, if there were a movement of Hamley Bridge from the new conjoined councils, Hamley Bridge would lose out because no-one would be willing to look after that area. The Minister knows that that is totally inconsistent with the evidence taken from the District Council of Light, totally inconsistent with the evidence taken from the District Council of Riverton, and, whilst the evidence given by a member of the Mallala council did not reflect that council's views, it did indicate his understanding of the views of some members of the Mallala council, there was a distinct possibility that Hamley Bridge could rest with Mallala.

There is no real evidence from the people of Mallala, although there is some from Barabba, that there is a distinct possibility that part of that area would rest well with Mallala. The weight of evidence was not as great as it was for a conjunction with either Light or Riverton.

I would like to leave that aspect for a moment and come to another important point. The evidence of the Minister's department clearly indicated—it is in the evidence for all to see—a recognition by the Local Government Department that Hamley Bridge has rested uneasily for a long period and that the department itself recognises that Hamley Bridge will not rest in the new conjoined council for an indefinite period. The department recognises that Hamley Bridge in the not too distant future—it was unable to quantify 'not too distant future' and say whether it was 15 months, 18 months, two years or three years—will be an area to be seceded from the new council area with a decision made in 15 months, 18 months or two years as to where it shall rest.

The vast weight of evidence (supported by the views of the Port Wakefield people who were drawn into this amalgamation against their wishes, along with the views of the people of Balaklava, who sought to rethink their position and restate it in relation to an amalgamation which was suddenly going to be a conjunction of three as opposed to a previous conjunction of two) clearly indicates that a majority of the people who are going to be combined together in a new council are not in accord with the Hamley Bridge area being part of the new council area.

My colleague and I make no excuse at all for standing here and saying on behalf of the people who took the opportunity to present evidence that, if the Government does not want to present the true facts, then at least we on behalf of the people who put those facts will present them. The Minister stood up and suggested rather piously that members of the Opposition who failed to vote with him on this matter wanted to annex from the area of the current Owen District Council a massive area of country along with the town of Hamley Bridge. The Minister will know, as do those who were present (the Minister's Parliamentary colleagues and our advisers), that that was not the case.

A number of options were considered. The option of a large parcel of the Owen District Council area which would destroy that part of the District Council of Owen to be moved into the amalgamation was not an option that was supported, but it was one of a series that were looked at. I ask the Minister to be careful with the facts when next he speaks to this subject or anything related to it. After much of the evidence had been taken, the committee received a letter from the District Council of Balaklava dated 15 March 1983. I will read the letter in its entirety, because I believe that it is quite important, and it reads as follows:

> Submission to select committee appointed to investigate the proposed amalgamation of the District Councils of Balaklava, Owen and Port Wakefield.
>
> Mr Minister and Members of Parliament,
>
> Following the recent presentation of evidence by this council to your committee on Thursday 3 March 1983, I, on behalf of the members of the District Council of Balaklava, wish to submit further evidence for your consideration. This further evidence is submitted to reaffirm council's views as to why they considered that the boundary of the proposed new council should exclude that portion of the Owen District Council contained in the Hamley Bridge area.

There is nothing equivocal there—it is quite definite. The letter continues:

> As advised in council's submission presented on 3.3.83, council has submitted that the boundaries of the new area be the area as recommended by the Royal Commission into Local Government Areas. One factor that the royal commission took into account in their findings was that of community of interest. This is amplified by the statement made in their first report at page 17.

There are other passages in the letter that honourable members can read in full because they are available within the evidence. I repeat that this letter is dated 15 March 1983, after the committee had taken evidence, after it had been

told by the District Council of Balaklava that it did not see Hamley Bridge resting with the District Council of Balaklava, Port Wakefield and the balance of Owen, and after it had presented to the committee a scheme of arrangement which came in two parts.

Part of the scheme of arrangement was identical with what was contained in the royal commission's report. Another presentation from within the same council was relative to an alternative scheme of arrangement. The committee was left with the opportunity of viewing these two alternatives along with its evidence. The District Council of Port Wakefield did not want amalgamation at all. It might be said that because it did not want amalgamation at all there is a strong reason why the committee, or some of its members, should have decided that the District Council of Port Wakefield not be included in any arrangement which resulted from its deliberations.

The evidence available to the committee from the department, the Port Wakefield council, its ex-councillors and some present councillors clearly indicated that there was a grave concern about the present viability and future viability of the Port Wakefield area. Whilst there was a close knit belief amongst councillors from Port Wakefield that they should maintain their own identity, that was mainly because they owe strong allegiance to their district clerk, which is commendable. However, because of the arrangements available under the select committee process the position of their district clerk could be adequately protected in an amalgamation arrangement. Having regard to all these matters, and in the best interests of local government, the committee was prepared to accept the inclusion of Port Wakefield in its entirety in this arrangement. Therefore, we have the Port Wakefield council, as the reluctant bride in the first instance, having accepted the inevitable and being brought into amalgamation, clearly indicating that it has no connection whatever with Hamley Bridge and has no desire for any arrangement which will associate it with other councils in so far as they are involved with a portion based on Hamley Bridge.

We have the Balaklava council saying the self-same thing. That, to my way of thinking, is strong evidence that, because of the action taken by the Minister and his colleagues, has been completely by-passed. There was also evidence given by a number of people from the Hamley Bridge area about meetings held there which they believe reflect the view of the majority of people in the area. The only question which might perhaps have been left unanswered in the general promotion and discussion associated with Hamley Bridge was where did its best interests lie. Did they lie with Riverton because that was the base to which it related for high schooling, or did they lie with the District of Light because that district is conjoined to the area where the majority of their sporting interests lie and where they do the bulk of their trading south of the River Light down towards the Gawler area (not to Gawler but to the District Council of Light)?

I believe that the evidence given by the people attending from the District Councils of Light and Riverton was clear, that they saw no difficulty in providing adequate representation for Hamley Bridge within their own structure. There was a problem to my mind, and to the minds of my colleagues that Hamley Bridge would better rest with Light than it would with either Mallala or Riverton. The District Council of Riverton is currently talking with the District Council of Saddleworth and Auburn. Those talks have not progressed far, but they are interested to know what the select committee system can do for them and how they can overcome some of the problems that exist at the local level by asking a select committee to consider all the facts and make a decision accordingly.

But if they did combine their activities, as is a possibility, one would have to ask whether the area, particularly Auburn, would clearly relate to Hamley Bridge if Hamley Bridge had already been put into and had become part of the District Council of Riverton. So, on balance, even though there was no need to make a final decision because of the manner in which the attitude was determined, Light would appear to have been the most suitable repository for Hamley Bridge.

I have referred to the evidence from many sources, and I know that the member for Morphett will refer to a number of passages of the evidence. If interested parties who will be reading the debate in relation to this matter would like to know precisely where to go, I refer them to pages 12 to 15 of the initial select committee of the Legislative Council—evidence from Owen; pages 22 to 25 of the same set of minutes; and pages 32, 34 plus, and particularly page 46—evidence on the original representations from the District Council of Balaklava.

Let me say quickly that, in reading out this chronicle of names, I am not picking only the bodies that found for an arrangement to include or to exclude Hamley Bridge; I am picking out evidence which is very pertinent to get a basic overview of the whole issue, and at this time I am talking only of Balaklava and Owen. One can look at pages 49, 61, 66, 67, 79, 89, 91 and 96, and then there is a report which appeared in the *Bunyip* of 7 July 1982 and which clearly states 'No to amalgamation', a view expressed at a public meeting.

In regard to the new hearings, the evidence of the Director of the Minister's own department appears at pages 4 and 5, and pages 8, 9 and 19: at pages 26 and 29 one sees information from Mr Kipling, a councillor from the District Council of Port Wakefield. Page 37 shows the evidence of the Chairman of the Port Wakefield council; page 39 shows evidence from the Chairman of the District Council of Balaklava; and pages 42, 43, 44, 45 and 46 show evidence from the area of Balaklava, and so it goes on.

There is no lack of evidence to which members interested in this issue can look which fortifies many of the aspects of the argument that I have put to this House this evening. I know that some of the quotes—even some that I have mentioned—will say, 'We want all of the area; we can live together; we will learn to live together; there is nothing to stop Hamley Bridge being carefully associated with the district council to be created.'

They are matters which need to be looked at very carefully. I am quite sure that they will be looked at very carefully in another place, because it is not good enough that a select committee should spend so much time and have so much positive evidence available to it and then seek to walk over the top of that to come to a decision which is not borne out by the weight of evidence. Because that situation prevails, I indicate that, in relation to the motion which is currently before the House, I will move to add to the words already presented:

and referred back to a select committee for a report which more truly reflects the weight of evidence.

To analyse that briefly, I have not mentioned the select committee which existed, because the select committee which existed to take evidence has gone out of existence by virtue of its placing the report on the table today. It may well be that the House, if it supports the contention that I have brought forward by way of amendment, will accept that the matter goes back to the same people and, in so doing, it will be clearly saying to the members of that select committee that they should look at the evidence and present it to the House in a positive way, and not to reflect a decision which may best suit a Minister and any promises he has made or which may be beneficial to a course of action that that Minister wants to follow.

The important thing is that a select committee be worth its salt, and that a select committee system be of benefit to local government in South Australia for the rest of 1983 and onwards. Heaven only knows that many local government bodies are crying out for assistance and assessment. One could refer to the council areas of Kadina, Wallaroo and Moonta; Mount Gambier city, and Mount Gambier district. We know of some of the difficulties associated with the District Council of Munno Para. A number of other areas of local government are looking for assistance and for a fair go in the select committee system. I suggest strenuously to the House that local government will not perceive a fair go in the report we are being asked to note tonight. I strongly urge the House to consider my amendment to the Minister's motion for noting.

There will be other contributions in this matter. There will certainly be contributions in relation to the address to the Governor which has been prepared by colleagues on the other side but which is not acceptable to members on this side of the House. There is a very clear indication that, if people in Hamley Bridge or other people who are interested are happy about the present position, they should not lose sight of the department's already stated attitude that, at some time in the not too distant future, there will have to be other adjustments and that Hamley Bridge will probably be involved. That matter ought to cause members and the public generally a great deal of concern in looking at a report which does not truly reflect the evidence. Therefore, I move:

That the existing motion be amended by adding the words 'be referred back to a select committee for a report which more truly reflects the weight of the evidence'.

The SPEAKER: Is the amendment seconded?

An honourable member: Yes, Sir.

The SPEAKER: Just so that we are clear (this is an unusual situation as normally such an amendment would not be allowed at this stage), I will simply call the next speaker. However, each speaker from here on will be aware that there is an amendment, in the form which I have read out and which I will endeavour to get typed, proposed by the honourable member for Light and seconded. I call the member for Unley.

Mr MAYES (Unley): Thank you, Mr Speaker.

Mr Gunn: The voice of the Caucus.

Mr MAYES: I will ignore that comment. I think that that sort of comment reflects the lighthearted approach that some members of the House have. I do not take this situation lightly at all, nor do I regard the report of the select committee as one of levity requiring an approach that does not take into account the weight of evidence that has been put before the select committee.

It is certainly with a great deal of concern and interest that I speak in favour of the select committee report. Through my experience in local government and my contact with the people who have been involved in this select committee and those who have given evidence, I know that it is a matter of great concern for residents and ratepayers of the areas of the current District Councils of Port Wakefield, Balaklava and Owen, and there is certainly great interest in the surrounding council areas such as Light and Riverton.

In looking at the evidence that has been presented to this select committee, one must take into account that these are rural areas. Towns of an urban character are placed in a rural setting—towns which are dependent upon rural activities and which link very closely with the rural communities that surround them. One of the obvious difficulties of any local government area would be endeavouring to resolve the differences that might exist between an urban town situation in a district council of a rural nature. It is important to note that many of the issues that have come out of this select committee report relate to a town that is placed in a rural setting.

I would like to move from the western boundary of the proposed new council of Wakefield Plains to the eastern side and look then at the question of Hamley Bridge, which is involved in the proposed amendment placed before this House by the honourable member for Light.

The Hon. B.C. Eastick: No, it is not.

Mr MAYES: I beg your pardon. I must have misunderstood the direction of the amendment.

The SPEAKER: Order! The direction of the Chair is that an amendment moved by the honourable member for Light is in the process of being typed. Because of the fairly complex situation that we are in, members from here on can consider themselves in order speaking to both the original motion and the amendment.

Mr MAYES: I take the point. I think that I am interpreting the intention of the honourable member's amendment. In looking at the area of Port Wakefield, it would appear to me that one must take into account the evidence of the types of services that are provided by that district council to the residents of that locality.

Part of the terms of reference gave us the opportunity to consider the economic deficient facilities available to residents. The important aspect is the democratic representation of those residents through local government. Port Wakefield is ranked 116th out of 127 in regard to the rate revenue of district councils and other councils in South Australia. That council could be described as being a typical small council, highly dependent on external funding from the Grants Commission and on road grants. Current funding for 1981-82 comprised $105 000 from rates and $84 000 from grants.

