HOUSE OF ASSEMBLY

Tuesday 22 March 1988

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

ASSENT TO BILLS

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

Aboriginal Heritage,
Acts Interpretation Act Amendment,
Acts Interpretation Act Amendment (No. 2),
Barley Marketing Act Amendment (1988),
Beverage Container Act Amendment,
Constitution Act Amendment (No. 3),
Coroners Act Amendment,
Electoral Act Amendment (No. 2),
Family Relationships Act Amendment,
Frustrated Contracts,
Justices Act Amendment (No. 2),
Reproductive Technology.

PETITIONS: SHOP TRADING HOURS

Petitions signed by 30 299 residents of South Australia praying that the House reject any proposal to extend retail trading hours were presented by Messrs Bannon and McRae.

Petitions received.

PETITION: PAROLE

A petition signed by 49 residents of South Australia praying that the House urge the Government to abolish parole and remission of sentences for people convicted of armed hold-up offences was presented by Mr Becker.

Petition received.

PETITION: BLACKWOOD POLICE STATION

A petition signed by 2 935 residents of Blackwood and surrounding districts praying that the House urge the Government to upgrade the Blackwood Police Station and police surveillance of the area was presented by Mr S.G. Evans.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard:* Nos 258, 486, 515, 527, 529, 531, 541, 542, 547, 549, 551, 555, 557, 558, 562, 567, 570, 571, 574, 578, 584, 587, 588, 590, 591, 594 to 597, 599, 606, 608, 609, 611, 612, 618, 620, and 623; and I direct that the following answers to questions without notice be distributed and printed in *Hansard.*

O-BAHN DISPLAY

In reply to **Ms GAYLER** (23 February).

The Hon. G.F. KENEALLY: The display at the Singapore Sciences Centre is not one supplied by the Northeast Busway Project team and its existence was previously unknown to them. The Director of the Northeast Busway Project will endeavour to contact the management of the science centre and explore the possibility of providing more up to date material.

MOUNT BARKER ROAD

In reply to **Mr S. G. EVANS** (2 March).

The Hon. G.F. KENEALLY: Widening of Mount Barker Road between the Tollgate and the Mount Osmond turnoff is part of the overall upgrading of the highway link between Glen Osmond and Crafers. The planning study and preliminary design for this major upgrading project have been completed, and State and Federal Government approvals to proceed with the final design will be sought in the near future. The timing of construction of the respective sections of the project has not been determined at this relatively early stage of preconstruction activities.

MISTLETOE CONTROL

In reply to **Mr ROBERTSON** (10 February).

The Hon. D.J. HOPGOOD: Over a number of years there has been growing concern over the apparent increase of mistletoe infestations in South Australia's agricultural regions. Of particular concern is the belief that mistletoe could be causing the early senescence of valuable shade, shelter, and amenity trees in country areas of South Australia including the Adelaide Hills.

In the past control methods have generally focused on treating the results of infestations, including:

- removing the infested stems or branches; this method is effective if the mistletoe species does not reshoot from the remaining stump; at least one species is known to reshoot from below the haustorium (the point at which the mistletoe joins the tree).
- coppicing infested trees—a method where trees are severely pruned back—often to the butt.
- spraying infected vegetation with 2, 4-D solution of Velpar is reasonably effective but may result in some 'off-target' kills (even the host tree).
- injecting the infected tree with the same chemicals has been tried but with varying success; it is a slow process—taking up to two years to achieve result and may cause stress if not death of the host tree.

In any event, these methods have proved to be labour intensive and not really an economic proposition except where the infected trees are of particular landscape, conservation, or economic significance.

Natural controls appear to include fungi, gall butterfly, moth larvae, other insects, and such natural herbivores as possums and koalas. It is also evident, as has been implied by the question, that one mistletoe species may parasitise another. For example, a relationship between box mistletoe (*Amyema miquelii*) and harlequin mistletoe (*Lysiana exocarpi*) is now being investigated. It is apparent that the latter parasitises and ultimately kills the former—and then dies itself as it is unable to parasitise the original host eucalyptus species. Host trees 'de-mistletoed' in this way on a Fleurieu Peninsula property have been observed to regain their vigour. Trials are under way to determine whether harlequin mistletoe may have similar relationship with dropping mistletoe (*Amyema pendulum*)—a species closely related to and causing similar infestations to box mistletoe.

The trials have involved hand planting ripe harlequin mistletoe berries on a number of hosts. Once established,

harlequin mistletoe would be spread by natural vectors. The Department of Environment and Planning has encouraged an Adelaide University student to undertake an investigation into mistletoe infestations in South Australia's agricultural regions (including the Adelaide Hills). The study, which is being carried out over a two year period for a Masters degree in biogeography, will determine to what extent mistletoe infestations are a problem and will identify appropriate management strategies to control undesirable infestations.

PAPERS TABLED

The following papers were laid on the table:

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

Planning Act 1982—Crown Development Report on 275kV Transmission Line between Tungkillo and Tailem Bend Substation.

By the Minister of Transport (Hon. G.F. Keneally):

Drugs Act 1908—Regulation—Medicine Warnings.
Local Government Act 1934—Regulations—
Counting of Votes at Elections.
Worker's Compensation Prescribed Bodies.
Royal Adelaide Hospital—By-laws—Parking
District Council of Paringa—By-laws—
No. 31—Dogs.
No. 32—Poultry.

By the Minister of Education (Hon. G.J. Crafter):

Liquor Licensing Act 1985—Regulations—
Liquor Consumption at Ceduna and Thevenard.
Liquor Consumption—Corporation of Woodville.
Trustee Act 1936—Regulation—Chase AMP Acceptances Ltd.

By the Minister of Labour (Hon. Frank Blevins):

Government Management and Employment Act 1985—Regulations—Sick Leave Credits and Certificates.

By the Minister of Correctional Services (Hon. Frank Blevins):

Correctional Services Act 1982—Regulations—Medical Examination of Prisoners.

ABERFOYLE PARK SOUTH PRIMARY SCHOOL

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

Aberfoyle Park South Primary School.

Ordered that report be printed.

QUESTION TIME

Mr M.J. YOUNG

Mr OLSEN: Following the statement by the Chairman of Qantas, Mr Leslie, reported in the *Financial Review* on 15 March, that part of Mr Mick Young's role with Qantas would be to lobby State Governments, was the Premier aware of Mr Young's appointment before it was publicly announced; does he endorse the appointment; and what benefits does he believe it offers to the South Australian Government?

The Hon. J.C. BANNON: No, I was not aware of the job before it was announced. Secondly, I do not know what benefits it will bring. Presumably Qantas thinks that it will bring benefits, as it has made the appointment. I am not aware of what benefits it may or may not bring to South Australia. We have been in constant dialogue directly with Qantas on the question of services, especially flights to Japan and that will continue, irrespective of whether or not Qantas is employing consultants. I am not aware of the details of Mr Young's position or his duties.

RAILCAR COLLISION

Mr HAMILTON: Can the Minister of Transport say whether a collision involving several railcars in the Adelaide railway yards on 2 March caused damage to STA rolling stock exceeding $3 million? On 2 March there was a collision during shunting operations in the Adelaide yards involving four railcars—three of the newer 2000 class and one 400 class. On 2 March, the *Sunday Mail* newspaper reported that a 2000 class car, costing $1 million, might have to be written off. The following weekend, the *Sunday Mail* returned to the same subject to allege a 'cover up' and to increase the damage bill estimate to at least $3 million. The report included supporting statements from, once again, the member for Bragg.

The Hon. G.F. KENEALLY: I thank the honourable member for his question, because this report in one of our newspapers highlights an extremely negative attitude that the Opposition, particularly the Opposition spokesman, and the media have taken towards the STA. Anything that can be seen to be criticised is featured in blazing headlines, despite the fact that the truth is given to the media to print. Unfortunately, on this occasion, the truth about the accident has not found its way into the media. Therefore, the member for Albert Park is taking the opportunity to allow the Government and me as Minister to put the facts before the South Australian community. It was alleged that a crash took place, and that is true—there was an accident. It was alleged that the damage done to our rolling stock was in the vicinity of $3 million.

An honourable member interjecting:

The Hon. G.F. KENEALLY: It was not $3 million. The honourable shadow Minister knows the full extent of the damages, because he is now trying to take the opportunity to let the House know. The extent of the damage was $300 000 and that was to one of the series 2 000 vehicles. The other three vehicles that were involved in the crash are back in service and that has been the case for more than a week. The total cost of repairs was $10 000.

The newspaper article alleged that the damaged vehicles were hidden away out of sight in one of the rolling stock sheds. They were actually in the workshop being repaired, and that seems to be the sensible place for them. The vehicle that had suffered the greatest damage was out in the yard waiting for minor repairs to be completed so that it could be moved into the workshop to be worked upon. That information was given to the media, but it did not see fit to print it.

More particularly, my concern is the way in which the shadow Minister operates in this area. He could have checked, by simply making a telephone call, to ascertain the extent of the accident and the damage but, no, not on your life! He was not going to let the truth interfere with a good story and, ever since he has been a shadow Minister, I think that that has been his failing. It does not involve a lot of trouble to check out the real facts of any situation. I encourage him to do so. I might say that he uses the telephone a lot: he should use it more often and then, if he feels that there is some concern, by all means he can lend his support to an article which, on the face of it, bears little relationship to the facts.

The Hon. P.B. Arnold interjecting:

The Hon. G.F. KENEALLY: I do not dispute that an accident occurred and that damage was done to rolling stock.

Mr Becker: You're trying to cover up.

The Hon. G.F. KENEALLY: There you are! Despite the fact that I have taken the opportunity to explain to the Parliament exactly what took place, another shadow Minister wants to continue to push a line which quite obviously is ridiculous and I think that his colleague, the shadow Minister, would agree with that now.

Mr M.J. YOUNG

The Hon. E.R. GOLDSWORTHY: My question is directed to the Premier. Has the South Australian Government offered Mick Young any work as a consultant, or does it intend to do so in the future? Has the Premier approached private sector companies to recommend that they offer work to Mick Young? Does he consider—

Ms Lenehan interjecting:

The Hon. E.R. GOLDSWORTHY: It is fairly pertinent, is it not?

The SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: Does he consider that such action would be appropriate use of the office of Premier?

The Hon. J.C. BANNON: Obviously, these questions are not meant very seriously. It is an attempt at kite flying on the part of the Opposition in trying to have—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: —a go in the context of the Port Adelaide by-election. Good luck to them! No doubt, over the next few days we will see a lot of this. No, we have not offered any consultancies to Mr Young.

CHILDREN'S SERVICES

Ms GAYLER: Can the Minister of Children's Services inform the House about the provision of child-care and pre-school services in South Australia and, in particular, can he identify developments in 1988 which will increase access to these services for pre-school aged children? The demand for kindergarten places and child-care services is very great in a number of areas, in particular in the north-eastern suburbs and other areas with a growing population of young children.

The Hon. G.J. CRAFTER: I thank the honourable member for her question, which gives me an opportunity briefly to put on record some of the action that has been taken by this Government in this important area. The provision of a range of children's services that have been made available in recent years has been extensive indeed. A particular focus of this Government, with the support of the Commonwealth Government, has been the expansion of services for rural children through outreach and mobile pre-school services and family day-care places, more appropriate child-care for working parents, for example, work-based care centres, extended hours care, etc., expansion of out-of-school hours care, vacation care, occasional care programs and the establishment of a respite care service for children with disabilities.

No other State in Australia has a greater coverage of pre-school provision to four year old children, providing sessional pre-school to 90 per cent of four year old children in South Australia. Through 310 Children's Services Offices and 105 child parent centres, 18 000 children are regularly attending pre-school in this State. Pre-schools also offer a range of programs to children not attending sessional pre-school, including playgroups, toy libraries and pre-entry programs for younger children.

Child-care services have expanded dramatically over the past four years in this State. There are now in South Australia 120 child-care centres, of which 70 are community managed services in receipt of Commonwealth subsidy. Community managed and private centres together provide around 4 000 child-care places. The number of subsidised child-care places has increased by 800 since mid 1985. There are currently 3 324 family day care places provided through 14 schemes in metropolitan and country areas. This represents an increase of 434 places since January 1986.

In addition to new centre and home based services, the availability of other child-care services has increased considerably. This has been funded through the Commonwealth Children's Services Program. Twenty-five new out of school hours care services have begun in the past two years; 68 vacation care programs are now in operation; and six new occasional care services are being established.

A range of child-care support programs for children with disabilities, Aboriginal children, newly arrived migrant children, and rural and isolated children have also been funded by the Commonwealth, and receive ongoing support from the Children's Services Office. This Government has had a sustained commitment to the joint Commonwealth-State child-care development program since its inception in 1983 and has contributed substantial capital funding since that time.

An additional 197 centre based places are also being established under the current program, funded by the Commonwealth. Two multi-functional centres will also be established in South Australia under Commonwealth funding. These centres in country areas will combine long day care, occasional care and family day care functions at Loxton and Kadina.

In terms of pre-school capital development, nine new facilities have been developed since 1985—three in country areas and six in metropolitan locations. Currently three new pre-schools are under construction and are either integrated or co-located with other children's services. The Government's continued commitment to ensuring the highest quality of early childhood services is demonstrated by its recent allocation of additional staffing resources to the pre-school sector and its ongoing support for the growth and development of flexible and appropriate centre and home based child-care services for young children and their families.