The committee received a lot of evidence from those in the Port Wakefield area. The evidence from the council indicated a wish to retain its existing boundaries, structure, and, consequently, its current services. One of our responsibilities is to consider the range of services and facilities paying due regard to the economic way in which those facilities can be provided to the residents of a district council. I came to the conclusion that, overwhelmingly, it was in the better interest of the residents of the District Council of Port Wakefield that they be part of a larger and more economic council base. I do not believe that we are talking about a loss of democracy when we are establishing a new council which will have some 4 090 ratepayers. By comparison with metropolitan councils, that seems to me to be a small number. Perhaps that comparison should not be made, as we are talking about a rural area which encompasses a much larger area. However, I believe that the proposed structure will still allow Port Wakefield proper and appropriate representation so that each one of the ratepayers of the proposed new council will have adequate ward representation.

A good deal of interest was expressed by people living in and around Port Wakefield. My colleagues and members opposite have already referred to some of the evidence which has been placed before this House and which was given before the select committee. The committee received evidence that Port Wakefield is the centre of activity for the current district council area and that there is very little linkage, if any, between the Port Wakefield area and the Balaklava area. In view of the evidence placed before the committee I think it can be said that factually there is a great deal of social and commercial interchange between Port Wakefield and Balaklava, the major town on the eastern side of Port Wakefield.

While travelling through the district, and from my previous knowledge of the area, it was quite evident to me that

Balaklava provides an important linkage with Port Wakefield: there are schooling links, community commercial links, and health links that tie Port Wakefield to the Balaklava area. It is certain that most of the rural activities and those of a commercial nature focus in a direction towards Balaklava. The committee received evidence that there have been very heated exchanges on the Port Wakefield council during previous years where families have caused a split and where opinions within the town have been split over whether Port Wakefield should have regard to previous recommendations.

In my opinion, and in the opinion of the majority of committee members, the weight of evidence supported the concept of Port Wakefield being joined with the other councils on their eastern side. I believe that it would be of great benefit to the residents and ratepayers of the existing district council area of Port Wakefield if they were part of that new council.

The committee heard considerable evidence from both the council and the residents in and around the Balaklava district. There have been many heated discussions within the area as to the position concerning Port Wakefield and Balaklava and what amalgamation, if any, should take place. As we have already been informed by the member for Light, there have been discussions between Balaklava and Owen on an informal basis, and there have also been discussions with other councils east of those areas as to what amalgamations might and probably would occur in the future. I believe that it is in the interests of these smaller council areas, similar to the ones that we are considering at the moment as a consequence of the select committee report, to move into larger economic units. There are economies of scale and benefits to be had from becoming a larger and more viable council area.

The committee had evidence from Balaklava that there should not be and is not a direct linkage between Balaklava and Hamley Bridge. It had evidence to the contrary which was critical to weighing up what one should do in a situation where there are greatly diversified community interests in a rural area. It is not easy to draw a clear-cut line between councils or districts so that the residents clearly fall into one area or another. I think that if one labours under that misapprehension one is not being realistic or practical, because the real situation is that where one draws a boundary, unless there is a clear geographical chasm or definition, there will still be exchanges across those council boundaries.

The committee had evidence from the Balaklava council that it felt that Hamley Bridge should not be included as part of any proposed extended local government area. I refer to the evidence given to the committee by the Chairperson of the District Council of Balaklava who thought that the people of Hamley Bridge had no interest with Balaklava or with the new proposed centre in Balaklava. However, he said that there were definite linkages between the two centres: the district council area of Owen and the district council area of Balaklava. He also said that exchanges existed of a social and domestic nature throughout those areas.

The committee was told during the evidence that the decision on Hamley Bridge fell squarely upon the shoulders of that committee. That statement was made by the Balaklava council, and I think that we have to accept it. I do not think it is an easy decision, and I do not take this matter lightly. It is a decision that must be made, and I believe that the committee's recommendation does make an honest and appropriate attempt to extend and broaden the economic base for a local council with a community of interest.

I have heard that term used by previous speakers as setting a criterion or guide as to how the issue of local government boundaries should be defined. It is not easy to define in a few words what 'community of interest' means. However, it is important to note that it encompasses many aspects of social and community interchange: it involves many directions, as we have found from the evidence placed before us.

We had evidence from one member of the Balaklava council that there was an interchange between the areas of Balaklava, Owen and Hamley Bridge. We found that in this situation the evidence from Balaklava basically concerned itself with the future of Balaklava council and its viability in connection with Owen and Port Wakefield. I think it can be said that they were positive about the concept and idea of amalgamation with a major proportion of the Owen District Council area. Certainly, they were positive about the Port Wakefield boundary. I would like to quote one of the submissions of a Balaklava councillor, as follows:

> A lot of the community of interest has been brought about because they are part of one council area.

No-one should run away from the fact that the Owen council has made much effort to bring into its community, in a far tighter and far more effective way, the residents of Hamley Bridge. It is clear to me that we see here a situation where a council has recognised a responsibility for a range of community services that it should develop and maintain within its council area in a responsible and appropriate manner.

I was impressed with the facilities that the Owen council has developed in its council area. Certainly, I was impressed with the representation from the Owen council in regard to its existing services and what it felt ought to be the future position if there was an amalgamation. I think that one has to take into account the needs and desires of a local council area and the council itself. From the evidence placed before us, there was absolute unanimity in the presentation and submission by the Owen council. It believed it had to be an all or nothing situation. It had to be placed in a position where it went in as a complete council to the amalgamation.

As members of the select committee and as members of Parliament, I believe that we have to respect that wish. It is a council that has devoted a great deal of resources and funds to developing its council area. It is known as a council in its own right which has become progressive and which has a high reputation in the community. It is a council, given its track record, that has to be given much cognisance in any consideration that we make in regard to future boundaries. One might ask what cognisance was given in regard to the Meadows area. There we have a clear situation involving a rural situation and an urban situation. Here, however, we have an urban town, Hamley Bridge, based in a rural setting and dependent on a rural environment. I cannot see any comparison or relationship between the two situations at which we have looked this evening.

It is important to note that the setting in which Hamley Bridge is located is quite unique in many ways when compared to many other local government areas. It is situated in the bottom corner of its district council area and many of the community interests are located outside of the current council boundary. The submission presented by the Balaklava council in relation to the overall amalgamation shows that its thrust was for amalgamation. It wanted that as a viable ongoing option as a district council area. It discussed the question of community interest, shopping, schooling and other factors in deciding what it thought should be a viable council for the future. I refer to page 1 of the District Council of Balaklava's letter to the select committee dated 15 March 1983, as follows:

> These factors we believe are based on where people go for their shopping, the location of their schools, the places they go for their medical care and the location of their recreation and major transport facilities.

In looking at shopping, the letter cites the areas of Riverton, Owen, Hamley Bridge and Mallala. Therefore, it can be seen that Balaklava itself is a major centre for commercial trading in relation to farm machinery and implements, as is Owen. There is definitely a draw from people around the immediate areas to provide servicing and facilities.

The committee was informed that in those areas the dealers would have as great a range of spare parts as would any machinery dealer throughout Australia. It provides a draw from all directions towards the Balaklava area, and particularly the Balaklava and Owen townships. In relation to high schools, the evidence provided by Balaklava turned its attention in particular to the high school catchments, and I refer again to the letter of 15 March, as follows:

School location and catchment areas are considered to be great community builders. At the present time there is a primary school at Hamley Bridge to service the Hamley Bridge and surrounding areas whilst the High Schools at Riverton and Gawler service the Hamley Bridge area.

It can be seen from the letter that Balaklava assumed that there would be an amalgamation of the major portion of Owen, but not of Hamley Bridge. Again, our attention is directed to the fact that Hamley Bridge is left on the tip of this amalgamation. The letter continues:

Currently the catchment area for the Balaklava High School for the Hamley Bridge area extends down to Owen then east to Alma then north back to Balaklava.

That is a tight linkage of schools for the high school area going into the Balaklava and Owen area, yet Hamley Bridge is a catchment area for Riverton. It appears that the facilities provided for high schools go outside of the existing council boundaries into the Riverton area.

The committee took evidence from the District Council of Riverton which indicated that there are few other community links in that direction. The best link might be the golf club, which ties a few people from Hamley Bridge to the Riverton area. In relation to recreation facilities the Balaklava council endeavoured to establish again that its ties are limited. The letter continues:

Council considers that there is no real sporting ties between Balaklava and Hamley Bridge as the majority of sporting associations that Balaklava is involved with do not encompass the Hamley Bridge area. There are some sporting associations that Balaklava is involved in which encompass Hamley Bridge, namely, basketball and bowls, however, other sports associations, namely, netball, football, cricket and tennis do not.

We see that they are again endeavouring to develop the overall amalgamation without including Hamley Bridge. Why have we considered this aspect of Hamley Bridge? I have already made a direct comment about giving clear emphasis and recognition to the weight of evidence put forward. This is not a clear-cut issue. There is a community of interest which goes from Hamley Bridge to outside the Owen council area, and there is a drift south from that area for shopping.

However, if one looks at the shopping patterns, from the evidence presented one sees that they go through the District Council of Light, but not to Mallala. There is no directly accessible link between Hamley Bridge and Mallala. The connection goes perhaps even further than Gawler; it goes to Adelaide. How much emphasis can one place on the direct links between Gawler and Hamley Bridge? I believe that there are good reasons in the community of interests aspect which tie Hamley Bridge to the proposed new council. Also, there is a community of interest which links back to Owen.

The council, in its wisdom, and I think in its future planning, has put a great deal of effort into ensuring a close community link between existing council areas and wards of Owen. It has established excellent facilities in Hamley Bridge and has shown great foresight in establishing tight community development programmes in that area. There is an interchange between Owen and Hamley Bridge. There are social and sporting links in those areas. I believe that the *status quo* ought to be maintained as we move into a bigger and broader council base.

I believe, from the evidence put before the select committee, that the District Council of Wakefield Plains should take in Hamley Bridge. I will draw upon a comment made by the district council. I think, as a person involved in local government, that one should take into account this strong indication of how the District Council of Owen feels about this issue. The Chairman, in a lucid and clear way, spelt out the council's position. Its preference is for a complete amalgamation, including Hamley Bridge. If they had the option, which they do not (and they were quick to point out that they understood the terms of reference), they would prefer to withdraw their total support of any amalgamation if Hamley Bridge were to be excluded. I think that that is an important point because we have to take into account very seriously the feelings of any local government body.

I turn now to a comment made by the District Chairperson of Balaklava, who said clearly that they would accept Hamley Bridge in any future amalgamation of council boundaries. I believe, on the weight of evidence presented, and given the situation regarding the future of that district council as an amalgamated council, that we ought to support strongly the new council's having the township of Hamley Bridge within its boundaries.

This is not something I have taken lightly and I am sure that my colleagues have not taken it lightly, either. It is a controversial matter, and has been controversial over the years. I can see from the situation that we are placed in tonight in this debate that it will continue to be controversial. I hope that we can resolve this matter so that local government has an opportunity to proceed to manage its own affairs efficiently and for the betterment of its ratepayers and residents.

I hope that they have the opportunity to resolve, perhaps within their own boundaries, their interests and their future. I believe that, when we have evidence from a district council which has clearly indicated that it is a forerunner and a leader in local government and that it has a reputation in local government of being a planner and carer for people, we ought to take those statements into account and work on them in any future decisions we make as to how that council should operate.

I strongly support the report, knowing that there are concerns about the community of interest where Hamley Bridge falls, but in overall result and summary I believe that Hamley Bridge should be in this council and that the members on the other side ought to support the submissions that have been put before this House in regard to the total report. Finally, I would say—

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

Mr OSWALD (Morphett): Before addressing myself to the report that is before the House, I would like to show my appreciation to the House for having elected me to serve on the select committee. I would particularly like to thank the district councils that we visited and the general public in the Mid North for the hospitality and courtesies that they showed to the committee and to me.

I entered the committee with a completely open mind. I know the geography of the area very well, but I had not had any conversations with any of the local residents in the area. From that point of view, I believe that I went in with a completely open mind to try to look objectively at the evidence presented and then come to some sort of conclusion

as to whether the proposal was a fair one in the eyes of the community.

It is my personal belief that the Government took the easy option, an option which flies in the face of the overwhelming weight of evidence that was presented to us. The member for Light has canvassed the history of the other select committee which went into the boundaries. When we came to look at this exercise, the area of Port Wakefield was added to it. Prior to that, of course, they were looking at the amalgamation of only Owen with Balaklava.

One observation that I made when I was there was that the District Council of Owen has done an exceptional job in the past eight or 10 years in adding facilities to the township of Hamley Bridge. I do not think that this should be overlooked because, quite obviously, the councillors of Owen have got the community of Hamley Bridge in mind and have done a particularly good job over those few years in addressing themselves to that town.