Mr M.J. YOUNG

Mr S.J. BAKER: In view of his statement in the *Australian* this morning that Mick Young should have waited until after the Port Adelaide by-election before accepting his job with Qantas, does the Premier endorse 'jobs for the boys' so long as their timing can be arranged to avoid any immediate electoral backlash? Is that right?

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: The statement that I made is self-explanatory and I have nothing more to add to it. I certainly do not believe that, because someone has been a member of Parliament, they are therefore precluded for life from taking a job or doing something useful. I would be amazed if members opposite were of that view. A lot of former members of the Liberal Party in South Australia

who have been members of this House are serving in all sorts of capacities, both in private industry and for government. I think it is quite appropriate if they have the skills and abilities to do so that they should do so.

TREE PLANTING

Mr ROBERTSON: Will the Premier, in his capacity as Treasurer, consider approaching his Federal counterpart to ensure that farmers are granted tax exemption for fencing work carried out in conjunction with tree-planting programs on agricultural land? A recent article in the 10 February edition of the *South Australian Farmer and Stockowner* indicates that, although 2.2 million trees were planted in South Australian rural areas last year, many farmers and graziers did not regard the present income tax regulations as a sufficiently powerful incentive to encourage further planting of trees. The article goes on to suggest that tree planting is largely a waste of time unless vertebrate pests can be excluded by fencing from the vicinity of young trees. The article also suggests that, if fencing expenses themselves were tax deductible, most farmers would be far more enthusiastic about revegetating South Australia's agricultural land.

The Hon. J.C. BANNON: I thank the honourable member for his question on this important issue. I was not aware of the details that he has put before us concerning the revegetation of agricultural land. I must instantly declare a personal interest because I, with many other people, am involved in growing trees for planting out on agricultural land under the free tree scheme run by the organisation Trees for Life, which is the South Australian branch of Men of the Trees. This year alone that organisation will be putting out, I think, 500 000 trees, providing them in tubes grown by people such as I in their backyards to farmers in various places who will plant and nurture those trees. This is an exciting voluntary and self-funding scheme.

Many other such schemes are promoted and supported by Governments, and the South Australian Government through its greening schemes and other areas is also much involved in supporting this activity. If there are useful things that we can do in this life, planting trees is definitely one of them, so I am extremely interested in the honourable member's suggestion. However, in relation to changes of policy, I understand that the Ministers of Environment are looking at this issue and I will certainly refer this question to my colleague the Deputy Premier and suggest that he take the initiative in this area and maintain pressure on the Federal Government to look at the question. Certainly, if opportunity arises I will take it up directly with the Federal Treasurer.

UNLEY PROPERTY

The Hon. B.C. EASTICK: Will the Minister for Environment and Planning explain in clear and precise terms the reasons why the Government considers a proposal to build a small church in Palmerston Road, Unley, a development of 'major social, economic or environmental importance'? The criteria I have just quoted are from section 50 of the Planning Act which this Government has invoked to support moves led by the Minister of Agriculture, who lives in Palmerston Road, to stop this development.

This clause was included in a new Planning Act debated by this Parliament in 1981. The then Government was led by Dr Tonkin and the legislation was introduced in this place by the Hon. Mr Wotton. It made clear that this specific clause was to apply only to major developments. In answer to the only question asked about this clause during the Committee debate in both Houses, the Hon. John Burdett, who was handling the Bill on behalf of the Government in another place, said (on 8 December 1981):

> Clause 50 pertains to major developments in this State such as Stony Point, which are matters of policy and not matters of detail.

This was an explanation accepted at the time by the present Minister for Environment and Planning, yet his actions in this matter run completely counter to the original intention of the legislation.

The Hon. D.J. HOPGOOD: I thank the member for Light for his question, because it enables me to bring him and the House up to date on this matter. In passing I point out that it is virtually the same question that his colleague the member for Coles asked a fortnight ago when I very fully addressed that matter and addressed the petitions this Government has received from, as I recall, seven members of the City of Unley and also from very many local residents. Something like 200 letters—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: —were tendered in relation to this matter. The Government was hoping that, in light of the stay of execution, if you like, that might have been granted by section 50, it would be possible for the parties to come together and negotiate. That has not proven possible. The local residents have endeavoured to negotiate with the proponents but the proponents have not been interested in negotiating.

Members interjecting:

The Hon. D.J. HOPGOOD: I am saying exactly what has happened. The other thing that has happened on which, I think, I need to bring the House up to date is that it has now been established that there was what I think the lawyers call substantial commencement on the site prior to the proponents receiving the section 50 notice. In those circumstances, now that that is absolutely clear, the Attorney-General in another place earlier today indicated that there was no chance of the section 50 succeeding because, of course, of this substantial commencement. Accordingly, the Government will be recommending to His Excellency that the notice be withdrawn. I make it absolutely clear that the ground on which it is being withdrawn is something of which the Government could not have been aware at the time, that is, that indeed there had been substantial commencement.

Members interjecting:

The SPEAKER: Order!

AMENITY HORTICULTURAL COURSE

Ms LENEHAN: Can the Minister of Employment and Further Education tell the House whether discussions initiated by him between representatives of the Department of TAFE and the Industrial and Commercial Training Commission have resolved the problems being experienced by students wishing to enrol in the amenity horticultural course offered by the Noarlunga TAFE College? On 18 February this year I raised a question in this Parliament and highlighted the problems which had resulted from a ruling by the ICTC that only people apprenticed within the industry could be accepted into the course and that a number of my constituents who were unemployed had been refused admittance to the course.

The Hon. LYNN ARNOLD: I thank the honourable member for her question and can advise that the matter

has progressed quite significantly since 18 February. Last week I endorsed, with only one slight amendment, a proposition put to me after a joint meeting between Glen Edwards (Director of the Office of Employment and Training), Barry Greer (Acting Director-General of TAFE) and Graham Mill (Chairperson of the Industrial and Commercial Training Commission). The substance of the agreed position that they put to me was that with respect to courses such as the amenity horticultural course, but also including such areas as electronics and commercial cookery, the following arrangements should apply on a trial basis.

First, they acknowledged that there was the desirability of offering training within the existing formal structures and that that should be accepted and encouraged. Secondly, they acknowledged that, should a demand for non-employment based training occur, its introduction should be subject to approval by the Department of Technical and Further Education administration of the resource and curriculum implications, resolution by the ICTC of the likely industrial implications, and clarification by the Office of Employment and Training of labour market trends that may or may not justify the duplicated course offering, the substance there being, clearly, the offering of courses that, in the certificate mode, are already offered in a declared vocation mode, namely, an apprenticeship.

Thirdly, as this is expected to meet short-term needs only, approval should be on a year-to-year basis. That is the one area I have amended in my endorsement of their proposal. I have indicated that the approval of those three bodies should be supplemented by the approval of the Minister as well on an annual basis. Fourthly, graduates from non-employment based courses would gain a TAFE certificate. Of course, those who have finished an apprenticeship would gain their indentures. Those graduates who have obtained a TAFE certificate in a non-employment based mode would also be eligible to gain an ICTC indenture upon successful completion of the on-the-job component of the full apprenticeship course.

That could be achieved by building this into the course through TAFE liaison with industry or by allowing the on-the-job component to be undertaken after completion of the certificate. Alternatively, students who gain employment during the course could have their studies converted to the apprenticeship mode. In all cases, the on-the-job component would be required to be completed under the terms of an indenture. That proposal, which has been suggested on a trial basis, offers a resolution to the problem that has concerned many people within the ICTC, OET and TAFE, as well as individual students and potential students.

It needs to be noted that the proposal that I have endorsed has some advantages and disadvantages. Among others, one advantage is that it maximises training capacity and provides more options for students, and it meets the needs of groups such as those who are self-employed. Against that, the disadvantages must be acknowledged. Some students in these courses will receive financial support during training whilst others will not. Some will gain certificates without the indenture and may not receive award rates on gaining employment. In addition, some students already employed may be accepted for enrolment at the expense of those seeking qualification for employment. Some students will not attract Commonwealth funding to the State, and this is important regarding the resource base of TAFE courses in South Australia. With those caveats, I have been happy to approve on a trial basis the proposition put to me by the OET, TAFE and the ICTC.

UNLEY PROPERTY

The Hon. JENNIFER CASHMORE: Will the Minister of Agriculture confirm that he was a serious but unsuccessful bidder at the auction of the property in the street where he lives on which the New Age Spiritualist Mission intends to build a small church, the Minister having strenuously opposed that organisation's application for planning approval?

The Hon. M.K. MAYES: The innuendoes and accusations made by the honourable member about my role are quite interesting. I know from a radio talkback program that one of my constituents raised the question of what would be the attitude of the honourable member if she were the local member and whether she would have taken a similar position to represent her constituents. It would be interesting to hear her answer. The honourable member has ignored the role that I play as the local member in representing my constituents. I acted in response to a request from my constituents. I had some 300 letters—

Mr S.J. Baker: You are a disgrace!

The Hon. M.K. MAYES: That is wonderful coming from the member for Mitcham. I have the letters here in a folder, and they indicate quite clearly that my position was very much in response to my constituents.

An honourable member interjecting:

The Hon. M.K. MAYES: What about an apology from you before you start intervening? It is quite clear that I responded to the needs of my constituents with regard to their planning request. The whole issue has highlighted some of the inadequacies in the local government system. Planning officers failed to notify local residents of this particular plan, involving an area that needs very sensitive planning because of the conflict between residents and commercial development. It is obvious that members opposite do not pay much regard to the needs of their constituents or to constituents generally. This particular development conflicts directly with surrounding activities.

I responded directly to the needs of my constituents, and within one night we secured 195 signatures on a petition which asked the Minister to request the council to reject the proposal. It is quite clear from the innuendo and accusations of the honourable member that she is trying to muddy the waters to give a political overtone to the whole thing, not to give it credibility. It is clear that the Opposition does not want to deal with this in a proper way. It wants to make it a political issue and not deal with it as a planning question.

In regard to the auction of the property, I attended as did most of the residents, and I have attended other auctions in the street. As my wife and I hope to have an expanded family, we have been looking for a house for some time and have looked in the immediate area continually. I was not one of the bidders leading up to the final bid: in fact, it became a matter between the church and several developers whom we did not know. I attended the auction as an ordinary citizen who, with other citizens, has a right to attend. Many other residents were present at the auction.

MORTGAGE AND RENT RELIEF SCHEME

Mr De LAINE: Will the Minister of Housing and Construction advise how many people are currently being helped by the mortgage and rent relief scheme? I am repeatedly approached by constituents seeking assistance with their housing costs. They are mainly low income people who are having difficulty meeting their commitments in the high

cost private rental market but also included are lower income home buyers who need help with their mortgage repayments.

The Hon. T.H. HEMMINGS: I thank the honourable member for his question and place on record my appreciation of his concern for his constituents whom he actively urges to take advantage of the rent and mortgage relief scheme we have in place presently. The mortgage and rent relief scheme continues to help thousands of South Australian households, as it has done every year since the Bannon Government came to office. As to how many are being assisted, presently more than 6 000 households receive rent relief and 283 receive mortgage relief. Average levels of assistance currently provided are $15.80 per week for rent relief recipients and $29.80 per month for those receiving mortgage relief. Since this Government came to office more than 39 000 households have been helped with rent relief and approximately 2 700 home buyers have received assistance with mortgage repayments.

I have noticed recently that the member for Hanson, as the spokesperson for the Opposition on housing matters, has called repeatedly for new initiatives to help the disadvantaged with their housing problems. Instead of putting out these press releases I ask the member for Hanson to spend some time in this place talking about these initiatives and saying what his Party would do. He keeps on talking about new initiatives when I have repeatedly told the House that his Party, at both the State and Federal level, will walk away from public housing and from the Commonwealth/State Housing Agreement. So, when the member for Hanson talks about new initiatives he should at the same time be truthful to the community and say, 'Yes, there should be new initiatives, but please bear in mind that we are going to walk away from the Commonwealth-State Housing Agreement.'

Mr Becker interjecting:

The Hon. T.H. HEMMINGS: Every time I say that, he says that it is not true. Perhaps they have not told him—I do not know. It is definitely true that the policy of a Federal Liberal Government will be to get out of public housing. The honourable member knows it, I know it and every non-government agency knows it. Despite the ramblings of the member for Hanson, we will continue at a State and Federal level to put into place real programs of assistance for those with housing needs. This Government has gone out of its way to strengthen such programs. In the case of mortgage and rent relief, our commitment is reflected in the fact that 40 per cent of funds made available is from untied grants; that is, although our maximum requirement is $2.2 million per year, we have put in a total of $5.2 million every year to give a total rent and mortgage relief package of $7.4 million.

South Australia is the only State that has exceeded its maximum requirement for several years and that demonstrates, in a very practical way, our priority to help those most in need of housing assistance. I await with bated breath the new initiatives by the member for Hanson and the Opposition.

UNLEY PROPERTY

Mr OLSEN: I address my question to the Premier. Following action taken by the Minister of Agriculture to block a proposed development in the street in which he lives, did the Minister inform Cabinet, when it discussed the use of the Planning Act in this matter, that he was an unsuccessful bidder at the auction of this property and did the Minister abstain from any Cabinet vote on the matter? If not, why not?

The Hon. J.C. BANNON: I am not sure that I was aware that there was even an auction of this property. The matter that came before Cabinet related to certain action that had been taken as a result of a comprehensive petition from the neighbourhood, advice received from members of the Unley council and representations made by the honourable member. In terms of—

The Hon. E.R. Goldsworthy: You abused the Planning Act—

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! A question has been asked and the Premier is replying. He should not be interrupted.

Mr Olsen: He's having some difficulty—

The SPEAKER: Order! I call the Leader of the Opposition to order.

The Hon. J.C. BANNON: I am having no difficulty whatsoever. Cabinet took the decision to recommend the operation of section 50 because of the advice that was received, those representations that were made, and a recommendation that was put to us by the appropriate Minister. Subsequently, as the Minister has said today, it appears that that section 50 procedure cannot be followed and, therefore, it will be withdrawn. Really, that is an end of the matter as far as the Government is concerned.

I understand that since then, in support of the action that the Government took, the Unley council has reviewed its procedures in relation to zoning in these areas, to try to ensure that these things do not happen again and to reinforce the strongly held belief that in fact the appropriate procedures were not followed in this case.

The SPEAKER: The honourable member for Adelaide.

Members interjecting:

The SPEAKER: Order!

TAXI INDUSTRY

Mr DUIGAN: Is the Minister of Transport pursuing a policy of total deregulation of the taxi industry, and has he convened clandestine meetings in his office with sectional interests of the taxicab industry to formulate these deregulation policies? A recent article in the *News* suggested that the Minister of Transport was pursuing a policy of total deregulation of the taxi industry and that he was secretly liaising with small sections of the industry in pursuit of that policy. These public allegations in the *News* have led taxi drivers to contact the Adelaide electorate office, wanting to verify the Government's position.

The Hon. G.F. KENEALLY: I reject totally the allegations that were included in that *News* article, which I think was an extract from a report received from the South Australian Cab Owners Association. The Government and I, as Minister, make no apology for believing that the taxi industry is over-regulated. It was with that view that a total review of the regulations was undertaken some 18 months ago. As a result of the recommendations presented by that review, I have given the Taxi Cab Board the task of looking at the recommendations and, in turn, recommending to me, as Minister, and to the Government, what deregulation should take place.

The Chairman of the Taxi Cab Board (the Hon. Michael Wilson), whose appointment I do not remember anyone opposite criticising (it was an excellent appointment and a classic example of an ex-member of Parliament having the skill and talent to do a job for the community of South

Australia, and he is doing so), is doing an excellent job indeed, and it is a little late for members of the Opposition to criticise that now. He has been given a very difficult task by the Government.

What I have told the industry is that all the regulations are up for review, but two particular regulations of vital interest to members of the industry are not going to be deregulated: one concerns entry and the other concerns fares. Here again, I make no apology for stating that it is the Government's view that there is a place for additional licences within the taxicab industry. What we need to do is to find out how that can best be implemented without dislocation within the industry.

Secondly, it is very difficult indeed to determine whether an application from the taxicab industry for a 20 per cent increase in fares is an appropriate economic recommendation when one does not have any basis for making that judgment. The Taxi Cab Board and the Department of Transport are co-funding an inquiry into the economic viability of the taxicab industry and we expect from that inquiry information that would enable the Government and the board to ascertain the economic viability of the taxicab industry. That will enable a more appropriate level of fares to be determined and will also allow the Government to know how many additional licences might be accommodated within the industry. So, those two areas are not up for deregulation. However, the other regulations which, in mass, inhibit, I believe, the efficient economic activity of the taxicab industry and also the provision of the best level of service to the customer are up for review.

I reject the allegations that there have been clandestine meetings with the Minister and the board and sectional interests within the industry. I meet regularly with the Chairman of the board and I will continue to do so. If he brings along with him his executive officer and other members of the board, then that is okay with me. I also meet with sections of the taxicab industry who want to make representations to me, as Minister. I hope that is not up for criticism. It is appropriate that the Minister do that, and I try to make myself available for as many sectional interests, if you wish, and as wide a range as I can, so that the people for whom I have responsibility in legislating have the opportunity to tell me whether or not they like what I am doing; they may want to make some recommendations.

So, I make no apology for meeting with sections of the industry. They approach my office and make arrangements through the secretary, who fits those meetings into my program. This group of people has the same opportunity as do other people in the taxicab industry. Incidentally, I believe that this is a minority group within the industry: this body does not represent the total taxicab industry. Nevertheless, if they want to come in and see me and talk to me about their views on regulation, I am only too happy to see them. However, I do not believe it is helpful for them to be running away and making quite erroneous statements in quite emotive terms, which do not contribute in any way to the debate. These allegations are incorrect. If this body wants to have discussions with me—and through me quite obviously with the Government—I am available for them to make an appointment for them to do so.

This is the bottom line that needs to be clearly understood, because there is a lot of scuttlebutt out there within the taxicab industry—the purpose of which I am unable to be absolutely certain, although I may have some suspicions—that the Government is involved in total deregulation of the taxicab industry. That has concerned a lot of people within the industry. Government backbenchers and, I suspect, some members of the Opposition have had constituents of theirs who are taxi drivers coming in to see them and asking what is going on. I hope that, if members opposite get a constituent inquiry, they can tell them what the truth is. I hope that they do that. Certainly, Government backbenchers have been informed as to our intentions and they are able to allay fears that might currently exist in the industry. In conclusion, I may say that the industry itself, believing that it is over-regulated, supports the review of the regulations and changes to many of them. However, it can be reassured on the vital ones.

UNLEY PROPERTY

The Hon. D.C. WOTTON: Does the Premier believe that the Minister of Agriculture should have informed Cabinet of his personal interest in the property at Palmerston Street, Unley, and his bidding for that property in what was obviously a conflict of interest?

The Hon. J.C. BANNON: I am not sure that it was a conflict of interest. First, Cabinet clearly knew that the Minister was directly a resident of that area, but so were hundreds of other people who universally petitioned on the matter. Secondly, Cabinet knew that the Minister had a direct interest as local member as well, but he made that clear and did not seek to hide it. Thirdly, I said in response to that question that I was not aware that there had been an auction for the property, when it had taken place or who had been the bidder. It may be that that matter had been mentioned to Cabinet, but I just do not recall it, and I honestly answered the question. Indeed, it may not have been relevant to the extent that the sale had been effected: it had already taken place.

I am surprised that the Minister has been bold enough to bid for a property in Unley: he is certainly better off than I believed that he was financially. If he was a bidder, he may well have been in the early stages of the auction but, when the matter came before Cabinet, the ownership of the property was not in question. Ownership of the property was irrelevant: the property had been sold. It was the use of the property that was before Cabinet, and in that the Minister had no direct interest other than that which he declared as a resident and the representative of his constituents. So, I think that that issue is quite irrelevant. It would have been very relevant if the ownership of the property had still been in question, if the Minister and others were bidders for that property, and if the action that we were taking would have had some effect on its value or whatever. However, in the situation that came before Cabinet quite proper representations and declarations were made.

SMALL BUSINESS MANAGEMENT

Mr RANN: Does the Minister of State Development and Technology agree with Mr Ron Flavel, Manager of the Small Business Corporation, that people starting a small business for the first time should be asked to undertake a brief seminar on the problems and opportunities confronting small business? In a recent radio interview Mr Flavel said that between 80 per cent and 90 per cent of small business bankruptcies in South Australia were the result of managerial inadequacy or incompetence and that many people beginning a small business had little idea of the problems or even the requirements of running a small business. He went on to say that only about 10 per cent of small business failures in this State could be directly attributed to economic conditions. Mr Flavel further said that in many European

nations, including Holland and Scandinavian countries, people were asked to attend a seminar as part of the requirements for registering a new business.

The Hon. LYNN ARNOLD: I thank the honourable member for his question. The proposition that Ron Flavel was putting is worthy of further examination, but whether or not it is a requirement or a strong recommendation is the major issue. In an interview on 5AN on 17 March, Ron Flavel said:

> The solution in my view is in fact to make it compulsory for people to have at least a three to four hour seminar or something similar to give them an indication of the things they need to consider in running a business. Now, if they go away from that very brief seminar with some understanding but deciding not do to anything about it, then so be it, it's upon their heads, but they've been given the awareness.

Regardless of whether or not further investigation makes it a requirement, it is certainly strong recommended that at all stages people should consider such briefing of the realities of going into small business. If they were to get their briefing from the Hon. Legh Davis, who was also on that program, they would get a different understanding about the situation, because the Hon. Legh Davis, shooting from the mouth, said:

> Certainly—

that is an unequivocal statement—

> the causes of business bankruptcy that came out of the computer information that was kindly made available to me suggested that for business bankruptcies economic conditions were the main cause.

He then went on to say:

> Lack of sufficient initial working capital was another important reason.

In fact, what Ron Flavel did, as has been mentioned by the member for Briggs, was put the true perspective on that matter where he indicated that, in fact, management questions related to 80 per cent or 90 per cent of business failures and economic conditions, upon the statistics available, related to only 10 per cent of business failures. That point certainly needs to be noted, and the Hon. Legh Davis ought to get his facts right. There was one area where he got his facts right: he applauded the Labor Government's initiative in the establishment of the Small Business Corporation and said:

> . . . the Small Business Corporation run by Ron Flavel offers a wonderful service and people in any doubt who think they might need financial or managerial assistance should make use of the services of the Small Business Corporation.

To that extent, he was 100 per cent correct and this Government takes a bow for that significant initiative. It is worth noting that of all the equivalent small business corporations in Australia the daily contact rate is highest for the South Australian Small Business Corporation, with the exception of that in New South Wales which, of course, is a much bigger State—and that figure is only marginally above ours.

I want to use that plaudit of the Hon. Legh Davis to just make some comments about press articles under the by-line of Malcolm Newell in the small business column, where he has in recent days indicated that the South Australian Government may not be doing its share or pulling its weight in the support of small business, and he quotes singly just the support given to the Small Business Corporation, which is a very efficiently run organisation. What he overlooks, of course, are the many other initiatives that this State Government has undertaken with respect to the support of small business, and I will identify some of those.

Before doing so, I might mention that in addition to the things I am about to state we will hear an announcement during April by the State and Federal Governments of a very significant initiative for the support of small business within this country. I turn now to the other areas of support we have in South Australia, such as the Centre for Manufacturing and the support it offers to small and medium sized manufacturing enterprises. Technology Park, itself offering incubator space for small high technology companies, incorporates the Innovation Centre and the Microelectronics Applications Centre.

We then have the Department of State Development which, through its South Australian Development Fund, provides significant support, very often directed towards small and medium sized businesses. It is worth noting that in the second quarter of this year we have seen $40 million of Government support in incentives or guarantees offered to industrial development. Then we have the Housing Trust factory construction program which has particular significance to small and medium sized manufactories. Then we have the deregulation initiatives introduced by the Attorney-General and accepted by this Government.

We have programs such as the business studies programs run by TAFE, and the year 12 small business management courses, which are unique in Australia—a leader in Australia. As to other types of business incubators in addition to those at Technology Park, I am expecting shortly a report from Peter Ellyard, who has worked with the Office of Employment and Training, the Small Business Centre, Rotary and other interested groups in the community to see the proliferation of business incubators in South Australia.

Those are just some of the many ways in which we are providing support to small business in this State and, if any assessment is to be made of a balance sheet of investment of taxpayers' money into small business support, this State Government holds up very well indeed. Of course, very often we hear the criticism, particularly from the other side, that Government should get out of involvement in any kind of business, yet here we have clearly an indication that we should be involved in judicious support of the development of a very important employment sector of our community, namely, small business.

TICKETING SYSTEM

Mr INGERSON: Will the Minister of Transport confirm that the State Transport Authority is continuing to experience major faults with the Crouzet ticketing system? In a document dated 9 March (reference No. 222/5), the STA engineer reported to the authority's board on continuing serious deficiencies with the Crouzet equipment. These deficiencies include an average of 80 on-board equipment defects every working day which require the attendance of a fitter or recall to the workshop for further rectification work. The Crouzet company has acknowledged that this level of fault is unacceptable. Validators are continuing to jam and chew up tickets, and Crouzet is conducting an independent investigation into this particular problem. On average, up to 60 tickets are swallowed by the validators each day while a further 300 are presented daily for refund. Over a four-day period following Monday 29 February, the level of refunds increased to 700 daily because no provision had been made for the extra leap year day on the railcar validators. The document further reveals that a new type of ticket with a light plastic coating is being tested for introduction later this year.

The Hon. G.F. KENEALLY: I am prepared to concede that the STA is still having difficulty with the introduction of the Crouzet system. However, if one takes into consideration all of what the honourable member said, it amounts

to about .02 or .03 per cent of the daily ticket usage in metropolitan Adelaide. If we take the bald figures, it looks extremely difficult but, as a percentage of the very sophisticated system that has been introduced into South Australia, the picture is put in its right perspective.

The STA has tried a number of different tickets and is seeking to have tickets manufactured in Australia. The STA used the tickets supplied to it by the manufacturer, that is, Crouzet. It provided some French manufactured tickets and some tickets manufactured in West Germany. The latter proved to be defective to a degree that was totally unacceptable to the STA, and that batch of tickets has been rejected. STA will not pay for those. The problem remains about the validators chewing up the tickets.