What concerns me a little is that, although in the past 10 years the responsibility of looking after Hamley Bridge has been taken on very genuinely by the council of Owen, when the new District Council of Wakefield Plains is brought into being, on that council the Hamley Bridge ward will have two councillors and the Owen ward one councillor. In Balaklava when the new council meets only three councillors will represent that part of the new district council area, compared with nine others who, on the weight of evidence, either are opposed to including Hamley Bridge in the district council area or are indifferent to it. On the weight of evidence, it appears that there could be a difficulty there in servicing Hamley Bridge in the manner to which it has been accustomed in the past few years. However, now knowing the open opposition that has been expressed to including Hamley Bridge in the marriage—and this is what we are looking at here—and if we are talking in terms of including Hamley Bridge in a marriage, I would submit to honourable members that it would be an unhappy marriage. While it may not end in divorce, it will end up in ongoing problems to which I do not really believe that this Parliament should be giving the green light.

I would now like to examine the evidence that dictated my thoughts on the matter. In so doing I will tell the House of what I believe should be the proposed boundary based on the evidence. I would go along with the boundaries of Port Wakefield and Balaklava but I believe that the township of Hamley Bridge, together with a small portion of rural land to the north of Hamley Bridge, should go to Light. I am clear in my mind that is the most logical solution to the boundary change.

The select committee's task was to provide a solution in the best interests of the whole of the area and not just within the new district council area of Wakefield Plains. Also, the effect of change on the adjoining councils had to be considered. I believe that the Government's proposal (and that is what it is turning out to be) is to look at combining the old three councils. It is not having due regard to the effect it could have on local government in the future in the surrounding local council area, particularly in Light. It is my conviction that in the near future (and it will be in the near future rather than the far distant future—perhaps within the next one or two years) Gawler West will be annexed out of Light. That will make Light quite untenable and will have a major impact on Light as well as resurrecting old arguments for Hamley Bridge going to Light.

I appreciate that I am looking down the track some one or two years but, as legislators, we have a responsibility for the good of local government generally in the lower Mid North area. It can be argued by the Minister that the Gawler West area is not relevant to the boundary change. I submit that once the new boundaries are drawn around the District Council of Wakefield Plains, the wards determined and councillors elected, the last thing to which the new council will want to address itself is another shakeup in one or two years time. I do not hang my hat completely on the argument of putting Hamley Bridge in Light purely on what could happen to Gawler West. In the near future Gawler West and the whole area of the District Council of Light will be addressed. I will refer to the possibility of this happening when I refer to extracts of evidence.

If I were to spend too much time on the effect of Gawler West on the District Council of Light, it could overshadow many other reasons far more relevant as to why the township of Hamley Bridge should move out of the proposed new district council area of Wakefield Plains. As I go through the evidence tabled here this afternoon it will become evident that some community of interest has been built up between the townships of Owen and Hamley Bridge over recent years but we are now talking about the united council areas of Port Wakefield, Balaklava and Owen. In that context it will become clear, as I go through the evidence, that any community of interest which has been built up between the townships of Hamley Bridge and Owen does not proceed any further west than the township of Owen itself.

In other words, I agree that, over recent years, a community of interest of sorts has existed between Hamley Bridge and the township of Owen but once one moves west of the township of Owen that community of interest ceases to exist. I will now dwell at length on extracts of evidence that I have isolated in the report, as I am aware that members have not had the opportunity to read the evidence, which was tabled only late this afternoon.

I would like to commence by referring to a submission of the District Council of Light in a letter addressed to the committee (at pages 131 and 132 of the evidence). It reads as follows:

> In the event of an amalgamation between the district councils of Owen, Balaklava and Port Wakefield, there appears to be certain merits in considering the annexation of Hamley Bridge ward to this council, for example:
>
> *(a)* A number of landholders residing in Hamley Bridge own and occupy land in the Light council area.
>
> *(b)* The township is located approximately 13 miles from the Light council's administrative centre at Freeling.
>
> *(c)* The township is located eight miles from the Light council's works depot at Wasleys or 13 miles from the main depot at Freeling.
>
> *(d)* The type of agricultural pursuit generally north-west of the township of Hamley Bridge is consistent with the area south of Hamley Bridge.

Further, Mr Fyfe was asked a question concerning the ties between Hamley Bridge and the south as far as Light is concerned. Mr Fyfe stated:

> I wish to point out that Hamley Bridge has an affinity with Gawler in relation to sport . . . I have mentioned this—

he is referring to sporting ties—

> to show that people from Hamley Bridge would rather strengthen their ties with the south rather than the north.

I think that this has already been stated and I do not want to dwell on it too much. I refer to the way in which people in Hamley Bridge are oriented to the south rather than to the north. I asked a question of councillor Fyfe (page 139 of the evidence) as follows:

> If you lose the Gawler West section of your council area, would that leave you in a position where you had to make overtures outside your boundaries, in other words make an overture to what would be the new council of Wakefield to ask for the existing Hamley Bridge ward to be put into Light to make you more viable?—I believe it would. If we lost Gawler West it would mean at this stage a reduction of $41 000-odd in rate revenue on the present level of rates, with another potential increased loss of $17 000. I mention this because at the present time we have a subdivision approved in the Gawler West area of 59 allotments. So, within the next few years we could stand to lose another

$17 000, which would bring the figure up to almost $60 000 in rate revenue lost in the Gawler West territory.

There is evidence which indicates a community of interest from Hamley Bridge to the south, and, looking down the track, as we should be doing, there is also sound evidence that some time in the not too distant future Hamley Bridge will be addressed as a possible move into Light. I further quote from the evidence, as follows:

I believe that if we were not compensated in any manner in Gawler West, we would have to be looking fairly critically at the present staff level, particularly at the qualified staff level.

So, there is a threat in the future as far as employees are concerned. I would also like to refer to evidence from the Department of Local Government on the question of Hamley Bridge. The Director of Local Government, Dr McPhail, in evidence, stated:

We recognise that the Hamley Bridge area is at the extremity both of the existing District Council of Owen and it would also be in the new council area. Before the previous select committee fairly extensive evidence was given from persons living in Hamley Bridge concerned about having Balaklava as their centre. However, departmentally we believe that any changes to that area should be a second stage matter. The District Council of Owen is extremely strong on the point that Hamley Bridge should be part of the amalgamation.

That came out in evidence all the time. When one reads the evidence, one finds that the main thrust for Hamley Bridge to go into the Wakefield Plains new council area, in actual fact, came from the current District Council of Owen. However, Dr McPhail went on to say:

Departmentally, we would say that we would need to wait until consideration has been given to boundary issues in the Gawler area, in particular, before we make any judgments as to the location of Hamley Bridge.

From that statement one may assume that the department, in fact, was quite happy with the proposed marriage. However, after the point concerning the future of Hamley Bridge was pressed Dr McPhail went on to say:

I think a place like Hamley Bridge, which would not use Balaklava as a service centre, is not going to use any other major centre except Gawler as an alternative. In other words, apart from the local shopping and apart from the fact that the Hamley Bridge secondary school population goes to Riverton, then in fact, the orientation of Hamley Bridge is entirely to the south through to Gawler and to the major shopping centre at Elizabeth, and even into Adelaide itself. Hamley Bridge will remain difficult in those terms. One cannot say that it refers to Balaklava and one cannot then say that it refers to any other substantial urban centre in the region apart from Gawler itself.

That was the opinion of the Director of Local Government, which I think reflects the view of the Department of Local Government, that in fact the Hamley Bridge community of interest orientation is towards the south. I also expressed the view that there is a link with the township of Owen, but with that township only. In regard to the question of amalgamation, Dr McPhail agreed with that proposition, as follows:

The District Council of Owen is really the source of this entire amalgamation movement. I suspect that it [referring to Owen] feels strongly enough about Hamley Bridge to say that it would not want to go ahead with it even though it was the instigator, if Hamley Bridge was to be left out.

Then, referring particularly to Gawler West, a matter that I had raised earlier, Dr McPhail's view was as follows:

I have always argued strenuously that the town of Gawler is under-bounded, that is, that most of the recent suburban development has occurred immediately outside of its official boundaries. There is extremely valuable housing being built in the District Council of Barossa; the long-standing Evanston subdivision within Munno Para; and the Gawler Trotting Club is in the District Council of Light. Of course, there is a very substantial part of the northern part of Gawler (Willaston) which is part of the District Council of Light.

If those boundaries were to be adjusted to bring all of the suburban area into the town of Gawler, then the District Council of Light would probably be the most seriously affected in financial terms. Munno Para is large and could probably adjust to the change. Barossa has a wide range of other urban areas and centres, small though they are, but they are scattered. The District Council of Light would lose a fair proportion of its revenue. I think that at this stage it would be arguing strongly that possibly the area around Hamley Bridge should come into the District Council of Light as some sort of compensation.

I believe that that in fact bears out the document tendered in evidence from the councillors of the District Council of Light.

I now want to refer to evidence given on behalf of the District Council of Balaklava, presented by Mrs M.I. Gleeson, Chairman of the District Council of Balaklava. The tenor of her evidence indicates Balaklava's attitude towards amalgamation, namely that it just would not work. The committee Chairman asked the question:

Have you detected any feeling from the people of Hamley Bridge that they would not wish to be part of an amalgamation of three councils?

The answer given was 'Very much so'. I have not quoted the entire text, but this evidence appears on page 43. The answer continues as follows:

Most of our councillors would have talked to the various people from Hamley Bridge. Those people have stated in no uncertain terms that they would have nothing in common with Balaklava.

In a question to Mrs Gleeson, the Chairman referred to the earlier evidence of the first select committee inquiring into the amalgamation of Owen and Balaklava, where Balaklava people stated that they would accept Hamley Bridge although there were significant objections. The answer is quite interesting and illustrates the current attitude held by Balaklava towards Hamley Bridge. The Chairman then asked Mrs. Gleeson:

The problems of Hamley Bridge would have existed in the two-council amalgamation as well as in the three councils. I fail to see why suddenly Hamley Bridge is causing you problems.

The District Council of Balaklava Chairman then answered:

You would have to realise that we were only wearing the Hamley Bridge situation before in order to bring about some sort of larger council area, and Owen had made it clear to us that they did not want us to approach them or to talk to them unless it was taking in Hamley Bridge. No way would they discard Hamley Bridge.

I think it starts to firm up an attitude of the council that if we, the committee, commit them to getting involved with Hamley Bridge, it would spell difficulties in the future. I then asked the question:

If Hamley Bridge ended up in Balaklava, or in the new Wakefield enlarged council area, would there be any administration reason why you could not give Hamley Bridge as much attention as you would give to Port Wakefield? I am very apprehensive of a council that at this stage, is split right down the middle and does not want to have anything to do with Hamley Bridge. I wonder how much attention Hamley Bridge can expect?

The answer came from Mr Philp who is a pharmacist of longstanding in the town, and his answer reflects the view of the council and a lot of local residents. He said:

Personally I would accept Hamley Bridge if the committee decided that that is where it should go, but I believe that for its own interest it should be in another area.

Once again, that answer does not hold much hope for a projected council amalgamation. Mr McKenzie, the next witness, said:

Lack of community interest between Hamley Bridge and Balaklava is more so now that Port Wakefield is included. Owen council is determined to force people into something they do not want.

I will not comment on that last point, but it is what the people are saying. I then asked Mr McKenzie a question. The transcript states:

Are there good relations between the people of Owen and Hamley Bridge at the moment?—I think so.

The difficulty then would be an amalgamation between Hamley Bridge and Balaklava? There is no community of interest whatsoever up that way. Hamley Bridge is quite happy with the Owen council apart from this proposal of amalgamation.

I think that a clear message is starting to come through. The transcript continues:

You are suggesting that the people of Hamley Bridge who are part of the current Owen District Council area do not want to amalgamate with Balaklava? That is the feeling.

The next witness, Mr Hopner, a farmer from Balaklava, stated:

With regard to the boundaries, the whole portion should come off, particularly the lower portion of Hamley Bridge, because, as I see it, there is no community of interest and no dealings direct with Hamley Bridge by either Balaklava or Port Wakefield. There may be a little with regard to sport, but that is where it ends.

The member for Light referred to a letter from the District Council of Balaklava, and I, too, would like to refer to it. The paragraph at the conclusion of that letter sums up my feelings on this boundary redistribution and encapulates the fears of quite a few people. This letter from the District Clerk, which was received by the Select Committee after the council had given evidence, states:

This council considers that it would be inappropriate for the three areas to be joined in total as a matter of convenience with the thought that at a future day, if necessary, portion of the area could be severed from the new area annexed with an area where their community of interest lies. If this was the case, it would be considered unfortunate, as there is a considerable tendency in local government work for boundaries once fixed to remain unchanged for a long time as should the boundary be inappropriate development of local government in the area could be impeded.