Mr Ingerson interjecting:

The Hon. G.F. KENEALLY: The STA will not lose any money on this at all.

The Hon. P.B. Arnold interjecting:

The Hon. G.F. KENEALLY: The member for Chaffey laughs. He has absolutely no idea at all of business practice.

An honourable member interjecting:

The Hon. G.F. KENEALLY: There you are! Absolutely! If the member for Chaffey were to purchase some equipment that malfunctioned, he would probably make a claim against the manufacturer and, more than likely, the claim would be honoured. That is exactly what the STA is doing with Crouzet. Where there are faults, they are rectified. What the honourable member did not say is that the graph of faults within the Crouzet system is on a healthy downward slide. As the Minister, I would have preferred to have this sophisticated technology with all its software and the 2 200 individual parts operating perfectly within a very short time. That did not happen. It has taken a lot longer than was expected and longer than I wished. However, the quite remarkable performance by the technical people in the State Transport Authority in getting the Crouzet system operational to about 99 per cent efficiency must be acknowledged. If the honourable member's statistics are turned round and looked at positively, it can be seen that the system is running at 99 per cent efficiency.

Mr Ingerson interjecting:

The Hon. G.F. KENEALLY: The STA has not had to replace any validators. It has had to change some of the software, but I ask members opposite, or anyone who has had to deal with a new system, whether they can indicate a circumstance in which some changes are not made to the software package. It is not uncommon, and the STA's experience has not been different from the norm. The Crouzet system has not come up to 100 per cent efficiency as quickly as the STA would like. However, it is very close to it. The trends are positive and the number of difficulties experienced with the system on a daily basis is less—and I ask the shadow Minister to listen to this—than the number experienced with the previous system. The only difference is that, where there is a malfunction, the holders of multitrip tickets require a refund. Under the previous system of daily, weekly or monthly tickets, that was not necessary. I advise the House that, although the level of efficiency that the STA would like to have achieved after five months has not been reached, it is very close to it. Members opposite need have no worry about the performance of the Crouzet system.

The SPEAKER: Call on the business of the day.

SITTINGS AND BUSINESS

The Hon. D.J. HOPGOOD (Deputy Premier): I move:

That the time allotted for—

(a) all stages of the following Bills:
Local Government Act Amendment,
Electricity Trust of South Australia Act Amendment; and

(b) consideration of the amendments of the Legislative Council in the:
Stamp Duties Act Amendment Bill; and
Strata Titles Bill—

be until 6 p.m. on Thursday.

Motion carried.

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

The Hon. R.G. PAYNE (Minister of Mines and Energy) brought up the report of the select committee, together with minutes of proceedings and evidence.

Report received.

The Hon. R.G. PAYNE: I move:

That the report be noted.

First, I make some comments on the way in which the members of the committee approached the task that was given to them by this House to examine the Bill to see whether, in the light of evidence and submissions from witnesses and others who provided any written submissions, and the deliberations of the committee, the Bill was fit for its purpose or required amendment. I am pleased to report to the House that, without exception, the members from both sides who comprised the committee are to be commended for their attitude to this very difficult matter, allowing ETSA to operate in a climate of reason while going about the business of providing electricity throughout the length and breadth of the State on days of extreme fire hazard. It is fair to say that the attitude of members was that, if the Bill were deficient in some way and would not result in a climate of reason in which ETSA could reasonably provide electricity, there should be room for change, and they addressed the task in that manner.

In tabling the report, it becomes available to members of the House. If one were to consider merely the eight paragraphs of the report, it might seem that not a great deal had transpired or passed before the committee. A closer examination of the report indicates that, just from the fact that 13 meetings and a site inspection in the Hills were held, that would be a wrong conclusion to be drawn by an observer and that the committee had been involved in a great deal of concentrated effort in a very technical area, as members discovered as the committee's work progressed. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

GAS BILL

The Hon. R.G. PAYNE (Minister of Mines and Energy): I move:

That the time for bringing up the report of the select committee be extended until Wednesday 30 March 1988.

Motion carried.

STAMP DUTIES ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, lines 13 and 14 (clause 2)—Leave out the clause and insert new clause No. 2 as follows:

2. *Commencement*—(1) Subject to subsection (2), this Act will be taken to have come into operation on 7 December 1987.

(2) Section 3 will come into operation two months after assent.

No. 2. Page 1, line 22 (clause 3)—After 'in relation to' insert—

'—*(a)* an instrument executed, or brought into existence, before 7 December 1987;

(b)'.

No. 3. Page 1, lines 27 to 33 (clause 3)—Leave out paragraphs *(a)* and *(b)* and insert 'the defendant delivered the instrument or had it delivered into the possession of some other party, or an agent for some other party, to the instrument in the reasonable expectation that the other party would have it stamped'.

No. 4. Page 1 (clause 3)—After line 33 insert new subsection as follows:

(6a) The commission of an offence against subsection (4) does not affect the validity of the instrument in relation to which the offence was committed.

No. 5. Page 2, lines 1 to 6 (clause 3)—Leave out subsection (7).

No. 6. Page 2, lines 37 to 45 and page 3, lines 1 to 16 (clause 5)—Leave out all words in these lines and insert 'by striking out paragraph *(e)* of subsection (5) and substituting the following paragraph:

(e) a transfer of property to a person who has a beneficial interest in the property by virtue of an instrument that is duly stamped, where—

(i) the beneficial interest arises under a trust of which the transferor is a trustee;

and

(ii) (A) the transferor or some other trustee or trustees of the trust obtained his or her interest in the property under one of the other paragraphs of this subsection (except paragraph *(d)*);

or

(B) the transferor or some other trustee or trustees of the trust obtained his or her interest in the property by virtue of an instrument duly stamped with *ad valorem* duty;

No. 7. Page 3, line 33 (clause 6)—Leave out 'two' and insert 'five'.

No. 8. Page 3, line 46 (clause 7)—Leave out 'or business asset' and insert ', or the goodwill of a business, situated in the State'.

No. 9. Page 4, lines 1 and 2 (clause 7)—Leave out all words in these lines.

No. 10. Page 4, line 8 (clause 7)—After 'conveyance' insert 'or as if it were a conveyance'.

No. 11. Page 4, lines 9 and 10 (clause 7)—Leave out subsection (2) and insert new subclause as follows:

(2) This section does not apply to any of the following transactions—

(a) the appointment of a receiver or trustee in bankruptcy;

(b) the appointment of a liquidator;

(c) a compromise or arrangement under Part VIII of the *Companies (South Australia) Code*;

(d) a conveyance of property for nominal consideration for the purpose of securing the repayment of an advance or loan, not being land subject to the provision of the Real Property Act, 1886;

(e) any other transaction of a prescribed class.

No. 12. Page 4, lines 22 to 28 (clause 7)—Leave out subclause (5) and insert new subclause as follows:

(5) Where a statement is lodged with the Commissioner under this section—

(a) any instrument that relates to the same transaction is not chargeable with duty to the extent to which duty has been paid on the statement;

and

(b) the statement will not be charged with duty to the extent that duty has been paid on any instrument that relates to the same transaction.

No. 13. Page 4, line 43 (clause 7)—Leave out 'the other person does not intend' and insert 'none of the parties to the transaction intends'.

No. 14. Page 4 (clause 7)—After line 46 insert new subsection as follows:

(8a) If a statement relating to a transaction to which this section applies is lodged with the Commissioner but it is subsequently established to the satisfaction of the Commissioner that the transaction is not to be completed, the Commissioner may refund any duty paid on the statement.

No. 15. Page 5—After line 22 insert new clause as follows:

Transitional provision

9. Section 71e of the principal Act applies in relation to transactions entered into on or after 7 December 1987, but no offence arises under subsection (6) *(a)* of that section in relation to a transaction entered into before the date of assent to this Act if the required statement is lodged with the Commissioner within two months after assent.

Amendments Nos. 1 to 4:

The Hon. J.C. BANNON: I move:

That the Legislative Council's amendments Nos. 1 to 4 be agreed to.

A large number of amendments have been moved in the other place—15 in all. I indicate at the outset that, with the exception of No. 5, having looked at the reasons behind the various amendments made, the Government finds them acceptable.

Motion carried.

Amendment No. 5:

The Hon. J.C. BANNON: I move:

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

This amendment suggests that subsection (7) of section 20 be left out of the Bill in clause 3. Considerable precedent exists for the proposed section that has been struck out in the Legislative Council. I cite a number of Acts where it has been inserted: the Public and Environmental Health Act; the Fair Trading Act; the Retirement Villages Act; the Waste Management Act; the Agricultural Chemicals Act Amendment Act and the Summary Offences Act Amendment Act. The usefulness of the provision is fairly self-evident. It ensures that in those instances where there are companies of little substance, shelf companies that can be easily purchased, or companies with a paid up capital of a few dollars, and there is therefore no point in prosecuting such a company, as an alternative one can proceed against members of the governing body—persons responsible for the actions and decisions of that company. It provides a means whereby the so-called corporate veil can be pierced and, in certain instances, this is quite appropriate. The principle offence committed in this instance is one where the company fails to produce a document that is chargeable with stamp duty. In other words, the company by failing to do so avoids a liability to pay tax. It is therefore not simply a breach of the law—that is, the failure to lodge a document—but also is aggravated by the fact that that failure to lodge thereby avoids the payment of the duty that is due.

As the whole thrust of the legislation is aimed at reducing the avoidance practices and ensuring that the law is clear, this as a method of ultimate enforcement, is considered quite essential to the proper operation of the Bill. It is not without precedent in any way and simply enables the law to be enforced and not avoided by the use of these shelf or front organisations. If the provision were not included, there are probably no remedies that can really be brought to bear. Therefore, the Government believes that this amendment is not acceptable. I put it again in the context that in all other cases we have accepted the amendments and are not demonstrating that we are unreasonable in this issue. We simply believe that in this matter ample precedent exists and it is a very necessary part of the anti-avoidance measures that we are seeking to promote.

Mr MEIER: I seek clarification from the Premier. Since this Bill was before us last year, quite a few constituents have expressed concern about their future with respect to company trusts. The Premier would be well aware that advice from solicitors and accountants to farmers and people with land has been over the years that certainly they can establish an appropriate company trust and, therefore, when they want to transfer land or some of the property to their son or daughter, the amount of stamp duty is very minimal.

I am not 100 per cent sure whether amendment No. 5 refers to this item. Will the Premier clarify that in the first instance? If I am mistaken, under which amendment does the provision come?

The Hon. J.C. BANNON: The amendment refers purely to the situation where a body corporate is guilty of an offence against a subsection. A remedy will lie against members of the governing body of the body corporate in certain circumstances. It does not touch on what the honourable member has raised. That matter was canvassed in the original debate and in the other place. The amendments made will clarify that. The use of trusts is not precluded and adequate guidelines exist to protect people's position from any unreasonable requirements.

Motion carried.

Amendments Nos. 6 to 15:

The Hon. J.C. BANNON: I move:

That the Legislative Council's suggested amendments Nos. 6 to 15 be agreed to.

Mr MEIER: I thank the Premier for his answer to the previous question. Amendment No. 6 refers particularly to the following:

(e) a transfer of property to a person who has a beneficial interest in the property by virtue of an instrument that is duly stamped, where—

(i) the beneficial interest arises under a trust of which the transferor is a trustee;

It goes on to other items of transferors and trustees. I take it from the Premier's earlier answer that this clause, and perhaps some consequential clauses, rectify the problem that may have occurred with family trusts and therefore that rural dwellers with farms or properties have been attended to with the amendments that have come out of the Legislative Council.

The Hon. J.C. BANNON: I would take that to be the case.

Motion carried.

The following reason for disagreement was adopted:

Because the suggested amendment would enable avoidance practices to develop.

STRATA TITLES BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1 Page 2, line 32 (clause 3)—Leave out 'constituted' and insert 'created'.

No. 2 Page 3, lines 27 and 28 (clause 5)—Leave out '(the numbers of the units being in series starting with the number one)'.

No. 3 Page 4, lines 26 to 28 (clause 6)—Leave out subclause (1) and insert new subclause as follows:

(1) The unit entitlement of a unit is a number assigned to the unit that bears in relation to the aggregate unit entitlements of all the units defined on the relevant strata plan (within a tolerance of ± 10 per cent) the same proportion that the capital value of the unit bears to the aggregate capital value of all of the units.

No. 4 Page 4, line 34 (clause 7)—Leave out 'An' and insert 'Subject to subsection (1a), an'.

No. 5 Page 4 (clause 7)—After line 35 insert new subclause as follows:

(1a) Where a person makes an application under subsection (1) and before the plan is deposited—

(a) title to the land to which the plan relates is transferred; or

(b) a mortgagee becomes entitled to exercise a power of sale in relation to the land,

the successor in title to the land, or the mortgagee, is entitled to proceed with the application and must, within one month of becoming so entitled, inform the Registrar-General of that fact and whether he or she proposes to proceed with the application.

No. 6 Page 6, line 15 (clause 8)—Leave out 'each certificate for a' and insert 'the certificate for each'.

No. 7 Page 7 (clause 12)—After line 28 insert new paragraph as follows:

(da) an instrument providing for the discharge of any registered encumbrance shown on the original certificate or certificates of the units that should, in the opinion of the Registrar-General, be discharged.