There are several issues there. The issues surround the fact that, if a mistake is made and the boundaries are drawn, there will be a reluctance in future to change the boundaries. There is an acceptance in the area that they know well that the District Council of Light will be addressed in the near future and that Hamley Bridge will be considered for the District Council of Light.

Also, it acknowledges the difficulties in the area that most residents are having. Certainly, a vast majority of the future councillors are going to encounter these problems in trying to make the marriage work within the boundaries proposed. It is also of concern to me that members of this House have not had an opportunity to go through the evidence in detail. So far, we have had the word of the Minister on the Government side and the word of the member for Light and my word from the Opposition side of what is actually in the evidence, apart from what I have read to the House tonight. The Government is making the mistake and the Minister is making a mistake that will have long-standing implications for the people in the new District Council of Wakefield.

It is only proper that this report should be put before the Premier and Cabinet so that they can read the evidence and not just take the word of the Minister and Government members on the select committee. It is imperative that all honourable members have an opportunity of reading this report and evidence in much detail so that they will be in a position to decide for themselves whether a mistake has been made. This decision will go down in history, because boundaries are drawn and there is a reluctance to change them. Certainly, I will be supporting the amendment of the member for Light which seeks to refer the report back to the select committee. In the meantime, so that the Premier and other members of Cabinet and honourable members in this House can have an opportunity to read the evidence, I seek leave to continue my remarks later.

The DEPUTY SPEAKER: Is leave granted?

The Hon. T.H. Hemmings: No.

The DEPUTY SPEAKER: Leave is not granted.

Mr OSWALD: I am sorry that the Minister will not grant leave so that his colleagues can have time to go through the evidence. I know that much difficulty and soul-searching went on, and members of the committee spent much time analysing the evidence. It is clear that the overwhelming weight of evidence that was presented to this committee did favour Hamley Bridge with a small portion of rural land going out of the proposed District Council of Wakefield Plains.

I am not saying that it has to go to the District Council of Light, but it must be addressed by a committee to go somewhere other than the proposed District Council of Wakefield Plains. I will not take up the time of the House much longer. I have expressed my views and shown where my belief lies. I believe that the Government has made a mistake. I fear for the marriage, if it goes forward, in the proposal now before the House. Although I know that the proposed councillors are solid decent types, if this proposal is dropped on them it is clear that they will try to make this union work, because that is the type of people who live there.

It is not fair that we endorse this report when we know of the views that have been so strongly expressed by people who live in Hamley Bridge and by people who will be on the new council—particularly when we see that there will be only three councillors on the new District Council of Wakefield Plains who in actual fact have an interest in the Hamley ward and in the Owen township. I support the motion of the member for Light that the report be referred back to another select committee.

Mrs APPLEBY (Brighton): The select committee deliberations in attaining a union of the three council areas, which have already been mentioned, concern far more than a rationalisation of the economies of scale of the three councils. It is accepted that the financial viability of the councils is important and has played a larger part in the decision of the select committee. However, the change of boundaries concerns people: people who work for the council as officers and employees, people who serve the council as members and people who are residents of the affected local government areas. I wish to restrict my remarks to highlight the way in which the decision taken by the select committee will advance the interests of these people. I believe that much of the evidence given by persons appearing before the select committee indicated the importance of any change to the people of the region.

In regard to the staff of the three councils, the following points are significant. There will be greater benefits in a larger organisation for career opportunities, time for study and self-improvement courses and for attendance at seminars. The District Clerk and other senior staff will be able to share work loads and devote more attention to staff enrichment matters. Female staff members are likely to have greater opportunities within a larger council. The Municipal Officers Association has given evidence of a very constructive form which has assisted in the decision made by the committee. The union of the three councils in their entirety will overcome some very difficult decisions which would have followed if part of Owen were severed and annexed to adjoining councils. It is obvious that some staff would be required to transfer to the annexing councils, thus causing problems in morale. It is understood that the working relationship within the Owen council is at present a good one, and this would be destroyed if transfers were to take place. Owen employees reside in Owen or north of Owen with one exception, and that person lives well outside the area. Thus, relocation of council offices at Balaklava may not be a major wrench for these staff. For Port Wakefield staff, conditions can be created to alleviate the longer journey to work, and in any event it is noted that Port Wakefield as well as Owen will be retaining branch offices.

In regard to the members of the three councils, the following points are significant. It is not envisaged that the local government representations of individuals will be

affected by the new council. The representation from the areas of the new council has been carefully worked out to maintain the local interest. Both Port Wakefield and Hamley Bridge will have a balanced representation, as will the more rural areas. A council of 11 members plus a Mayor will have a very challenging task to weld together the new council. It is considered that the proposed council has considerable experience on which to draw, and there will be ample opportunity for potential members to become involved with the new council.

In regard to the residents of the three councils, the following points are significant. The committee has heard considerable evidence related to the concept of 'community of interest'. It is realised that this is a term which is bandied around, often with very little knowledge of its meaning. I believe that, as a term, it is often misused, particularly in contemporary society where individuals have interests which vary over a very wide range of issues and over a great area. This is the case with the residents of the three affected council areas, and I believe that it is necessary to analyse the 'community of interest' by looking at the types of functions undertaken by individuals in their daily pattern of life. A number of functions were made apparent to the select committee, including shopping patterns, servicing of machinery and motor vehicles, library services, school catchment areas, health services, sporting facilities, service club affiliations and church groups. The Owen council stated the following in its submission:

> The Wooroora Bowling Association covers the whole of the proposed area . . . The Dalkey Tennis Association shares with Balaklava Districts, Lower North and Balaklava United, the oversight of tennis in the area . . . Men's and women's basketball is played within an association embracing the whole area.

Then, about education:

> The four primary schools within the area (Balaklava, Port Wakefield, Owen and Hamley Bridge) completely service the school population and provide for some children outside the council boundaries.

Turning to community welfare, it had the following to say:

> A Community Development Board now operates throughout the entire District Council of Owen's area, and disseminates information per medium of the *Hamley Headlines*, a local broadsheet printed by the Hamley Bridge Apex Club.

I have a great interest in health services, and the Owen council's submission stated the following on this subject:

> Health services are catered for by a recognised hospital at Balaklava and a private hospital at Hamley Bridge. Outreach nursing and domiciliary care are now available to the entire area (Port Wakefield, Balaklava, Mallala, Owen and Hamley Bridge) per medium of the Northern Regional Health Services operated through the Balaklava Hospital. The District Council of Owen has provided a first-class community health clinic at Hamley Bridge. The professional services of a general practitioner, dental surgeon, optometrist and podiatrist can be augmented by the outreach services provided from the Balaklava Hospital.

I was most impressed by that service during the committee's tour of the area. It is noted in particular that the joint school library service in Balaklava draws users from the Port Wakefield area. It is considered that Port Wakefield residents use many services in Balaklava, and there are obvious links which will be enhanced by the new council. Also, the outreach nursing and domiciliary care facilities organised through the State Government are based at Balaklava and service Hamley Bridge.

Hamley Bridge has a community health clinic which was created by the activity of the District Council of Owen. Any development at the Bowmans coal site is likely to have a great impact on Balaklava as well as parts of Port Wakefield, and community services will require considerable effort on the part of a new council. It is not considered that present council units could handle such development so that residents could be benefited. The Ambassador Bus Service provides a service from Balaklava through to Owen, on to Mallala and also from Balaklava-Owen through Hamley Bridge to Gawler. These are obvious links which tie the area together.

It is considered that the foregoing functions create a considerable focus on Balaklava and that the influence of Balaklava extends to Hamley Bridge and to Port Wakefield. An enlarged council will carry with it advantages for its residents. There will now be a capability from a larger rating base to provide a greater variety of services, particularly in the community development field.

Mr MATHWIN: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Mrs APPLEBY: As mentioned earlier, a council with a spread of staffing functions will be able to specialise in providing particular services to the community. The new council will be able to stimulate resident activity. There are skills already apparent in the area, particularly expressed in the township of Hamley Bridge, which, if given to the remainder of the new council, will carry with them considerable advantages.

I would like to conclude by thanking all those people who put evidence before the select committee and my colleagues with whom I worked, as it was something quite new to me. I thoroughly enjoyed it, and the considerations of the select committee, particularly those who agreed that Hamley Bridge should stay in and that the boundaries should be as the boundaries of the three councils that now exist, I suggest as a total recommendation.

Mr MEIER (Goyder): I, too, would like to compliment the members of the select committee on the work that they have carried out. Obviously, many hours were put into the deliberations and the sittings, and a detailed study was produced. I feel that there was a desire to reach some sort of consensus on the matter. Just as the member for Brighton has thanked the many people who came along and made submissions, so, too, I would like to thank them.

If one looks at the numbers—some 43 oral submissions and 11 written submissions—it clearly indicates that the people in the council areas are very concerned for their areas and for their local government. They have pride in their area and they, too, have a strong desire to arrive at a satisfactory solution.

It is a great pity that there does not appear to have been a consensus in the findings of this select committee as compared with the earlier select committee report that was handed down. It would appear that, with the exception of Port Wakefield council—that view has been expressed earlier—the other councils were quite happy to agree that amalgamation was necessary and would be a positive force in the future.

Even Port Wakefield is prepared to accept amalgamation. It is a great pity that consensus has not been reached because I believe that there are other proposed amalgamations on the drawing board and, if local government is to go ahead in strength, it would appear that the smooth passing of amalgamations at this stage can be only a help to local government organisations. We have received the report of the select committee today, and have had a chance for some hours now to look at it. Certainly, I have not had a chance to look at all the written submissions that have been made, and would have to rely somewhat on my colleagues and the debate in the House this evening. I do not wish to regurgitate a lot of what has been said. I simply wish to make my position clear as the member for Goyder.

Members possibly are aware that all three council areas affected come within Goyder. When one weighs up the evidence put forward in this House and the report, it would appear that not all interests have necessarily been fully put

forward in the report. I acknowledge that it probably will not be possible for a report to be handed down where all interests are fully catered for.

Considering the points mentioned, I believe strong factors exist which make me lean towards the amendment moved by the member for Light. I am sorry that I cannot see my way clear to accepting the recommendations in their entirety. One of the most significant factors mentioned by the member for Light was that the Local Government Department recognises that in the not too distant future Hamley Bridge will be ceded to some other local government area. If that was known when members of the committee were putting forward their final submissions, it is a great shame that there was not more consensus. We have heard that word many times in the past few weeks.

Mr Mathwin interjecting:

The DEPUTY SPEAKER: Order!

Mr MEIER: It seems that, although a relatively small area is under consideration, with a little more work by the committee the problem possibly could have been overcome and we could have been dealing with a report that would have gone through as smoothly as the earlier Meadows report did. However, it has not been that way and we are confronted with a problem.

The other reasons which make me believe that the amendment should be looked at further include the fact (and the Minister mentioned it in the committee) that the potential exists for development in the area, particularly in relation to the Bowmans coal area. The argument was that strong local government would be an advantage, but there would be little similarity with the Bowmans development, if it went ahead, and Port Wakefield/Balaklava area and the Hamley Bridge area. That is possibly a minor point, but I think it is relevant. The community interest of Hamley Bridge *versus* Port Wakefield has been brought forward and is a justifiable argument. It has been pointed out clearly that Hamley Bridge and Owen have a lot in common, but the extent to which one can enlarge the boundaries raises questions in my mind.

An important factor is the impact of the proposal on adjacent council areas. I mentioned this earlier. If Hamley Bridge goes into that area what will happen to surrounding councils? Evidence has been brought forward by the members for Morphett and Light that it would appear that surrounding councils may be disadvantaged if Hamley Bridge came into the new proposed Wakefield Plains council area.

Mention has been made of the community ties, and certainly the shopping facilities have been brought out. Hamley Bridge tends to look south rather than north, and concerning schools there does not seem to be a great attachment towards the Balaklava area. The other factor mentioned has been the major arterial roads and the major transport corridors. Again, there are some clear north-south corridors that tend to perhaps diverge away from Hamley Bridge to some extent, whereas the rest of the proposed Wakefield Plains fits very much into a clear pattern. So, for those reasons I find that I will not be able to support the report of the committee handed down.

However, I would also like to ask the Minister a few questions arising from the report. First, page 4, paragraph 5.5 states that the main office of the new council will be located at Balaklava and there will be branch offices and depot facilities at Owen and Port Wakefield. I think that it is a good idea but I would be interested to know just how many other councils are using decentralised offices on a regular basis.

This brings me to the next point: how often will the offices be open at Owen and Port Wakefield? Would it be on a daily basis or part thereof, or on one or two days per week and how long would it be expected that these offices would continue in the future? Further, paragraph 5.6 relates to the concept of a review of staff positions within a negotiated period of time from the proclamation date. A lot has been said this evening about the security of staff tenure, and rightly so. However, it would be interesting to know just what is meant by 'a negotiated period of time'. How long would this period of time be and would the current holders of the positions be guaranteed that, no matter what the new arrangement, they would still be guaranteed a position, so that their security is made fairly clear? Of course, in that respect we have several administrative positions. Would it continue in that way indefinitely or might it come down to one administrative position in one or two of those cases later?

I know that certain observers here tonight have a long way to go. I do not wish to prolong the debate any further, but I have yet to be convinced that the report is in the best interests of all concerned and so I, too, will be supporting the amendment that has been put forward by the member for Light.

The House divided on the amendment:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick (teller), Evans, Goldsworthy, Gunn, Lewis, Mathwin, Meier, Oswald, Rodda, and Wilson.

Noes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, M.J. Brown, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings (teller), Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Whitten.

Pair—Aye—Mr Olsen. No—Mr Wright.

Majority of 4 for the Noes.

Amendment thus negatived.

The House divided on the motion:

Ayes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, M.J. Brown, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings (teller), Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Whitten.

Noes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick (teller), Evans, Goldsworthy, Gunn, Lewis, Mathwin, Meier, Oswald, Rodda, and Wilson.

Pair—Aye—Mr Wright. No—Mr Olsen.

Majority of 4 for the Ayes.

Motion thus carried.

The Hon. T.H. HEMMINGS (Minister of Local Government): I move:

That the Joint Address to His Excellency the Governor as recommended by the Select Committee on the Local Government Boundaries of the District Council of Balaklava, Owen and Port Wakefield in its report be agreed to.

The SPEAKER: Is the motion seconded?

The Hon. D.J. Hopgood: Yes, Sir.

The SPEAKER: Before debate commences (and debate is permitted), I wish to advise the House that, notwithstanding my normal attitude of tolerance towards these matters, it is obvious, if one looks at the format of the two motions, that in relation to the motion now before the Chair there must be a strict adherence to Standing Orders.

The Hon. B.C. EASTICK (Light): I noted that the Minister referred to a motion prepared by the select committee. Technically, he is correct. It was presented by the select committee, but I point out that it is not prepared nor supported by a unanimous vote of the committee. Whilst the Minister's motion and the document to which he refers give effect to a decision taken by a majority of members of the committee, I emphasise that the decisions contained

within the address to His Excellency are, I believe, a disaster for local government.

The SPEAKER: Order! I must rule that that sort of argument is out of order. The portion of the honourable member's address which referred to the differentiation of opinion is certainly in order, but I rule that a continuation as to the merits of the motion (and, in effect, that is what has already been carried by the House) must not be repeated.

The Hon. B.C. EASTICK: Thank you, Mr Speaker; I accept that situation. I refer to the configuration contained within the address to His Excellency which sets up and names seven wards, based on the premise of a reasonable equity of numbers in relation to each of them. Regrettably, whilst that is the case at present, by decisions that have already been indicated, there will be a major disparity in the not too distant future, and it is regrettable that, in preparing this document and identifying these wards, real consideration has not been given to the short time that these wards will be able to function in the manner in which they are presented in the document. I believe that you, Mr Speaker, would suggest that it was out of order for me to indicate that the wards, as suggested here, are valid only until such time as the inevitable—

The SPEAKER: Indeed, I would, and I hope that the honourable member will not.

The Hon. B.C. EASTICK: It also implies, as you will appreciate, Mr Speaker, that the number of councillors—

The SPEAKER: Order! The honourable member for Light is testing my patience.

The Hon. B.C. EASTICK: I simply indicate that the document to which we are being asked to agree is not a document of merit and, therefore, we will be voting against it.

The House divided on the motion:

Ayes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Max Brown, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings (teller), Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Whitten.

Noes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick (teller), Evans, Goldsworthy, Gunn, Lewis, Mathwin, Meier, Oswald, Rodda, and Wilson.

Pair—Aye—Mr Wright. No—Mr Olsen.

Majority of 4 for the Ayes.

Motion thus carried.

ADJOURNMENT

At 12.4 a.m. the House adjourned until Wednesday 20 April at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 19 April 1983

QUESTIONS ON NOTICE

SCHOOL TRANSPORT POLICY

56. **The Hon. M.M. WILSON** (on notice) asked the Minister of Education: When will the major review of the Education Department transport policy be implemented, who will carry it out and will submissions be sought from private enterprise?

The Hon. LYNN ARNOLD: The review of school transport policy is to be undertaken during 1983 with oversight by a steering committee to be chaired by Mr A.G. Flint, Director, Division of Road Safety and Motor Transport in the Department of Transport, and comprising persons drawn from parent and teacher organisations and the Education Department. Submissions can be forwarded by any person and should be addressed to:

Mr T.J. Brook
Secretary
School Transport Review Steering Committee
c/o Education Centre
G.P.O. Box 1152
Adelaide, S.A. 5001

CORRECTIONAL SERVICES INSTITUTIONS

76. **Mr BECKER** (on notice) asked the Chief Secretary: How many persons have absconded from each of the correctional services institutions each month for the past 12 months and how many persons are still at large?

The Hon. G.F. KENEALLY: The number of persons who absconded for the past 12 months is as follows:

Month	Persons Absconding
April 1982	Nil
May 1982	1
June 1982	Nil
July 1982	Nil
August 1982	1
September 1982	Nil
October 1982	2
November 1982	5
December 1982	Nil
January 1983	1
February 1983	3
March (to 18.3.83)	2
Total	15

The institutional breakdown is:

Adelaide Gaol	Nil
Yatala Labour Prison	9
Cadell Training Centre	1
Port Augusta Gaol	1
Mount Gambier Gaol	2
Port Lincoln Prison	Nil
Women Rehabilitation Centre	Nil
Northfield Security Hospital	2
Total	15

One escapee is still at large.

EDUCATION DEPARTMENT BUDGET

78. **Mr BECKER** (on notice) asked the Minister of Education:

1. Was the current Education Department budget estimate of $624 111 000 under estimated and, if so, by how much?

2. Is the department's budget to be revised and, if so, what is the expected amount to be expended by 30 June 1983?

3. What now is the ratio of salaries and related payments to the overall budget expenditure?

The Hon. LYNN ARNOLD: The replies are as follows:

1. The figure of $624 111 000 is not the Education Department's budget estimate for 1982-83 but covers the budgets of the social service areas of education, science, art and research. The Education Department's budget estimate for 1982-83 was $465 373 000 and was a realistic forward estimate of the financial resources required to achieve the planned level of activity for the year.

2. In accordance with normal procedures the Education Department's increases which have occurred during the year. In addition, further revision has occurred to provide for the retention of 231 teacher positions and improvement in the ancillary staff formulae in accordance with the Government's pre-election promises. It is anticipated that 1982-83 departmental expenditure will be approximately $497 000 000.

3. Salaries and related payment 90 per cent, contingencies 10 per cent.

RESERVOIRS

83. **Mr BECKER** (on notice) asked the Minister of Water Resources:

1. What is the present level of each of the State's reservoirs and how does this figure compare with the previous 12 months and holdings as at 28 February 1983?

2. What is the storage capacity of each of the State's reservoirs?

3. Does the Government have any plans to build any new reservoirs and, if so, where and when and, if not, why not?

4. How long does it take to select a suitable site, prepare plans and specifications and construct a new reservoir?

The Hon. J.W. SLATER: The replies are as follows:

1.

Reservoir	Storage Capacity ML	15.4.82 Holding ML	15.4.83 Holding ML	28.2.83 Holding ML
Mount Bold	45 900	9 161	19 190	22 470
Happy Valley	12 700	5 012	8 465	7 981
Clarendon Weir	320	285	296	306
Myponga	26 800	12 982	10 105	10 179
Millbrook	16 500	7 645	12 155	13 730
Kangaroo Creek	24 400	4 305	10 997	7 998
Hope Valley	3 470	1 811	2 015	3 239
Little Para	20 800	12 600	5 821	5 467
Barossa	4 510	4 315	4 220	4 231
South Para	51 300	36 338	19 359	19 146
Sub-Total Metro.	206 700	94 454	92 623	94 747

Reservoir	Storage Capacity ML	15.4.82 Holding ML	15.4.83 Holding ML	28.2.83 Holding ML
Tod	11 300	7 775	4 737	4 926
Warren	4 770	2 184	3 290	3 610
Beetaloo	3 700	592	239	124
Bundaleer	6 370	2 713	3 369	2 937
Baroota	6 120	2 261	1 903	2 208
Nectar Brook	700	0	0	0
Sub-Total Country	32 960	15 525	13 538	13 805
Total	239 660	109 979	106 161	108 552

2. See answer to question 1.

3. At the present time the Government does not anticipate building any new reservoirs. The present growth in demand does not indicate the need to construct an additional storage; indeed, it is estimated that by good management and wise use of water the need to construct further storages can be delayed until after the turn of the century.

4. Three to four years are required to select a suitable site, prepare plans and specifications. Construction varies depending on the size of the dam but a reasonable indication would be also three to four years.

VOTING

84. **Mr BECKER** (on notice) asked the Minister of Community Welfare, representing the Attorney-General:

1. How many persons did not vote at the 6 November 1982 elections?

2. How many summons have been issued in relation to non-voting?

3. How many persons have been fined for not voting?

The Hon. G.J. CRAFTER: The replies are as follows:

1. House of Assembly 59 430
   Legislative Council 62 852

2. Nil. In accordance with section 118a (4) of the Electoral Act, the Electoral Commissioner is required to send by post, within a period of six months after an Assembly election, a notice to those electors who failed to vote, calling upon them to give a valid and sufficient reason for not doing so. The appropriate notices were posted by the Commissioner in mid-February, and the recipients were given a period of 21 days to reply. Those electors who either failed to reply to this notice or gave an insufficient reason for not voting will be given the opportunity to expiate their offence by the payment of $5.00 in accordance with regulation 42 (3). Appropriate expiation notices will be prepared during April 1983.

3. The question of a summons will not arise if a person pays the expiation fee mentioned above.

CUT-AWAY PARKING BAYS

85. **Mr BECKER** (on notice) asked the Minister of Transport:

1. What criteria does the Highways Department use for establishing 'cut-away' parking bays into verges along Anzac Highway in front of retail or commercial premises?

2. Has the department received any requests for such parking 'cut-aways' along Anzac Highway over the past three years and, if so, how many and where?

The Hon. R.K. ABBOTT: The replies are as follows:

1. The parking bay is located where it would not create a traffic hazard arising from vehicles entering and leaving the parking bay. Detailed plans for the parking bay are approved by the Highways Department (and the local council if that body did not prepare the plans). The cost of providing the facility is met by the local council, in whom the road reserve containing the parking bay is vested, or the applicant.

2. The Department has no record of such a request during this period.

NOVEMBER 1982 ELECTIONS

88. **Mr BECKER** (on notice) asked the Minister of Community Welfare, representing the Attorney-General:

1. What was the cost of the 6 November 1982 elections?

2. Were short-term prisoners in gaols eligible to vote and, if so, how many and at what cost per vote?

3. How many persons were employed by the Electoral Office to provide voting facilities for prisoners?

The Hon. G.J. CRAFTER: The replies are as follows:

1. $1 250 000.

2. All prisoners on the roll whether short or long-term were entitled to vote and 72 in the Adelaide and Yatala gaols and the Womens Rehabilitation Centre took advantage of that entitlement through electoral visitors. The overall cost per electoral visitor vote throughout the State was approximately $9. Details of cost per vote in gaols is not available.

3. A total of 11 electoral visitors, including four permanent staff of the Electoral Department visited the Adelaide and Yatala gaols and the Women's Rehabilitation Centre on 4 November 1982.

BI-CENTENNIAL ROAD PROGRAMME

90. **Mr GUNN** (on notice) asked the Minister of Transport:

1. What is the basis for the allocation of funds under the bi-centennial road programme?

2. What is the anticipated amount that will be spent on each category of roads over the next three financial years?

The Hon. R.K. ABBOTT: The replies are as follows:

1. Under Commonwealth legislation, Australian Bi-Centennial Road Development (A.B.R.D.) funds are to be allocated between road categories and the States on the following bases:

(1) Between road categories—
Total ABRD funds will be allocated to national, urban arterial, rural arterial and local roads on the following percentage basis:

	1982-83 %	1983-84 and beyond %
National Roads	40	42
Urban Arterial Roads	30	30
Rural Arterial Roads	15	16
Local Roads	15	12
	100	100

(2) Between States—
Other than for national roads, the funds will be allocated between the States and Northern Territory in accordance with the relativities contained in the Road Grants Act, 1981. On this basis, South Australia will receive 7.6 per cent of total urban arterial funding, 7.6 per cent of total rural arterial funding and 7.7 per cent of total local road funding. In the case of national roads, no set ratio will be used to

apportion A.B.R.D. funds between the States and Northern Territory. Funds will be distributed in accordance with the requirements of achieving the basic program objectives and national priorities.