No. 8 Page 8 (clause 13)—After line 25 insert new paragraph as follows:

(d) for the purpose of achieving any other amendments that are desirable in the circumstances of the particular case.

No. 9 Page 10, line 24 (clause 15)—Leave out 'any contrary order of the Planning Appeal Tribunal' and insert 'subsection (2a)'.

No. 10 Page 10 (clause 15)—After line 32 insert new subclause as follows:

(2a) The Planning Appeal Tribunal may allow an extension of time for commencing an appeal under this section.

No. 11 Page 11, lines 4 and 5 (clause 16)—Leave out paragraph *(b)* and insert new paragraphs as follow:

(ab) must be endorsed with a statement to the effect that the application is made in pursuance of unanimous resolutions duly passed at properly convened meetings of the strata corporations;

(b) must be endorsed with the consent of all persons (other than unit holders) with registered interests in the units;.

No. 12 Page 11, lines 28 to 30 (clause 16)—Leave out subclause (4).

No. 13 Page 12, line 24 (clause 17)—Leave out 'unit holders' and insert 'registered proprietors of the units'.

No. 14 Page 12, line 26 (clause 17)—Leave out 'unit holder' and insert 'registered proprietor'.

No. 15 Page 12, lines 27 and 28 (clause 17)—Leave out 'the unit of which he or she was the registered proprietor)' and insert 'his or her unit)'.

No. 16 Page 12, lines 30 and 31 (clause 17)—Leave out 'unit holders' and insert 'registered proprietors)'.

No. 17 Page 12, line 35 (clause 17)—Leave out 'unit holders' and insert 'registered proprietors'.

No. 18 Page 12, lines 37 and 38 (clause 17)—Leave out subclause (8) and insert new subclause as follows:

(8) For the purposes of subsection (7), the former registered proprietor of a unit is the person who was the registered proprietor of the unit immediately before the cancellation of the plan.

No. 19 Page 13 (clause 22)—After line 40 insert new subclause as follows:

(2) Subsection (1) does not prevent—

(a) reasonable payments to a member for services provided to the strata corporation by that member;

(b) the reimbursement of costs of expenses incurred by a member on behalf of the strata corporation.

No. 20 Page 14, line 16 (clause 23)—Leave out the words 'by unanimous resolution'.

No. 21 Page 17, lines 13 to 16 (clause 30)—Leave out subclause (3) and insert new subclause as follows:

(3) The insurance must be against—

(a) risks of damage caused by events declared to be prescribed events in relation to home building insurance under Part V of the Insurance Contracts Act, 1984, of the Commonwealth;

and

(b) risks against which insurance is required by the regulations.

No. 22 Page 19 (clause 34)—After line 6 insert new subclause as follows:

(8) For the purposes of this section, a reference to commercial or business premises extends to any premises other than premises used for residential purposes.

No. 23 Page 19 (clause 35)—After line 30 insert new subclause as follows:

(10) A strata corporation may appoint or engage a person to assist its management committee in the performance of the committee's functions.

No. 24 Page 22 (clause 41)—After line 12 insert the following: 'Penalty: $500'.

No. 25 Page 24—After line 13 insert new clause as follows:

Relief where unanimous resolution required

45a. (1) Where a unanimous resolution is necessary under this Act before an act may be done and that resolution is not obtained but the resolution is supported to the extent necessary for a special resolution, a person included in the majority in favour of the resolution may apply to the Court to have the resolution declared sufficient to authorise the particular act proposed and, if the

Court so orders, the resolution will be taken to have been passed as a unanimous resolution.

(2) Notice of an application under subsection (1) must be served on—

(a) every person who was entitled to exercise the power of voting conferred under this Act and did not, either in person or by proxy, vote in favour of the resolution;

and

(b) any other person whom the Court declares to have a sufficient interest in the proceedings to require that the person should be served with notice of the application,

and the Court may direct that any person served with, or to be served with, notice of proceedings under this subsection be joined as a party to the proceedings.

(3) The Court should not order a party who opposes an application under this section to pay the costs of a successful applicant unless the Court considers the actions of that party in relation to the application were unreasonable.

No. 26 Page 25 (clause 49)—After subclause (3) insert subclauses as follow:

(4) Where a person fails to comply with an obligation imposed by this Act and is, in consequence of that non-compliance, convicted of an offence against this Act, the court may order the convicted person to comply with the obligation within a time fixed by the court.

(5) If the convicted person fails to comply with an order under subsection (4), that person is guilty of a further offence. Penalty: $2 000.

No. 27 Page 26, Schedule 1—After the item 'Section 223 1b (4) *(a)* (ii) . . .' insert:

'Section 223 *lo* (4)

Strike out "except as provided by subsection (5)" and insert:

"except—

(a) as provided by subsection (5);

or

(b) in accordance with the Strata Titles Act, 1988".'

No. 28 Page 27, Schedule 2, clause 5 (4) *(c)*—Leave out 'the certificate of title' and insert 'the certificate'.

No. 29 Page 28, Schedule 3, clause 10—Leave out 'A person bound by these articles' and insert 'The occupier of a unit used for residential purposes'.

The Hon. G.J. CRAFTER: I move:

That the Legislative Council's amendments be agreed to.

I note the very thorough consideration that has been given to this legislation both in this place and in another place. As a result of representations that have been received, the legislation has been amended substantially in both places. Generally, there has been bipartisan support for this legislation. As was suggested in another place, it is a matter of law reform rather than of political content.

I think it is worth pointing out some comments that were made in another place about a matter that is not addressed in this Bill to the extent that some people in the community would like it to be, and I refer to a mechanism for the resolution of disputes which arise with respect to strata title holders, tenants of strata title units and other related disputes. I note that the Hon. Mr Griffin made some general statements in another place about the need for a Strata Titles Commissioner. As the spokesperson for the Liberal Party he said that he did not believe that a Strata Titles Commissioner was necessary in South Australia.

He believed that, where disputes occur about matters which come within the purview of the strata titles corporation's articles of association or rules, a mechanism should be available to resolve the dispute. The Attorney-General explained that this would be the subject of further examination and it was hoped that in due course a satisfactory solution could be found. The Attorney-General indicated that a number of options could be examined, including having these disputes resolved by the Residential Tenancies Tribunal, and that to many members seems an appropriate course of action. However, the key question is how one funds a disputes resolution procedure.

The Government believes that that funding should not be imposed on the general taxpayer but, rather, it is something that ought to be paid for by strata title owners. How that can be done requires considerable further examination, but the Government appreciates the fact that the Opposition has indicated that it opposes the appointment of a Strata Titles Commissioner but apparently it supports some other means by which to resolve disputes. Obviously, this matter will have to be attended to in due course. I thank the Opposition for its contribution to the passage of this legislation.

Mr S.J. BAKER: I support the amendments. The Bill left this place in what I thought was a reasonable state. That has since proved not to be the case, because a whole range of other matters were canvassed very thoroughly in another place. I believe that the Bill is better for the attention given to it there. The amendments tighten up some areas. Although one or two matters may be in the realms of being pedantic, I think it is probably better to be pedantic about certain things in legislation rather than leaving them unsaid. We are aware that, when a matter goes before the courts, it is not necessarily the intent of the law that prevails, but rather the actual content of the law.

The Minister raised the question as to what happens in disputes, and that matter is still to be debated in some thorough fashion. I do not know the best means by which to tackle that dilemma. However, I note that one of the very considerable advances that has been suggested in this Bill relates to where a unanimous decision is required by unit owners on a particular matter. Despite the fact that the majority favour change of a particular nature, for a variety of reasons one or two people within a strata title corporation may refuse to agree to that change. That situation is quite unfair for the remainder of the corporation and I note with some pleasure that that matter has been addressed in the amendments, and I commend it to the Committee.

As we noted previously, this legislation has been long overdue. It sorts out the legal entitlements and obligations of those people who enter strata corporation arrangements. I believe that it is now fine legislation. I commend the Government for bringing it before this place and I commend its content. No doubt at some future stage we will address the rather vexed question of how to get people to live amicably side by side and, indeed, when there is a dispute, what is the best way to solve those disputes. I do not propose that all disputes should finish up in the Supreme Court, because that is a very costly business and it can remove the right of everyone to be equal under the law. Everybody understands that the law is unequal because, for a variety of reasons, many people do not have the means, the knowledge or the capacity to be able to contest cases and to ensure that their rights are protected, despite the fact that legal aid and other instruments are available. I commend the amendments to the Committee.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (1988)

Adjourned debate on second reading.

(Continued from 2 March. Page 3252.)

The Hon. B.C. EASTICK (Light): It is rather ironic that, almost four years after having debated the first phase of the local government rewrite, I now rise to debate the insertion of the second package, which is directly associated

with financial matters. At the time that we concluded the debate on the first round, the Minister, who undoubtedly will enter the House in a short time (the Hon. Gavin Keneally) and who was then the Minister of Local Government, and I expressed views along the lines that the second phase was extremely important and, although there may be some difficulties in refining how the financial aspects should be altered, it would be an interesting exercise. We both hoped that action would be in hand within two years so that we could see a complete rewrite of the Local Government Act without an undue loss of time.

The best will in the world on the part of local government and the support that I have sought to give the whole exercise in and around the countryside has gone for nought, because of the lack of performance by the current Minister of Local Government in this matter. The Minister indicated publicly and under questioning in another place that the bulk of the work had been concluded before she came into possession of that portfolio and that it was intended to introduce the Bill in 1985.

In 1985, the most contentious of the issues which have arisen in respect of this matter, namely, minimum rating, was to be retained in the Bill. In relation to the difficulties of finding the correct and proper approach to a number of financial matters, it was indicated that that was well in hand in discussion between the local government fraternity and the Government. Indeed, the word 'consultation' frequently came into the discussion. The public commentary which was forthcoming, in that consultation (which was being undertaken widely), was that the Government would take heed of what it was learning and that it was an expectation that the final detail would be as discussed between the Government and local government.

However, in actual fact the delays got longer and longer and the aspects of the Bill which had been debated with local government got further and further away from the consensus which had developed between the Government and the local government fraternity—so much so that the Local Government Association which went out on the hustings in May 1987 and said to everybody who cared to listen, 'Yes, we have had these consultations, we have had debate, we have practically concluded agreement on every aspect of the Bill, and we support what it is that the Government is about to do then found they had been duped.'

Let me just put that into context. That consultation had taken place by way of seminars, debate on the issue with the Minister and with senior officers of the department, and at local government regional conventions or conferences. It had also taken place by direct interface between the department and the Local Government Association by means of a task force. The debate had addressed itself to 10 papers dealing with various aspects of the proposals that had been circulated by the Local Government Association, and the Minister and the department had requested individual councils to return commentary upon those draft documents. A tremendous amount of paperwork was undertaken by councils and by individuals right around the countryside. There was no dearth of interest by local government to fulfil its responsibilities to the Minister and her department.

In May 1987 the Local Government Association was of the view that all the decisions that needed to be made had been made and that the format of the Bill would be in the proper form, so one can imagine its horror when in November 1987 (the Bill was ready in May and presented to the House in November 1987), upon checking the Bill presented to the House it found that local government had been betrayed. I use the word 'betrayed' because I genuinely believe that that is apt in the circumstances. The discussions which had taken place were meaningful. The compromise which had been agreed between different factions, except on one or two issues quite vital to local government, had cut two ways. There had been benefits for both parties as well as some losses to both parties. But local government, expressing the view of more than 90 per cent of its electorate, indicated that in no way would it accept the phasing out of minimum rates unless the Government could come forward with very tangible evidence that it was necessary or desirable that that course of action take place. Even during debate in Committee in the other place no clear indication was given to the world at large of what is wrong with the minimum rating system as it applies through local government in South Australia, other than on the periphery the Government saying that it was fearful that it might be challenged in the court: and we believe that there is a better way of doing it.

I confide in the Government that I have made no bones about the fact that I believe that there is a better way of doing it than the current minimum rating system allows, but I do not believe that that better way will come about by a forced devolvement inside two years. In saying that, I acknowledge that the Minister has required in the legislation that has been presented to Parliament that minimum rates be phased out over a two-year period.

There are a number of additional advantages to local government which could replace minimum rates. There are a number of different ways in which individual local governing bodies can proceed, having regard to the provisions that we will make for them in the legislation, in the event that it passes. But that is not certain by any means, and let us not call a spade anything other than a spade. There is no clear indication that this Bill will pass the Parliament, because the Minister has forced a confrontationist situation on all of us due to her inability to recognise the import of the local government argument and her own failure to bring to the Parliament a real reason or purpose for changing the position which even she, in 1985, was embracing.

Before my colleague the Minister of Transport entered the Chamber I indicated that I thought it was rather ironic that he and I should be eyeballing each other four years later, when in 1984, in concluding the debate on the first phase, we both indicated our preparedness to get on with the job and our hope that the measure would be out and in place at least within two years, and that the final phases—that is, the other three phases of the rewrite—would follow in short term, so that local government would have a complete new document with which to work.

We are now in a rather peculiar position, as explained by the Minister in presenting this Bill to the other place, of the Government having directed that on the conclusion of this debate, if the Bill is passed, there be a consolidation of the Local Government Act as it applies relative to the old Act—what remains of it—the first phase of the rewrite and its amendments, and the second phase. There is a clear recognition that because of all the delays local government is in some disarray in not being able to clearly follow the Act under which it works.