2. It is assumed that the honourable member only requires information with respect to South Australia. The following figures are indicative only and allocations to the States and Northern Territory will depend on the usage of petrol and diesel fuels in the respective financial years.

	1982-83 Prices $'000		
	1983-84	1984-85	1985-86
National Roads construction	Yet to be determined		
Arterial Roads construction	13 690	12 223	10 913
Local Roads construction	3 618	3 231	2 885

TEACHING POSITION

96. **The Hon. M.M. WILSON** (on notice) asked the Treasurer:

1. Is the Treasurer aware of the Treasury advice to the previous Government that the all-up cost of providing a teaching position was $22 000 per year?

2. Is the figure still the same and, if not, what is the current estimate and on what basis is it made?

The Hon. J.C. BANNON: The replies are as follows:

1. No.

2. The current estimate of the average annual salary cost of a teacher (including promotional positions) is $22 346 p.a. The average cost of a teacher in a non-promotional position is $20 814 p.a. These figures are derived from the average teacher salary cost for the period 1 July 1982 to 31 December 1982. These estimates exclude any on-costs, for example, superannuation, pay-roll tax and workers compensation premiums, and also contingency expenses which relate to teaching positions. The latter may vary according to the location and circumstances of the post.

HEALTH INITIATIVES

98. **The Hon. B.C. EASTICK** (on notice) asked the Chief Secretary, representing the Minister of Health:

1. What new initiatives have been commenced within each of the Minister of Health's areas of responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the Minister's areas of responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full year's cost of implementation?

The Hon. G.F. KENEALLY: The replies are as follows:

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

ATTORNEY-GENERAL'S INITIATIVES

99. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Community Welfare, representing the Attorney-General:

1. What new initiatives have been commenced within each of the Attorney-General's areas of responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the Minister's areas of responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of implementation?

The Hon. G.J. CRAFTER: The replies are as follows:

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

EDUCATION INITIATIVES

100. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Education, representing the Minister of Agriculture:

1. What new initiatives have been commenced within each of the Minister of Agriculture's areas of responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the Minister's areas of responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility not already instituted, be instituted, and what is expected to be the full year's cost of implementation?

The Hon. LYNN ARNOLD:

1. and 2. The time and money required to fomulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

WATER RESOURCES INITIATIVES

101. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Water Resources:

1. What new initiatives have been commenced within each of the areas of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the areas of the Minister's responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

The Hon. J.W. SLATER: The replies are as follows:

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

COMMUNITY WELFARE INITIATIVES

102. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Community Welfare:

1. What new initiatives have been commenced within each of the areas of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the areas of the Minister's responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

The Hon. G.J. CRAFTER: The replies are as follows:

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

MINES AND ENERGY PROGRAMMES

103. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Mines and Energy:

1. What new initiatives have been commenced within the area of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the area of the Minister's responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's area of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

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

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

EDUCATION AND TECHNOLOGY PROGRAMMES

104. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Education:

1. What new initiatives have been commenced within each of the areas of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the area of the Minister's responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

The Hon. LYNN ARNOLD: The replies are as follows:

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

TRANSPORT AND MARINE PROGRAMMES

105. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Transport:

1. What new initiatives have been commenced within each of the areas of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the areas of the Minister's responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

The Hon. R.K. ABBOTT: The replies are as follows:

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

ENVIRONMENT, PLANNING AND LANDS PROGRAMMES

106. **The Hon. B.C. EASTICK** (on notice) asked the Minister for Environment and Planning:

1. What new initiatives have been commenced within each of the areas of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the areas of the Minister's responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

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

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

LABOUR AND PUBLIC WORKS PROGRAMMES

107. **The Hon. B.C. EASTICK** (on notice) asked the Deputy Premier:

1. What new initiatives have been commenced within each of the areas of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the areas of the Minister's responsibility have been stopped or scaled down

and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

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

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

PREMIER'S RESPONSIBILITIES

108. **The Hon. B.C. EASTICK** (on notice) asked the Premier:

1. What new initiatives have been commenced within each of the areas of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the areas of the Minister's responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

The Hon. J.C. BANNON: The replies are as follows:

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

CHIEF SECRETARY'S PORTFOLIOS

109. **The Hon. B.C. EASTICK** (on notice) asked the Chief Secretary:

1. What new initiatives have been commenced within each of the areas of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the areas of the Minister's responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

The Hon. G.F. KENEALLY: The replies are as follows:

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

HOUSING

110. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Housing:

1. What new initiatives have been commenced within each of the areas of the Minister's responsibility since 8 November 1982 and what is the expected cost for the 1982-83 financial year and for a full financial year thereafter?

2. What, if any, programmes within the areas of the Minister's responsibility have been stopped or scaled down and what, if any, cost benefit has accrued for the 1982-83 financial year and will apply for a full financial year thereafter?

3. When will the various initiatives outlined in the Labor Party policy speech and applicable to the Minister's areas of responsibility, not already instituted, be instituted, and what is expected to be the full years cost of the implementation?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. and 2. The time and money required to formulate a response to parts (1) and (2) for the honourable member is not warranted.

3. The initiatives will be instituted when appropriate and their costings will be made available at the appropriate time.

PRISON OFFICERS

112. **Mr MATHWIN** (on notice) asked the Chief Secretary: How many prison officers have suffered an assault by prisoners since 30 June 1982, what were the injuries sustained, how many of these officers were absent from duty because of the assaults, and how long was each absent?

The Hon. G.F. KENEALLY: Since 30 June 1982 (to 13 March 1983), 12 correctional officers suffered assaults by prisoners. The breakdown of injuries received was as follows:

threats, no injuries	2
arm injuries	2
cuts, bruises to face	4
shock, bruises to body	3
fractured skull	1

Six officers were absent from duty apart from time taken to receive treatment for injuries. The periods of absence were:

1 day	2 Officers
3 days	1 Officer
5 days	1 Officer
8 days	1 Officer
40 days	1 Officer

ROBE LAND

115. **Mr LEWIS** (on notice) asked the Minister of Lands: How many public servants own land in Robe?

The Hon. D.J. HOPGOOD: As the information requested would require considerable research it is considered the expense involved to extract the information is not justified.

WEEKLY PAID EMPLOYEES

116. **The Hon. D.C. BROWN** (on notice) asked the Minister of Public Works: How many weekly paid employees have been engaged by the Public Buildings Department since 6 November 1982, and in what trades are these people employed?

The Hon. J.D. WRIGHT: Since 6 November 1982, the Public Buildings Department has engaged three weekly paid employees in the following trades:

Plumber	1	(transferred from South Australian Health Commision.)
Security attendants	2	(transferred from State Library—transferred from State Transport Authority)

In addition, the January intake of new apprentices was in the following trades:

Motor Mechanic	1
Refrigeration Mechanics	5
Electrical Fitters	5
Radio Tradesmen	2
Signwriter	1
Welder	1
	15

BRISTOL CHAMBER OF COMMERCE AND INDUSTRY

117. **The Hon. D.C. BROWN** (on notice) asked the Premier:

1. Is the Premier aware that the Bristol Chamber of Commerce and Industry visited Australia during February and March 1983?

2. Was South Australia included on the itinerary for the visit and, if not, why not?

3. Did the Premier issue a formal invitation for the chamber to visit South Australia and, if not, why not?

The Hon. J.C. BANNON: The replies are as follows:

1. Yes.

2. South Australia was not included on the intinerary because the Government was not aware of its visit until the approximate time of its arrival (February), that is, when the trade mission's itinerary had been finalised.

3. No. An invitation was not issued for the above reasons.

MANCHESTER CHAMBER OF COMMERCE AND INDUSTRY

118. **The Hon. D.C. BROWN** (on notice) asked the Premier:

1. Is the Premier aware that the Manchester Chamber of Commerce and Industry visited Australia during February and March 1983?

2. Was South Australia included on the itinerary for the visit and, if not, why not?

3. Did the Premier issue a formal invitation to the chamber to visit South Australia and, if not, why not?

4. Is the Premier aware that the former Government successfully invited a large number of visiting overseas business groups to visit our State, including French and German groups who were originally scheduled not to visit Adelaide?

The Hon. J.C. BANNON: The replies are as follows:

1. Yes.

2. South Australia was not included on the itinerary because the Government was not aware of its visit until the approximate time of its arrival (February), that is, when the trade mission's itinerary had been finalised.

3. No. An invitation was not issued for the above reasons.

4. We receive regular circulars from the British Consul-General, Melbourne, with whom we keep close contact. However, several months advance notice is required to ensure South Australia is included on itineraries. We rely on the Agent-General in London, the British Consul-General, the Australian British Trade Association, or the Chamber of Commerce having early knowledge and then giving us sufficient notice of such visits.

BIRDWOOD SCHOOL

119. **The Hon. D.C. BROWN** (on notice) asked the Minister of Public Works:

1. Did the Public Buildings Department call tenders for the construction of buildings at the Birdwood School and, if so, have tenders now been let and, if not, why not?

2. Has the Government decided to do the main construction work at this school using employees of the department?

3. What is the total number of departmental employees who are expected to be engaged on site on this project?

4. Do these employees travel daily from Adelaide and, if so, what is the travel time?

5. If the employees are accommodated during the week at Birdwood, what allowances are paid to each employee per day?

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

1. The work is to be undertaken by the Public Buildings Department Operational Services Branch. Approximately 45 per cent of the total value of the work will be let to private contractors as trade packages.

2. Yes.

3. Departmental employees are expected to be engaged on site in the following trades:

Carpentry
Electrical
Joinery
Metal Work
Driving
Painting
Plumbing
Iron Work
Labouring.

It is anticipated that a total number of 795 man weeks will be required to complete this project.

4. Yes. Approximately half an hour per day.

5. No employees will be accommodated at Birdwood.

E. & W.S. DEPARTMENT

121. **Mr BAKER** (on notice) asked the Minister of Water Resources:

1. How many persons in the Engineering and Water Supply Department are engaged in reading water meters and what is the total salary bill for these people?

2. Has an alternative of 12-monthly meter reading (as distinct from six-monthly) been fully assessed?

The Hon. J.W. SLATER: The replies are as follows:

1. In the metropolitan area there are 25 meter readers whose total annual salary is approximately $376 000. In the country areas Engineering and Water Supply departmental employees such as watermen, fitters, inspectors and maintenance men read the meters. The reading of country meters forms only a small part of the overall duties of these employees. It is estimated that the equivalent of 10 readers would be required on a full-time basis to read country meters at an estimated annual salary of approximately $150 000.

2. Yes, however, it has not been adopted as it would accentuate the following problems:

- the possibility of concealed leakage may not be highlighted as promptly as is presently the case. In addition, during a period of high recorded consumption, the consumer would not have the opportunity to have the

meter tested as promptly to ensure it is recording correctly.

- in many cases damaged and stuck meters are not noticed until the meter is read. Estimated consumptions would be more difficult to set and this could possibly disadvantage consumers.
- it is understood many consumers rely on meter readings to monitor and thus conserve their water. These benefits would be lost if meters were read only once per year.

S.T.A. DRIVERS

123. **Mr BAKER** (on notice) asked the Minister of Transport: Has the Minister given direction to S.T.A. drivers that preference for seats be given to adults as compared with schoolchildren on the bus system during peak loadings?

The Hon. R.K. ABBOTT: No. By-Law 28 of the Bus and Tramways Act, 1935-1978 provides *inter alia* as follows.

'28. Unless he has paid full adult cash fare no child or holder of a school ticket shall—

(a) occupy a seat on a vehicle to the exclusion of an adult passenger after having been requested . . . .not to do so: or . . . .'

TAFE COLLEGES

125. **Mr BAKER** (on notice) asked the Minister of Education: When does the Minister intend to issue a directive to all TAFE colleges with respect to a common fee structure for concessional students in stream 6 classes?

The Hon. LYNN ARNOLD: The Director-General of the Department of Technical and Further Education is preparing for me a paper on the financial aspects of the management stream 6 as it is the policy of the Government that the concessions policy be reviewed. Until that time I consider it inappropriate to discuss the options that may be put to me.

DRIVING LICENCES

126. **Mr BAKER** (on notice) asked the Chief Secretary representing the Minister of Health: Has representation been made to the new Federal Government concerning rebates for medical examinations associated with driving licences for people over 70 years of age?

The Hon. J.R. CORNWALL: Yes. The Commonwealth Minister of Health has agreed to review the matter.

FREE SCHOOL BOOKS

127. **Mr BECKER** (on notice) asked the Minister of Education:

1. How many students have received free books for 1983?
2. Is the number an increase on the 1982 figure and, if so, by how many?
3. Will the eligibility criteria be altered to include more students from low income earning families?
4. What is the total cost of issuing free books?