The Minister would also acknowledge with me that both he and I indicated that, because so many changes were to be effected in the first rewrite, it was conceivable that we would miss something or that there would be a need for additional fine-tuning around the edges and that we would facilitate as may be necessary alterations to that first rewrite when they were identified and shown to be necessary. Since that offer was made I think I would be correct in saying that there have been no fewer than eight amending Bills to the Local Government Act and that each of those eight

amendments has taken some portion of that first rewrite and represented it in different words or to line up with directions or suggestions made by courts or with suggestions made by the practitioners of local government where they have found ambiguity or difficulty in interpreting the theory in practice.

Undoubtedly, that will happen with this Bill if it passes: practice will show that there are difficulties, possibly of interpretation, and that local government is not so well served by the measures which combined thought has provided or which a court (in case of dispute between the various parties) suggests to Parliament as an alteration to give a better delivery of service. They are the nature of the changes that will come about purely and simply because of the size of the task before us.

In explaining this Bill, the Minister of Transport said:

> The Government considers that judgments as to where that balance—

that is, the balance between local government and State Government—

> lies should be based on the following criteria:
>
> (i) Local government in South Australia is sufficiently developed and responsible to warrant broader powers and greater flexibility to respond to local needs and circumstances, subject to the duty of the Parliament to ensure that appropriate standards are maintained.

No-one can argue with that philosophy. The Minister continued:

> (ii) Local government taxation should be based on standards of equity, consistency and accountability, comparable with other spheres of government.

Again, one cannot argue with that if one is allowed to measure apples against apples but take heed of the way in which the State Government deals with valuations for land tax where the amalgamation of properties puts the value into a higher rating bracket so that the original *ad valorem* value of the individual properties is completely destroyed by the way in which the Land Tax Act has been drafted.

I raise that matter because it has been suggested that the need for accountability and for consistency within local government circles, specifically relating to minimum rates, is a reaction by the Government to the change in true *ad valorem* consideration of the valuations and the rate in the dollar as it applies to a number of properties within a council area. I point out at this stage, because the matter will be developed in Committee, that I believe that in the past local government has been and at present continues to be consistent and accountable. Indeed, it is right out in front; it advertises what it is doing; and it has little reaction from its electors. The fact that the matter of minimum rates has not to my knowledge been a factor in any recent council election shows that local government is accountable and has an open approach which is unchallenged.

Indeed, as to the second criterion quoted by the Minister, in local government there is a consistency and an accountability no less and no greater than that applying to the Government in the State of South Australia. The Minister cited the third criterion, as follows:

> (iii) Modern financial management in local government requires a greater degree of flexibility in the raising and deployment of funds.

With that there can be no argument. The very fact that we as a Parliament over a period have seen fit to grant to local government the power to involve itself in the Local Government Finance Authority; that that authority has gone from strength to strength with the sums that it is applying for local government and other uses and the degree of support that the authority has had from local government; that a number of organisations on the periphery of local government are now turning to that authority to obtain finance because they want to retain a close conjunction between local government and their actions, the capital activities in the community: all these circumstances have shown a happy support of the attitude expressed on the floor of this House by both sides of politics.

Further, we were prepared to allow the Local Government Association to enter into a superannuation scheme that has the support of this Parliament, again indicating our belief that local government has proved that it can manage large sums in the interests of the people working in the industry and that it has not been called into question to anything like the degree in which other funds, including Government funds, have been called into question recently.

Having accepted those philosophies and having indicated the folly of the second of the three comments made by the Minister which was based on a false premise, I point out that local government finds itself in a difficult position as a result of the Government's dilly-dallying, because it will probably not be possible to put this measure into effective working place until the 1989-90 financial year. An attempt was made before Christmas when the matter was before another place to suggest that the collective Oppositions, including members of the independent groups in another place and in this place, were holding up the passage of the Bill.

Let us look at the reality of the situation. The Bill, containing 50 to 60 pages, was introduced in November and Parliament was due to conclude its deliberations by the end of the first working week in December. The Government of its own action called off the sittings of the House in late November rather than getting on with the debate on the Bill. Because of the time at which the Bill was introduced, the debate on the Bill could have taken place much earlier in the Upper House than it eventually did take place. Then, the Minister suggested, both directly and through an intermediary, that there was no need for debate on the Bill in the Lower House and that the Bill could be passed without difficulty and sent to His Excellency for assent before the Christmas break.

In doing so, the Government gave no thought to the fact that traditionally a Local Government Bill involves a considerable debating time for members on both sides of the House representing their councils or to the fact that contentious issues had been created by the Government and reacted adversely on by many local councils and by those on the fringe of local government who wanted to see proper justice and were not prepared to see such an important measure forced through Parliament just to satisfy the Minister's whim.

Even when the Opposition was called on to debate the issue and did debate it, the Government in another place did not bring it back on to the notice paper for further debate. The Government itself stalled the debate in the Upper House and prevented the measure from being reported to this House before Christmas for consideration immediately after Christmas. Indeed, if one reads the debates in another place subsequent to the Christmas break, it can be easily demonstrated that it was the Government, which controls the business of the day, which failed to bring on the measure in another place while adequate time was available so that it could come down to this House early in February in order that local government across the board, if the measure passes, could proceed to take those actions necessary for implementation from 1 July 1988.

The simple truth of the matter is that many people in local government, more specifically in the larger city councils, were advising the Government (as they were advising the Opposition) that the lead time for the preparation of

paperwork for the various computer systems now used extensively in local government for rating and recording purposes was between five and seven months; that is, it would be an impossibility from a physical point of view, aside from the ability of local government to perform in its own council chambers or its own offices to put into effect the very marked and very changed values which are expressed in the Bill currently before us.

I want to put to rest once and for all the view which was sought to be put abroad (in fact, it appeared in local and State newspapers) in statements by the Minister attributing delay to the Opposition whereas, in fact, the delay was entirely of the Minister's own making. More than that, the reason for the great degree of debate and criticism of the Government was that the measures which were introduced by the Minister were against the decisions taken in consultation with local government; they sought to come in through the back door and compromise the position of local government. It almost worked, in one sense. It would be wrong of me not to indicate that the Minister was able to prevail upon some people within the local government fraternity and some people in the employ of local government to produce documents in the late November, early December period which purported to put the view of local government that it wanted Parliament to get on with the job and pass the Bill, virtually in the form in which it was presented in another place.

When that became widely known, the reaction within local government circles, both in respect of elected persons and also quite dramatically in respect of those people who are in the employ of local government, was quite strong. Special meetings were called, directions were given, and counterclaims were made by the association and by the Institute of Municipal Management which effectively put paid to an olive branch which was really not an olive branch at all.

I take my hat off to the majority of local government people who, having assessed the position, were prepared to stand up and be counted and indicate very clearly to the Minister and the Minister's department that they were not prepared to be walked over and were not going to accept the demands which were being made of them by the Minister and the Minister's advisers. The Minister of Transport (who is conducting the debate in this House at the moment) was with me quite recently at a regional meeting at Port Pirie and will know the strength of feeling of the people from those councils and their opinion on whether minimum rates, for example, should be written out of the Bill. He will also know that they have said very clearly that they will not accept the one way movement from site value to capital value or annual value, that they want a degree of flexibility within the system which they have been able to utilise in the past and which they believe they ought to be able to utilise in the future. Similar comment could be made in respect of the measure which seeks to say to a council, 'Once you make the move from once a year payment to a half yearly or quarterly basis, you will stay there.'

I am in accord with the fact that they should give it (a change) a fair trial and that that fair trial should probably last for two years, although I would not be averse to saying perhaps three or four years, but at least a council ought to be in the position to determine its own destiny, having regard to the practice that it experiences in offering that additional avenue of payment. It may well be that once a council moves to quarterly payments it will find that an increasing number of its electors make use of the scheme, but it will be at a cost to the council, because it will not have the funds to put into accounts or to the Local Government Finance Authority.

The council will not be able to generate its own interest on those funds. There will be additional handling costs in the management of the council. There will be additional postage costs in drawing people's attention to the need to pay by given dates, and so on, and I think that any member who applies his or her mind for a second will recognise the greatly increased costs of management which will accrue to a council which offers those extended terms. It raises the question, and in fact the Government has seen fit to address the fact, that those people who are prepared to pay in one lump sum ought to have some advantage over the person who will pay his or her rates over a protracted period.

It does not apply at the moment in regard to the arrangements entered into with councils where deferred payment is granted by special direction of the council itself, although one council in the Adelaide metropolitan area has sought to provide an initiative—and we are talking now of initiatives to pay or to defer—by running a lottery which allows a person or persons to obtain a distinct benefit by paying early, thus reducing the oncost to the council.

I believe and the Minister obviously believes in the word 'flexibility' (because it is used consistently in the document presented by her colleague the Minister of Transport), that local governments in the past have exercised flexibility having regard to their own direct needs and the needs expressed to them by their constituency, and I believe that that form of flexibility ought to have existed in the past and that they ought to be masters of their own destiny, moving away from quarterly or half yearly payments if they are able to demonstrate to their electorate that there are distinct advantages in going back to a once a year payment system as opposed to four times a year or twice a year as the case may be.

That is another area of contention with which the Government will persist, as the Minister has indicated in his presentation to this House. If the Government persists with its attitude and uses its numbers to roll it here, it is quite obvious that that will be yet another issue which will go to a conference of managers or will go, with the Bill, out the window. If the Government does not come to its senses and recognise that it should stop giving lip service to local government and how important and beneficial the Government believes it (local government) is to the community—but only if the Government is holding the apron strings.

Another area of similar ilk is that which is directly related to differential rating, where discussions were held over an extended period of time and where there is a very clear indication by local government as to what it expected in respect of land use and also of different sized parcels of land. It was not written into the Bill—deliberately, as it turns out from questioning of the Minister in another place. Local government has said, 'If we're trusted to do these other things, we believe we ought to be trusted to do this and we want it to be a feature of the Act with which we will go into the 1990s and beyond.'

Members of the Australian Democrats in another place and members of the Liberal Party are firmly convinced that that should be the case and it is another area in which we will give no quarter in the final analysis of this Bill. Having made reference to members in another place, I place on record my personal appreciation of the tremendous work undertaken on this Bill in another place by my colleague the Hon. Diana Laidlaw, who represents in that place my interests in the shadow Cabinet. She and the Hon. Jamie Irwin, having the major carriage of this measure, were able over an extended period, often in association with the Dem-

ocrats, to draw to the Government's attention the expectations of local government. It would be wise to heed one of the vital public statements that has been made on this issue over some time, is that this measure will not be decided by the dictates of a Government: it should be decided by the power of debate on the floor of Parliament. As part of the parliamentary process, members in another place have shown very clearly to the Minister and to the Government that they speak on behalf of the local government fraternity and they are quite determined that it is the will of local government should apply.

During the Committee stage in another place the Minister drew attention to a statement which I, as shadow Minister of Local Government, made in 1985 on behalf of the Party that I am very proud to represent. I indicated in reference to a document relating to local government affairs that there was a very major role for consultation between parties; a need to discuss, one with the other, the various facets of any measure; and that, because of its responsibility, the Government is finally responsible to make a decision regarding the presentation of its legislation. The Minister sought to use that statement, from which I do not resile, on the basis that I had committed my Party and myself to a position of placing Government above local government. The Minister did not accept the natural follow through from that statement, which I still hold is correct; but a Government, having taken that decision to make a determination and to put it into the political arena by way of a Bill, must eventually accept the decision of the Parliament as to which part of the Government's determination will succeed over the requirements of the community at large or, more particularly in this case, over the will of local government.

We have seen democracy at its best in relation to the consideration of this measure in another place, where members representing people throughout the State have been able to identify clearly to those with rather narrow views on a number of issues (the Government) that this is what local government is looking for, that it is quite reasonable under all the circumstances, and that this will not place local government above Government but will enable local government to deliver services to its community. If it does not deliver those services, local government will suffer the consequences of the elections held every two years.

Having acknowledged the role undertaken by my colleagues in another place, I believe that the reaction from local government, expressed in a very large number of letters to the Hon. Diana Laidlaw (the Leader and I have received copies), is a clear indication of local government's appreciation that somebody in the parliamentary system is listening to and heeding its needs and is prepared to stand up and be counted on these vital issues.

A number of minor amendments were accepted by the Government during the passage of the Bill in another place. Some were introduced by the Government and sought to clarify various aspects of the Bill, and there may be some comment on those matters later. In a number of areas my colleague was unable to obtain the support of sufficient members of the other place to make amendments. Only some of those measures will be followed through in this place, but one area that I believe is important to the practitioners of local government, or to anybody who has to work with the Local Government Act, is the deletion by the Government of the index appearing at the beginning of the Local Government Act. That index had a useful purpose in guiding people through the various aspects of the legislation. I accept the argument that was put by the Minister that a new phase of parliamentary drafting has begun and that it is intended that there be consolidation of the Local Government Act after the passage of this Bill and that the index would have been taken out, anyway. There is a new form of index, which will appear at the end of the Act. Once the Act is consolidated, it will be possible for people to use this helpful guide to better understand this very complex piece of legislation.