The Hon. LYNN ARNOLD: The replies are as follows:

1. The 'Free Scholars' scheme was changed in name in 1981 to 'Government Assisted Students'. As at 7 March, 35 179 students had been approved to receive the grant of $33 per student per annum in 1983.

2. The number is an increase of 2 000 on the approvals for the same period last year.

3. Education Department officers are currently reviewing the means test criteria and I expect to receive a report and recommendation within the next few weeks. At this stage, therefore, no decision has been made on eligibility criteria.

4. The cost of the Government Assisted Students' scheme in 1981-82 was $1 152 000. For 1982-83 the cost is estimated to be $1 400 000, the expected increased cost being due to an increase in the per capita grant from $30 to $33 and the increase in the number of student approvals.

SOUTH ROAD WIDENING

131. **The Hon. D.C. BROWN** (on notice) asked the Minister of Transport: Why is the Government only committing $3 500 000 over a four to five year period to the project to widen South Road, why will it take almost two years before construction work can start and why has the Minister given such a low priority to the project?

The Hon. R.K. ABBOTT: Major upgrading of the section of South Road between Anzac Highway and Daws Road is to be carried out in two phases:

- Construction of a major overpass project at the Emerson Crossing, estimated to cost $10 000 000 in 1982 prices.
- Widening of the remaining section of the road estimated to cost $3 500 000 in 1982 prices, this being the subject of the honourable member's question.

Funds for these projects have been set aside commensurate with the anticipated progress of work and neither project can be said to have low priority. With respect to commencement of the road widening phase, the honourable member should be aware that widening within a major corridor such as South Road requires extensive pre-construction work, including alterations to many public utility services. This work, together with the Emerson overpass, is expected to occupy the two-year period in question.

DEPARTMENT FOR TECHNOLOGY

132. **The Hon. D.C. BROWN** (on notice) asked the Minister of Technology: Now that a permanent head has been appointed to the new Department for Technology, will the Minister indicate the proposed staffing budget of the department, its proposed budget for the remainder of the 1982-83 financial year and the organisation and functions to be adopted by the department?

The Hon. LYNN ARNOLD: The staffing level of the Ministry of Technology is at present the same as that of the former Data Processing Board (6) and former Technological Change Office (5), with the addition of the Director and one clerical officer. These staffing commitments are now under review in order to recognise the Government's strong commitment to increased economic development based on innovation, creativity and new technology. Against this the Government is also aware of the serious public sector financial situation. Both must be kept in mind when staffing levels for the Ministry of Technology are determined.

Wages and overhead expenses of the Director and his Secretary are being carried by the Department of Environment and Planning, for convenience, until 30 June 1983. The 1982-83 budget situation for the Data Processing Board (DPB) and the Technology Advisory Unit (TAU) are as follows:

	Provision 1982-83	Expend to 28.2.83	Proposed Budget for 1.3.83-30.6.83	Proposed Expenditure 1982-83
Salaries and Wages:	$	$	$	$
DPB	181 583	125 437	77 149	202 586
TAU	133 000	84 558	48 442	133 000
Sitting Fees:				
DPB	3 000	3 972	2 994	6 966
Council on Tech. Change	11 000	9 606	3 100	12 706
Contingencies:				
DPB	57 000	30 409	27 453	57 862
TAU	26 000	16 527	18 973	35 500
Sub-totals DPB	242 383	159 818	107 596	267 414
TAU	170 000	110 691	70 515	181 206
Totals	412 383	270 509	178 111	448 620

The Government has not completed consideration of the organisation and functions of the Ministry of Technology.

PRISONER STATISTICS

133. **The Hon. D.C. WOTTON** (on notice) asked the Chief Secretary: What percentage of prisoners currently in Yatala Labour Prison, Adelaide Gaol and the Cadell Training Centre, respectively, are—

(a) under the age of 30 years;

(b) between the age of 30 and 40 years;

(c) between the age of 40 and 50 years; and

(d) over the age of 50 years?

The Hon. G.F. KENEALLY: The percentages of prisoners currently in Yatala Labour Prison, Adelaide Gaol and Cadell Training Centre in the relevant age groups are as follows:

Institution/Age Group	Under 30	30 up to 40	40 up to 50	50 and over
Yatala Labour Prison	65.9%	22.9%	8.8%	2.4%
Adelaide Gaol	69.2%	20.7%	7.2%	2.9%
Cadell Training Centre	63.9%	22.7%	9.3%	4.1%

The information is valid for 30 June 1982, the date of the last census of South Australian prisoners.

GOLDEN GROVE DEVELOPMENT

134. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning:

1. What is the Government's policy in regard to the future of the Golden Grove Development?

2. What interest has been shown by the private sector in becoming involved in this development?

3. At what stage are any plans to commence the development of the initial land release involving 405 hectares?

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

1. The Government views Golden Grove as one of the major growth modes in metropolitan Adelaide. It believes that the development of this area warrants a comprehensive, rather than piecemeal approach. Accordingly, the Government intends securing a comprehensive development arrangement which will optimise the financial, physical planning, community resources and housing benefits which may flow from the project.

2. During the period of October 1982-February 1983, Registrations of Interest were sought from private sector developers who were interested in participating in Golden Grove's future development. Four responses have been received. It would be a breach of confidence with those companies to disclose, at this time, the terms and conditions on which they based their responses.

3. Any plans to commence the actual development of the 405 hectares, or for that matter, any other portion of the Golden Grove Development area is dependent on the outcome of a review of alternative development approaches. The Government is currently conducting such a review. It should be noted that development of the area by means of an indenture agreement enabling private sector involvement is one of the options being considered in this review. It should also be noted that the current Registrations of Interest are still 'active' and that each of the four registrants has been consulted.

DUCK SEASON

137. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning:

1. What consultation took place between the Government, shooting and hunting organisations and the voluntary conservation bodies prior to the decision being made to ban the 1983 duck season?

2. What input did the National Parks Consultative Committees have in this decision?

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

1. Considerable discussion occurred between representatives of the S.A. Field and Game Association, the Minister for Environment and Planning and the National Parks and Wildlife Service including a meeting on 7 December 1982. At that meeting the association presented the Minister with results of its survey of waterfowl numbers.

It was pointed out to the association that the severity of the drought in South Australia and the Eastern States could have an effect on whether or not there would be a duck season in 1983.

These discussions and the association's viewpoints advanced to officers of the National Parks and Wildlife Service together with requests from voluntary conservation bodies that there be no duck season this year were taken into account when the decision concerning the 1983 season was made.

2. Recommendations made by the Upper South-East and Lower South-East Consultative Committees were taken into account in arriving at a decision regarding the 1983 duck season.

GILBERTSON GULLY

138. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning: What involvement has the Department of Environment and Planning had with the future planning of Gilbertson Gully at Seacliff Park following the request for the department to prepare a report setting out alternatives relating to future planning of the gully?

The Hon. D.J. HOPGOOD: A brief report on Gilbertson Gully was prepared by the Department of Environment and Planning at the request of Brighton Council in mid-1982.

Subsequently on 7 September 1982 details of the report were forwarded to the council in a letter from the then Minister for Environment and Planning in which he rec-

ommended that a consultant be approached in order to design a suitable scheme which would be sensitive to the existing features of the gully and its environs. As no response has been received from the council the department has had no further involvement in the matter.

FENCING OF NATIONAL PARKS

141. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning: What is the policy of the Government regarding fencing between national parks and adjoining private land, particularly as it relates to the financing of such fences and consultation with private land owners?

The Hon. D.J. HOPGOOD: The Government's policy for fencing national parks and wildlife reserves includes those reserves which adjoin private land. The priorities for fencing are directly related to the movement of animals in and out of reserves and the availability of funds.

Fencing programmes are undertaken on an approved subsidy system, allowing for the erection of three types of fences, with different levels of subsidy applying to each. The three types of fence are a plain wire fence, a cyclone and barbed wire fence and a rabbit-proof netting fence. Subsidy payment is set at a level to meet approximately half the cost of the fence. Subsidy rates are received on a regular basis. It is policy that consultation with private land owners is undertaken by the ranger in charge of the district.

ENVIRONMENT PROTECTION COUNCIL

142. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning:

1. Is it Government policy to appoint a full-time chairman of the Environment Protection Council and, if so, when will this policy be implemented?

2. What does the Government see as the role of the Environment Protection Council?

3. Is it Government policy to increase the resources available to the Council and, if so, what form will these resources take and when will they be made available?

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

1. No decisions have as yet been taken in this matter. Discussions are proceeding.

2. Refer 1.

3. Refer 1.

STATISTICS OF JUVENILE OFFENDERS

144. **Mr MATHWIN** (on notice) asked the Minister of Community Welfare:

1. How many inmates were detained in the South Australian Youth Training Centre, Magill, and the South Australian Youth Remand and Assessment Centre, Enfield, respectively, in each month since 30 June 1982?

2. How many of these inmates were first offenders?

3. Were these first offenders housed in separate quarters and, if not, why not?

4. In which units were these first offenders housed?

5. Of those inmates detained in the South Australian Youth Remand and Assessment Centre, Enfield, how many were males and females, respectively, in each month since 30 June 1982?

6. How many juvenile males were detained at that centre in each month since 30 June 1982 and what were their ages?

7. How many male and female staff members, respectively, are employed at that centre?

8. How many of the staff at that centre are employed by the Education Department?

9. How many of the staff at that centre are social workers?

10. Are any staff at that centre employed as vocational guidance officers and, if so, what are their qualifications?

11. Are any school counsellors or career counsellors on the staff at that centre and, if so, what are their qualifications and are they employed by the Department of Community Welfare or the Education Department?

12. How many male and female staff members, respectively, are employed at the South Australian Youth Training Centre, Magill?

13. How many of the staff at that centre are employed by the Education Department?

14. How many of the staff at that centre are social workers?

15. Are any staff at that centre employed as vocational guidance officers and, if so, what are their qualifications?

16. Are any school counsellors or career counsellors on the staff at that centre and, if so, what are their qualifications and are they employed by the Department of Community Welfare or the Education Department?

The Hon. G.J. CRAFTER: The replies are as follows:

1. Total admissions per month—1982-1983

July	121
August	91
September	116
October	124
November	132
December	120
January	145
February	104
March	65 to 27.3.83

2. Information not currently available.

3. No. As numbers over a year are extremely small, they are housed with those offenders in secure care for the first time.

4. Assessment One—Girls: Assessment Three—Boys

5. Detainees—1982-1983

	Female	Male	Total
July	21	100	121
August	35	56	91
September	32	84	116
October	30	94	124
November	44	88	132
December	40	80	120
January	44	101	145
February	29	75	104
March	21	44	65

6. Ages of Males—Detained 1982-1983

July		August		September	
12 yrs	3	12 yrs	2	12 yrs	3
13	5	13	4	13	8
14	21	14	14	14	17
15	28	15	14	15	19
16	24	16	12	16	15
17	12	17	10	17	20
18	6	18	—	18	2
20	1				
Total	100	Total	56	Total	84

6. Ages of Males—Detained 1982-1983 —*continued*

October		November		December	
12 yrs	12				
13	9	13 yrs	10	13 yrs	1
14	29	14	29	14	35
15	18	15	13	15	15
16	12	16	12	16	13
17	10	17	22	17	14
18	4	18	2	18	2
Total	94	Total	88	Total	80

January		February		March	
				12 yrs	1
13 yrs	8	13 yrs	15	13	12
14	29	14	12	14	12
15	14	15	14	15	2
16	18	16	16	16	7
17	25	17	15	17	8
18	7	18	3	18	2
Total	101	Total	75	Total	44

7. Males 34, Females 37.5
8. 10.8
9. (1)
10. No.
11. No.
12. 92 Males, 35 Females
13. 11
14. 2
15. No.
16. No.

COMMUNITY SERVICE ORDERS

145. **Mr MATHWIN** (on notice) asked the Minister of Community Welfare:

1. How many male and female juvenile offenders, respectively, have been placed under community service orders each month since 30 June 1982 and how many of them completed their allotted tasks?

2. Were they all first offenders and, if not, how many offences had they committed, respectively?

3. How many projects has the Community Welfare Department on file that are available for application of community service orders?

4. How many staff are employed in the department's section dealing with community service orders?

5. In which areas of the State are these orders operating?

The Hon. G.J. CRAFTER: The replies are as follows:

1. *(a)*

	Male	Female
July 1982	1	
August		
September	2	1
October	1	
November	3	
December	2	
January 1983	2	1
February	2	
March	4	
	17	2

Total: 19 persons

(b) Completed: 9 males
1 female

*6 males continuing their respective programmes.
3 have not completed orders.

2. *(a)*—No first time offenders in C.S.Y.P.C. Programmes
(b)—Average of 8-12 offences per offender.