Having said that it is a complex matter, I acknowledge that in general the work undertaken in 1984 has provided the community with a more easily understood piece of legislation than previously existed. A great number of measures contained in this Bill build on that alteration—that increased simplicity of expression or increased ease of following the requirements of the Act. That is to be commended. Much of the duplication in the Act has been removed, and one no longer looks upon local government in the three tiers of cities, corporations and district councils as occurred in the past: they are all units of local government and the Bill is now expressed largely in terms which allow each of those three areas to be considered on a par, one with the other, albeit with the minor variations according to a local authority's charter and the manner in which, as a group, it elects to have various classes of council representation: mayor *vis-a-vis* chairman; and aldermen or councillors. Those decisions will be made within their respective areas.

It has been indicated that probably the greatest attribute of this Bill is to provide greater flexibility for local government to enter into business-type arrangements with their community. Indeed, some very worthwhile changes are contemplated. They are certainly better expressed provisions less likely to be abused than some of the makeshift alterations effected to the Local Government Act previously. It is probable that we would not see, in relation to this measure, the debacle permitted to occur in the Thebarton area in 1986 or 1987 when the Minister, on advice, made provisions in respect of a corporation directly associated with the Thebarton council which were quite illegal, and shown subsequently to be so, and which would have given certain people the ability to write themselves out of the conflict of interest created if they went under the umbrella of the corporation structure that had been established.

I have no doubt that a number of questions will be raised in the next few years relative to the nature of arrangements entered into by a number of local governing bodies, but that those interests will be properly monitored and that the experiences of one council will soon flow to others, such that any pitfalls that may be detected on the way through will be highlighted, thus benefiting local government as a result.

The unfortunate circumstances prevail presently whereby, with a degree of political intrusion into matters of local government, the register of interests measure directly associated with the Local Government Act and the changes effected by the Minister of Transport some four years ago are being interpreted differently, depending on where the suggested misdemeanour occurs. In fact, a case was taken to court recently and subsequently thrown out by the court, which held that there was no case to answer, and this caused considerable financial embarrassment to the people involved. Yet, it was patently clear from the outset that the people concerned had not entered into any ulterior arrangement in respect of their representation on the council. When measured against a position where a councillor is charging a fee for giving advice and taking that advice to a council and voting on the end result, one has to ask what is happening in relation to the effective and proper monitoring of these issues. I do not pursue them any further presently but am

happy to pursue them further should the need arise. I trust that if this Bill passes there will be an even-handedness and that all organisations and councils will have the same opportunities.

I was very heartened, when listening to an address by the Manager of the Local Government Finance Authority of South Australia in presenting the annual report in 1987, to hear that the board of that authority has already effected a policy in respect of entrepreneurial activities of local government. A number of people in the community have questioned whether local government might go overboard and with good intent raise funds which may not necessarily bring about a good result. There may be situations where a community and its future is jeapordised by the size of a loan taken out in the council's name. That set of circumstances could have a serious effect upon essential service delivery to people within the appropriate local government body.

The Local Government Finance Authority has made very clear that it will be making funds available for entrepreneurial activity only when it can be clearly demonstrated that the organisation concerned has undertaken a feasibility study and has properly presented a complete case on the whole issue. That is very wise and no less than one would expect from a reasonable financial organisation. I believe that prior to that statement being made some local government bodies were thinking that it might be possible to obtain funds more easily and with less questioning so that their high-flying ideas could be promulgated without a great deal of difficulty.

Certainly I indicate from this side of the Chamber that my colleagues would be solidly behind providing a proper assessment in respect of any work to be undertaken that could put at risk the funds of a community. The policy already laid down by the Local Government Finance Authority in this regard is one to be lauded. I would hope that any other financial organisation entering into activities of local government in the future will have the same high standard to use as a measuring stick against applications put before it.

There are a number of variations on how this matter may be approached. At the most recent Local Government Week seminar, the special officer of the Henley and Grange council indicated to those present that the arrangement existing at Henley and Grange provides for the staff 10 per cent of any profit obtained by any entrepreneurial activity. That is breaking new ground and caused some concern in the minds of certain people that the staff would be able to show a profit on the activities of their endeavours. This system has been used in the wider commercial area over time and I do not personally find any problem with it, so long as it stays within limits of benefit to staff.

Indeed, the staff member indicated that, whilst he would retain a reasonable percentage of that 10 per cent of the profit, every other member of the staff in the council organisation would receive a benefit as a result of a financial gain. The question was asked of the same officer, 'What happens if the action taken brings about a financial loss? Are you as a member of staff and all other members of staff expected to fund that deficit?' The answer was clear—'No'. I thought that the follow through was to be commended and capable of allaying the fears of the wider community, the officer indicating that, quite obviously, the persons involved would be looking very clearly to ensure that any proposition they put forward would show a benefit and not a loss.

Against that background, sometimes, when theory is put into practice, there is some difficulty. Occasions may arise where, despite the best will in the world, the actions taken by staff to provide a financial benefit to their council may not be realised and that may not be the fault of the council or the staff who are directly involved: a conjunction of activities or problems arising from outside the direct realms of local government may force them into that particular position. In recent days a group of councils has drawn to the attention of the Opposition its concern that the Bill allows for the Government to determine that councils who are not party to a joint operation can be conjoined in that operation. The provision breaks new ground.

Members interjecting:

The Hon. B.C. EASTICK: Without representation and without the opportunity of appeal. When the Bill was introduced, no indication was given by the Minister, in specific terms, as to the intention of that measure but, as a result of questioning in another place, it was possible to flush out the fact that really it was capable of being used in respect of the Burnside, Mitcham and Stirling councils in the delivery of water, for example, into the Unley area and subsequently to other areas further down the track.

Over a long period of time the Unley council has looked at ways and means of reducing the problems of flooding from Brownhill Creek, Keswick Creek and another major creek in the area. Even though some councils got together and funded a feasibility study relating to the drainage of that area, subsequently there was little or no interest on the part of some councils in being contributors. The council that was subjected to the flooding could not help its own case, because it required the combined efforts and funds of all the contributors.

A situation may arise where the Burnside, Stirling and Mitcham councils are called in to provide funds and effort in respect of such a program as the drainage program and these organisations can be directed to participate in that arrangement without proper consultation or without having the opportunity to appeal their right not to become contributors. They may also wish to appeal the quantum of contribution which they may be required to make. In due course, we will debate a number of subclauses which can be added to this Bill and which would give natural justice to those councils. The subclauses would provide for an appeals mechanism and, also, they would guarantee that a proper consultation process would be entered into before the councils find themselves locked into a positioon where they were not masters of their own destiny. I hope that the Government will take on board the suggested arrangements and that it will accede to the request of the committee to give effect to that change.

I mention briefly the changed circumstances in the Local Government Act and financial matters relating to the deletion of the term 'urban farm lands', which definition has been used quite extensively, more particularly in fringe areas where events of the past have been caught up with by the present. I refer to the farming areas, which may have been the dairy, the nursery or the small farmlet, being required to pay rates on a basis that would have driven them out of existence when in fact they were continuing a use or continuing a form of agriculture that they had been undertaking for many years in the past.

I refer to places like Gawler, Munno Para, Salisbury in the not so distant past, and the District Council of Mount Gambier, where areas have been lost to the City of Mount Gambier. Some people are still on small farms but in city circumstances and, without 'the urban farm land', there is no provision in that circumstance for their particular needs to be considered. I believe that the action which has been taken in another place and for which we will fight here in

respect of differential rating and other measures contained in the Act will accommodate people in such circumstances and that there will be no destruction of a reasonable approach to the costs associated with those people continuing in their present existence.

The other matters relating to the Bill are best left for debate during the Committee stage. Suffice to say that I will seek to write out of the Bill as presented to this place that part of the title that refers to 'and to make related amendments to the Electricity Trust of South Australia Act 1946', and also the clause within the Bill that relates to the same proposition. Members may not be aware of the contents of the report that was tabled in this place earlier today relating to the Select Committee on the Electricity Trust of South Australia Act Amendment Bill and, in particular, the recommendation concerning vegetation clearance under electricity lines. That is a better vehicle in which to place an Electricity Trust amendment rather than in the Local Government Act. It relates directly to the Electricity Trust Act, but it is hidden away, so to speak, in this Bill.

If the Bill is passed, when the consolidation takes place in the not too distant future, the Government Printer would have to maintain a complete copy of the Bill that we are being asked to pass, so that any person who wanted a copy of the Electricity Trust of South Australia Act would receive a 56 or 58 page document when they wanted to peruse only one small clause directly relating to the Electricity Trust of South Australia Act. We are in the fortuitous position where another vehicle before Parliament allows the passage of that measure. That provision is quite vital in relation to rating circumstances, but it is tidier for it to be contained in the other Act rather than in this one. The Minister and Parliamentary Counsel are satisfied that the best interests will be covered by that action being taken.

The Opposition supports the second reading of this Bill. We will fight to retain those measures which were introduced in another place, because we believe that they are of particular importance to local government and that they reflect the expectations of local government. Through the years local government has demonstrated its ability to provide effectively for its communities within that additional charter which is made available to it. We believe that the emotion generated by the Minister about this Bill relating to matters that, even though the information has been requested, have not been demonstrated to relate to problems of local government, ought not be allowed to stand and that local government, in which the Government says it believes, ought to be supported to be what the Government claims it ought to be. I support the second reading of this Bill.

Mr S.G. EVANS (Davenport): I support the Bill, although I wish to raise one or two matters. I realise that this is only a stepping stone down the path of amending the Act overall. Many attempts that have been made in the past, with some in the immediate past, have achieved some of the goals. This is another step in that direction. I note that at page 3 the Bill provides for defining the council as a corporate body. My understanding of this is—and I may be wrong—that it does not exclude the individual ratepayers of a council from being liable for any debt of the council. That is the situation at the moment.

I believe that we face a massive problem in our community where, due to whatever circumstance, whether unfortunate or whatever, we can place a council in a very difficult situation. I believe that we should work on an education program to explain to ratepayers that each and every one of them is, separately and collectively, liable for any debt that a council incurs, whether through a deliberate action or decision of council or whether a court decides that the council has been negligent in some way. One has only to consider the sort of claims that come about in our society today for personal injury or property damage and the period of time that it takes to process those sorts of claims through a court. This relates not only to the initial liability, if proven, but to the accumulated interest and other legal expenses and costs for expert advice that might accrue along the way. What can start out as a moderate debt in the overall operations of a council can end up being astronomical to the community involved.

For example, if in such a position a council could not get away with the sort of situation that we saw reported in the press today about a finance company that went broke in 1974. There is a headline saying that all the people involved have been or will be paid out in full, perhaps to the point of 102c in the dollar. But, of course, they have not been paid the interest on that money since 1974—because if they were paid that they would need something like 350c to 400c in the dollar to be compensated for the loss.

In the matter of court actions against a council or others, whether it be an individual in the community or a company, the court does consider that loss. If a council is found guilty in that area (and as yet this has not occurred in our society to the degree that I have referred to, and I hope it does not), the debt for a council area could be so high that a council might not be able to pay it at the time and interest repayments on money borrowed might place a heavy burden on the community, and there would be repayment of capital. It could be that a Government might say that it is not prepared to help.

What if such a circumstance arose and someone decided to lay a collective claim against each and every person who owned properties in that council area—and this is possible I am told, without a doubt—in order to get the money more quickly because the council could not pay the debt? The other alternative is that a council could charge extra high rates to try to make up the money to repay the debt quickly. In such circumstances, overnight, the value of properties in that area would deflate immensely and, of course, with that deflation would come a loss of rate revenue, unless it again increased the rate of percentage in the dollar of value to try to recoup the money. If that sort of scenario arrived the people paying off higher mortgages in that area could suddenly find that their property was not worth as much as their debt because of the devaluation process. One might think that that is unlikely, but I indicate to the House that we must exercise our minds on whether there is any way in which we can limit the liability of a council—as we are setting out to do in relation to the Electricity Trust.

The same principle of ability to pay applies. In relation to the Electricity Trust the liability might be so high that it is embarrassed as to its ability to pay, and governments worry about the cost of power to the consumer. The same argument applies to local government and costs imposed by councils on ratepayers. I hope that members will not ignore what I am saying, as I believe this is a very important issue and that we should be educating the community to understand that one's getting stuck into the council is in fact tantamount to getting stuck into the next door neighbour. I am not denying anyone the right to try to get justice, but all of us, in the course of our way of life, can be negligent at some point of time and total liability does not usually lie with just one part of the operation.

I took note of the words that the member for Light used when saying that people seek natural justice. That should be our aim in any Bill introduced in this place to amend or enact a new Act. I note in the Bill (page 37) the provision

in relation to setting up an authority to undertake a certain project. Proposed new section 200 provides:

> Two or more councils ('the constituent councils') may, with the approval of the Minister, establish a controlling authority . . .

That is a very dangerous provision if there is no opportunity for appeal or if we do not give some representation to a council that may be asked to be co-jointly involved in a project at the direction of the Minister or of the authority, with the Minister giving support. There is no justice if we as a Parliament say that it is just bad luck if a council is brought into a scheme of arrangement that spends perhaps millions of dollars and if it has no right of appeal to argue what percentage it should pay, if any. We cannot just provide that the Minister of the day will look after them. I do not make a judgment about how honest or dishonest a Minister of today might be—when we pass this Bill it is not just a matter of who is the Minister of today.