3. Twenty projects on file.

4. Three staff employed at Community Service Youth Project Centre.

5. Operating in the Adelaide metropolitan area.

KINGSTON COAL PROJECT

147. **Mr BLACKER** (on notice) asked the Minister of Water Resources:

1. Can the Minister give an assurance that the proposed coal mining venture at Kingston will not have a damaging effect on the two aquifers that supply the agricultural areas of the South-East?

2. What precautionary measures are being considered to ensure the satisfactory maintenance of water quality and quantity?

3. What compensatory measures for possible loss of water quality and quantity are being proposed in conjunction with the prospecting company?

The Hon. J.W. SLATER: The Engineering and Water Supply Department and the Department of Mines and Energy are closely monitoring the studies being undertaken by Western Mining Corporation for the Kingston coal project. An assessment of the impact of mining on groundwater resources is being prepared by Western Mining Corporation and will be presented in the draft environmental impact statement to be issued shortly. This report will be closely studied by Government departments and appropriate safeguards and compensation guidelines and other conditions will be determined at that time.

MURRAY RIVER SALINITY

149. **Mr BLACKER** (on notice) asked the Minister of Water Resources: What action is the Government taking to overcome the salinity problem in the Murray River?

The Hon. J.W. SLATER: The Government is implementing many of the schemes recommended in the 'Murray Valley Salinity and Drainage Report' prepared by Maunsell and Partners. Major works presently nearing completion are:

1. The Noora scheme which when fully operational will divert saline drainage water away from the river system.

2. Rufus River Interception Works which will intercept saline groundwater flows initiated by the storage of water in Lake Victoria.

These two engineering schemes are expected to divert 120 000 tonnes of salt per annum from the river when in operation.

Further to this, following the completion of a feasibility study into intercepting natural groundwater inflows between Waikerie and Lock 3, concept design investigations are currently being planned. This reach of the river contributes 90 000 tonnes of salt per annum. It is estimated that interception of 90 per cent of this salt inflow would provide a 78 EC unit improvement in mean salinity at Morgan, reducing the mean from 613 to 534 EC units.

The Government is taking action that will assist in overcoming the salinity problem in the long term. Research is being conducted by the Department of Agriculture under the 'River Murray Irrigation and Salinity Investigation Programme', that seeks to establish how best to achieve improvements in the 'on farm' use of water. The Government is also represented on a number of interstate organisations seeking to overcome the river's salinity problems. Continued active participation in the River Murray Commission and its committees will ensure South Australia's water quality requirements are fully considered in the development and management of the basin's water resources.

DROUGHT AND DISASTER RELIEF SCHEMES

151. **Mr BLACKER** (on notice) asked the Minister of Education representing the Minister of Agriculture:

1. Will the terms of drought and disaster relief schemes be extended to assist those producers who have conserved their assets and finances for use in times of hardship and, if so, what will be the new terms and, if not, why not?

2. Will the terms of drought and disaster relief schemes be tightened so that they are not open to abuse and exploitation, particularly by those who have made no attempt to conserve fodder, cut spending or adopt conservative land-use practices and, if so, when and, if not, why not?

The Hon. LYNN ARNOLD: The replies are as follows:

1. Drought and disaster relief are provided to primary producers under the Primary Producers Emergency Assistance Act. That Act allows for assistance to be given to primary producers in 'necessitous circumstances'. Producers who have considerable assets in the form of cash or other liquid assets are therefore regarded as ineligible as their situation does not fit within the terms of the Act.

2. Schemes developed by the South Australian Government are administered in a manner that keeps abuse and exploitation to a minimum. However, the fodder subsidy scheme introduced unilaterally by the Fraser Government is inherently open to abuse and exploitation. It discourages the storing of fodder for drought and is having a detrimental effect on soil conservation.

SUCCESSION DUTIES

153. **Mr BLACKER** (on notice) asked the Treasurer: Will the Treasurer guarantee that succession duties will not be reintroduced as one of the proposed new tax options?

The Hon. J.C. BANNON: The Government has no plans to reintroduce succession duties.

FISHING LICENCES

158. **Mr GUNN** (on notice) asked the Minister of Education representing the Minister of Fisheries: Is it the intention of the Government to in any way alter the procedures now operating for the transfer of Class A fishing licences in the scale fishery?

The Hon. LYNN ARNOLD: The matter is being reviewed.

ROAD WIDENING

160. **Mr BECKER** (on notice) asked the Minister of Transport: When will work commence on the widening of Tapleys Hill Road from West Beach through to Anderson Avenue, Glenelg North?

The Hon. R.K. ABBOTT: July 1983 subject to the availability of resources.

BROWNHILL CREEK BRIDGE

161. **Mr BECKER** (on notice) asked the Minister of Transport: When will rebuilding of the bridge over Brownhill Creek commence on Tapleys Hill Road, what is the reason for the rebuilding of the bridge and what is the estimated cost?

The Hon. R.K. ABBOTT: The existing bridge, which is structurally deficient, is being replaced with two structures which will provide for the dual carriageway of Tapleys Hill Road, to be constructed from Anderson Avenue north to Burbridge Road. Bridgeworks are expected to commence next month and to cost in the order of $800 000.

SCHOOL FUND-RAISING

162. **Mr BECKER** (on notice) asked the Minister of Education:

1. What schools have conducted sexist fund-raising competitions in the past four years?

2. How much has been raised and for what purposes?

3. Who made the recommendation to the Minister that Education Department regulations be altered to ban sexist fund-raising competitions at schools?

4. Will this attitude be conveyed to students discouraging them from entering such competitions whether organised for school purposes or other charitable organisations?

5. What alternative fund-raising activities are suggested for schools and charitable institutions to make up the loss of income?

The Hon. LYNN ARNOLD: The replies are as follows:

1. This information is not available as schools are not required to provide it.

2. As above.

3. The Director-General of Education has requested principals to 'ensure that fund-raising activities are not conducted in a sexist fashion'.

4. The Education Department's Curriculum Policy, 'Our Schools and Their Purposes' states clearly, 'Schools should seek to provide opportunities for the greatest possible development of each student'. The Education Department is committed to providing an education which enables students to grow to maturity understanding that abilities, achievements, occupations and tasks are not decided according to a person's sex, but on the basis of ability, inclination and interest.

5. Schools and parent organisations are to be commended for the extent and variety of fund-raising activities in which they have engaged in the past, and they will continue, successfully, to do so, within a non-sexist framework.

SUPERTRAINS

163. **Mr MATHWIN** (on notice) asked the Minister of Transport:

1. How many serious engine failures have occurred on S.T.A. supertrains?

2. Were these engines repaired or replaced by the manufacturer within the warranty period and, if not, what was the cost to S.T.A.?

3. Is it the intention of S.T.A. to replace all the engines in the supertrains with more powerful engines and, if so—

(a) are the replacements to be of an alternative make;

(b) what is the anticipated cost of the replacement engines; and

(c) will the cost be met by the S.T.A.?

The Hon. R.K. ABBOTT: The replies are as follows:

1. Eight failures involving seven engines.

2. All failed outside the warranty period. Three of the engines have been repaired at an average cost of $15 000 each.

3. No.

STUART HIGHWAY

165. **Mr GUNN** (on notice) asked the Minister of Transport: Does the Government intend to continue sealing the Stuart Highway and, if so, how much is estimated to be spent this financial year and in 1983-84, respectively?

The Hon. R.K. ABBOTT: The Government intends to continue sealing the Stuart Highway. Some $17 200 000 is expected to be spent on this project in the current financial

year. Expenditure in 1983-84 has not yet been determined but is expected to be in the order of $20 000 000.

COMMUNITY SERVICE ORDERS

168. **The Hon. D.C. WOTTON** (on notice) asked the Chief Secretary:

1. What are the main areas of involvement of people placed under community service orders?

2. Does the Minister envisage any changes being made in regard to the issuing of such orders and, if so, what are these changes?

The Hon. G.F. KENEALLY: The replies are as follows:

1. Offenders under a community service order are placed on projects benefiting statutory organisations, voluntary agencies and needy individuals, mainly aged pensioners.

2. No changes are planned other than to open two further community service centres in the Port Adelaide and Iron Triangle areas in the coming financial year, thereby making the scheme more widely available. The scheme will progressively be expanded beyond 1983-84, as funds become available.

POLICE HISTORY

169. **The Hon. D.C. WOTTON** (on notice) asked the Chief Secretary: Is any action being taken to record the full history of the Police Force and, if not, will such action be taken as a project to be completed in time for the Jubilee 150 celebrations in 1986?

The Hon. G.F. KENEALLY: The possibility of a full history of the South Australian Police Force being recorded in time for the sesquicentennial celebrations is currently being examined by a departmental committee.

FIREARMS

170. **The Hon. D.C. WOTTON** (on notice) asked the Chief Secretary: Why is it not possible for country people to register firearms at country police stations or at stations which are divisional headquarters?

The Hon. G.F. KENEALLY: The registration of firearms can be undertaken at any police station within the State upon payment of a $1 fee.

STATE EMERGENCY SERVICE

171. **The Hon. D.C. WOTTON** (on notice) asked the Chief Secretary:

1. What involvement did the State Emergency Service have in fighting the fires in the Adelaide Hills on 16 to 18 February?

2. Has an assessment been made to determine whether the S.E.S. volunteers were used efectively in fighting these fires and, if so, what were the results and in what ways, if any, could they be used more effectively in future?

The Hon. G.F. KENEALLY: The replies are as follows:

1. The State Emergency Service is not a fire fighting authority. Its principal role is to back up and assist statutory authorities who have specific responsibilities, in this case the Country Fire Service in the Adelaide Hills.

No requests for involvement of State Emergency Services in fire fighting were made by the Country Fire Service and therefore assistance on 16 and 17 February was limited to providing a response to requests by the police and individual land holders to mitigate the effects of the disaster. On 18 February the State Emergency Service was involved assisting the police in the field in the protection of property and in clear-up where land holders required assistance; this continued up to 20 February.

2. As pointed out above, the State Emergency Service is not a fire fighting organisation; it has no fire fighting equipment of its own and, therefore, was not considered a response organisation as far as the principal fire fighting operations were concerned.

It should be remembered that a state of disaster had been declared under the provisions of the State Disaster Act of 1981. In these circumstances the Emergency Operations Centre is established and it is in this authority that assessments of a disaster situation are made and decisions as to deployment of resources are taken.

The State Emergency Service complied with all of these conditions and its deployment was ultimately made under the authority of the State co-ordinator.

STOREKEEPERS

174. **Mr BAKER** (on notice) asked the Minister of Transport:

1. Will the Minister consider granting compensation to storekeepers at 200-210 Belair Road, Hawthorn, for the loss of business due to Highways Department road works?

2. What have been the reasons for the lack of progress?

The Hon. R.K. ABBOTT: The replies are as follows:

1. The relatively heavily trafficked arterial roads such as Belair Road are provided to meet traffic demands, including commuters. Abutting businesses benefit from the concentration of traffic on these roads but must expect to suffer inconvenience when it is necessary to carry out roadworks to provide a satisfactory level of service to the travelling public.

The honourable member is aware that the works in question involve the re-decking of the bridge over Brownhill Creek. It is regretted that businesses abutting the road are affected by the unavoidable traffic restrictions associated with this work but I am unable to entertain any claim for compensation for loss of trade.

2. The reasons for delays in this project were explained in my letter to the honourable member dated 29 March 1983.

MURRAY BRIDGE SEWAGE

175. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Water Resources: To what extent will the Murray Bridge sewage treatment works be upgraded, when will it be completed and will deodorisation be included?

The Hon. J.W. SLATER: The design capacity of the existing works is 12 000 persons. The concept design which is presently being undertaken for upgrading the works is based on an estimated total design equivalent population of 24 000 persons over the 25 year design life of the works. Expenditure on this project is under review. Indications are that it will not be commenced before the 1984-85 financial year. If commenced in 1984-85 completion would be expected in 1986-87. Consideration is being given to the inclusion of odour control measures.

LOTTERY MACHINE

176. **Mr BECKER** (on notice) asked the Minister of Recreation and Sport:

1. Is the Government preventing a South Australian firm from using a unique, locally designed and built instant lottery machine specifically designed for a recognised South Australian charity because the Government claims it is a poker machine?

2. Does this machine conform with the current lottery regulations?

3. Does a legal definition of a poker machine exist in South Australia and, if not, why is this machine regarded as a poker machine?

The Hon. J.W. SLATER: The replies are as follows:

1. No, the Government does not claim that the machine in question is a poker machine. However, it is considered the machine possesses characteristics of a poker machine.

2. No.

3. No. Poker machines are banned by regulation established under the Lottery and Gaming Act and are listed under schedule 1. as follows:

The machines commonly known as 'Poker Machine', 'One Armed Bandit' or 'Fruit Machine' or any other machines substantially similar to those machines by whatever name they are known.

The machine is considered to have characteristics 'substantially similar' to those of a poker machine.