The Ministers of today are birds of passage who are here today and gone tomorrow. Of course, on my side of politics one hopes that the Minister of today does go tomorrow, although that may not be likely. The Australian Labor Party, which is making the law today because Parliament often gets squashed even though there is a balance of power in another place, should note that, if the present Minister is given this power with an authority (and the authority is something that some say will have all the power, although I do not think that that is so), the compliment can be returned, and for the sake of democracy and natural justice we must ensure that there is a right of appeal and an opportunity for any council that is involved in spending money on a project to have representation. As the clause is drafted, the right of appeal is denied and the right to have direct representation and be involved is not guaranteed. I do not deny that such a right could be given, so I hope that Parliament will note my argument.

In this debate I must speak about the power of the Minister because, as much as local government is supposed to be autonomous to a degree and separated from too much influence from the State or Federal Government, it is affected to some degree by finances. Also, we have the opportunity to make representations to a commission that has been set up in this State to review council boundaries. In my district, a group of people set out to ask the community whether it would like to have its own council, but what it really meant in asking the question and seeking signatures on the street to a petition was whether that community wanted to have a council called 'Blackwood and districts', because the community already had its own council, the Mitcham council, which is the second oldest council in the State.

Many people who signed the petition did not realise its implications. People were approached while they were attending a parade for the Christmas festival with their children and were asked, 'Will you sign this petition for your own council?'. Indeed I was alongside a group of people who were asked that question and they said, 'Yes.' Who stops to read a petition while watching a pageant with their children? It is a time of conviviality and everyone is happy, so who would consider such a serious aspect at that time?

All the signatures were sent to the Minister, but the application did not conform to the conditions laid down for it to be accepted by the Minister and proceeded with. I realise that the Australian Labor Party's philosophy is to have bigger not more councils, so the Minister allowed the submission to go on, in fact, encouraged it, and asked the committee to consider it knowing full well that in it there was an opportunity not only to change the Mitcham council area but to eliminate it because the commission, once set up, has that power also. The commission may consider the application and any other related matters, so I and many other people in the Mitcham Hills area and neighbouring areas believed that the Minister's action was improper in allowing that to go on under the Local Government Act.

We have to wait to see the outcome. The Unley council, which showed an interest, has a debt of about $600 000; the Mitcham council has virtually no debt; and the Happy Valley council has a debt of about $950 000. The Happy Valley council jumped on the band wagon and said 'This is a great opportunity. Let us get half of Mitcham because, if we get it, we will incur no debt and we will live off the fat of the land and pay off some of our debt.' I do not blame the Happy Valley council for that, but I do not admire it either.

There is hardly any direct community link between Mitcham Hills and the Happy Valley council area. I have had a group of people from Happy Valley tell me that they do not want to change the name of the council from Happy Valley to Flinders or any other name. There has been no community demand for such a change. It was the mayors, aldermen and councillors who thought that this was a chance to get more territory if they could convince the commission. Now, we are to have a counter petition from the people of Happy Valley objecting to the proposal of their own council. Initially, Unley showed a keen interest but, having thought it through, it, is not showing so much interest today.

There is some merit in the transfer of a tiny piece of land with dead-end roads coming in from the Stirling council area in the east. That part of Mitcham could easily be put into Stirling and there would be no objection from the people or from the Stirling council because the only direct access route for the Mitcham council would be by helicopter. In return for their rates, which are the lowest in the State, especially in the urban area, Mitcham council ratepayers enjoy good services, including libraries, playing fields, footpaths and cycle tracks. Recently, the National Trust bakery on Winns Road has been acquired and the Mitcham council has worked hard to improve its Hills section in recent years more than it has done in past years. I give it credit for that and I know that most of the residents of the Mitcham Hills, which is called Blackwood and districts, want to see it remain as is.

I respect the views of those thousands who, having signed the petition, are disappointed, and I also respect the views of those who fought for this cause, but I believe that the situation was not explained sufficiently and that much of the material put out initially as to the cost of such a move and the idea of having all rental accommodation, no equipment, and a cheaper council was misleading. Indeed, never will there be a group of men and women elected to a council or any other body with the power of acquisition and letting contracts that does not set out to get its own offices, council buildings, facilities, plant and equipment given time.

I wish to refer to one other point. New section 188, which deals with the procedure where a council cannot sell land, provides that, regarding land which is the subject of a debt in respect of council rates that have not been paid and concerning which there has been no response for the moneys to be paid, an application may be made for that land to be given to the Crown or the local council, whereupon any debt payable to the council or any outstanding liability to the council or order against the land is discharged.

I accept that. That is a good proposition, except that I think we should have had a proviso that said that if, down the track, someone comes along and says, 'That was my land: I'd like to buy it back because I was smashed up in an accident in Queensland and was in a hospital for rehabilitation for several years and didn't know about the actions,'

or says, 'My memory is gone,' or 'My mother and father were killed in an accident and I was only a kid of 12—we were in another State and nobody could track us down,' there should be a safety valve to let that person back in.

Under the Animal and Plant Control Act I am told that if I set out to clean up noxious weeds and destroy native plants unnecessarily on my own land I am liable, yet the council can issue me with a notice to clear all the undergrowth from my property for the purpose of avoiding bushfires or else I am up for a $5 000 fine. It is better for me to breach the Animal and Plant Control Act under which I would only incur a $2 000 fine. Those are the sorts of ambiguous laws we have put through this Parliament in recent times, so I just advise members in future to breach the hills face zone legislation if they live in that area because that means a fine of only a couple of hundred dollars, but if they live anywhere else they should make sure that they breach the Animal and Plant Control Act because the maximum fine is $2 000, which is a lot better than $5 000. I hope that one day we wake up and look at the sort of penalty we apply in each case.

Mr DUIGAN (Adelaide): I applaud this Bill while acknowledging that the Minister's second reading speech indicates that a number of amendments will be moved during the Committee stage of the Bill which will attempt to ensure that the Bill that leaves this place more accurately reflects the Bill that the Government originally introduced into the Legislative Council. The Bill currently before us, notwithstanding those amendments, provides local government with very exciting possibilities. The changes include empowering councils to obtain any kind of loan or financial accommodation they think suitable; providing councils with a general power to expend their revenue as they think fit; deregulating the organisation of councils' banking and the management of councils' cash flow; and providing councils with a general power to impose fees and charges for the use of those council facilities and for those services that are supplied by council for which they believe it is appropriate for them to charge.

Proposed section 196, with which I will deal in more detail in a moment, empowers each council, whether alone or in cooperation with other councils, to undertake any activity (including commercial activity) designed to develop and improve its area; to provide specific services and facilities to its ratepayers and residents; to assist community groups and individuals; to improve amenity; to encourage industry; or to benefit, improve or develop the area over which it has control in some way. The possibilities presented by this Bill are, I think, limited only by the imagination and the initiative of individual council authorities.

Before looking at some of the possibilities presented to councils by this Bill, in passing I refer to some of the matters which were raised by the member for Light. Flexibility is, indeed, the underlying principle in this Bill regarding the way in which councils deal with their own finances, their constituents and ratepayers, and the Minister of the time. It seems important to me, though, that in ensuring that there is flexibility in the way in which councils deal with those three parts of their environment, there must also be some consistency.

I find myself unable to agree with the member for Light that councils should have the continuing flexibility to be able to move backwards and forwards from one rating system to another, based on different types of valuation, and to be able to move from a quarterly payment of rates to an annual payment of rates then at some future time be able to move back again. Councils have all had an extensive period of operating with the present system, both the valuation system and the system of the payment of rates. They are familiar with their local environment. They know the benefits that may accrue to them and to their constituents.

It seems to me that, having made a further analysis of their circumstances, they could decide whether or not it is in their interests and in the interests of their community to move to a different form of rating valuation or rate payment but, having made that decision, their experience should be sufficient for them to make a reasonable decision in the first place and be able to stay with it. Undoubtedly, there will be some changes in the way in which councils may administer, for example, the quarterly payment of rates but, once it has become an established part of a relationship between the ratepayer and the council, it should not be altered. There must be some consistency.

Regarding the minimum rate, I am aware of the extensive debate that has gone on within local government and between local government and the State Government. I am also aware of the efforts that have been undertaken by the Government and the Department of Local Government in attempting to obtain an independent assessment of the efficacy of the existing way in which a minimum rate was being levied, whether it was fair and equitable and what other options existed for local government to enable it to raise the revenue which is, undoubtedly, necessary to provide the services required in the community.

My starting point in this debate is to ensure that there is as little disruption to the *ad valorem* system of rating as possible. What we have seen over a period of time is, in fact, what has been described by the authors of the report carried out by the Centre for South Australian Economic Studies as a distortion in the use or application of the minimum rate so that it tended to be levied at the highest level possible rather than, as was originally intended when the concept was introduced, being a basic minimum charge that would apply to all assessments to ensure that a small basic minimum contribution was made by all ratepayers, all property owners, all valuations, to offset the cost of providing council services.

Local government has as its principal source of revenue a property tax. If it has that property tax, it seems to me, that tax ought to apply directly to the value of those properties so that the lowest valued properties incur the least amount of tax and the highest valued properties incur the highest proportion of tax. To distort that seems to move away from the notion of having a revenue base that is directly related to the value of property in the—

An honourable member interjecting:

Mr DUIGAN: You will have your chance in a minute, smarty. The issue seems to me to be ensuring that there is fairness in the system, and that is the basis on which the amendments have been moved. I turn now to the extremely positive clauses of the Bill. Before looking at individual possibilities, it is important to make a number of points about what is behind the Government's motivation in this Bill. This is a loosening of the constitutional ties between State and local government. It is also a loosening of the financial and administrative shackles that have been used by the State Government to control the way in which local government has gone about its business in the past. It provides local councils with the opportunity to take up their role as local developers and as initiators of local projects that will be of benefit to their area. In a sense, it provides greater autonomy in financial matters, enabling councils to move away from their limited revenue base, if they so wish, and to take up the possibility of becoming involved in projects that might provide an alternative source of revenue.

Through section 96, councils are provided with the possibility of undertaking any programs they wish without necessarily having to submit those projects to the Minister for approval. The Bill specifically provides that councils may undertake activities for the purpose of raising revenue. Present powers to engage in this type of activity are limited to specific sections allowing councils, for example, to build car parks and other facilities that are seen as specifically public activities rather than those in the private domain. At the moment, local government can carry out some specific public activities such as the construction of dams or water storage facilities on private land, but that is about as far as it goes.

The Bill removes this historical distinction between the public and private functions of councils and opens up a whole new range of activities, from making the best use of equipment and expertise by providing services to individuals on their own property to devising and running a profit-making venture on council or other land. The revenue that can be gained by a council from engaging in some of these activities can be diverted to other activities for which the council has a responsibility.

Some of the opportunities that one can think of in this arena include urban development. An area may be ripe for redevelopment, having land that can be aggregated or consolidated. By bringing together parcels of land and putting on that land a different form of development, whether it be more intense housing to accommodate a particular group of people—for example, single or aged people—or even the development of a small cottage style nursing home, these possibilities are now open to the council on its own, by purchasing the land and aggregating it itself, or in association with another group. In being able to carry out this activity, councils will not be constrained by the existing administrative arrangements.

The section 666 provisions of the Act are removed and replaced in new section 199 by a series of controlling authority arrangements, which will allow councils to determine what is the most appropriate administrative and financial arrangement they wish to use to pursue a social, economic or community objective. Some of the possibilities that occur to me in my own electorate include the Nailsworth Community Centre. It will be developed by the Prospect City Council on land that is owned by the Education Department. It will have a community management committee and, with funds from the Federal Government, will provide a range of halls, meeting rooms and other centres for functions ranging from art shows to seminars. The facilities will be leased out to a variety of people from the local Prospect/Nailsworth/Broadview communities. The only option that presently exists is for the council to make it a project of its own.

New section 199 provides for a specific controlling authority to be established which might call itself, for example, the Nailsworth Community Centre Management Committee, which would be responsible for its own management and, to a large extent, its own finance, depending on the degree of autonomy that the local authority wishes to give it. It would not be necessary, for example, for the council to have staff members on the new controlling authority. It may wish to ensure that there is adequate representation from the local community, the Federal Government and the Education Department through the Nailsworth school as they are the principal participants in the program.

Similarly, the Walkerville council may wish to use this section to establish this type of operation in respect of a new child-care centre into which it has recently invested quite a deal of money. It would ensure that the council and community objectives were met, and that there was continuing accountability to the council. For some time the Adelaide City Council, by specific approval in the Act which this Bill repeals, has had authority to undertake commercial activities with respect to car parking.

I have given four examples of activities that councils in the metropolitan area can undertake which will be enhanced by this Bill: a community centre, a child-care centre, car parking (a provision which has been in use for some time), and urban consolidation or aggregation. Not only will they be able to undertake the new administrative arrangements and a council will be able to determine its financial relationship with the particular controlling authority: it will also be possible for the council, either on its own or through the controlling authority, to work out how much money it wishes to borrow and how it wishes to establish its loans. The limitations on the loans and borrowings are also lifted by this Bill. The council does not have to refer to the Minister to work out the most appropriate form of financing for any of its activities. It can take up a credit foncier loan or an interest-only loan; it can take out bills of sale or enter into a mortgage. There is no limitation set down on the way in which councils can raise the revenue for these types of activities.

It is extremely important that institutions have the opportunity to negotiate with the variety of financial institutions and fund-raising possibilities that exist in a deregulated financial climate rather than be constrained by what the Bill does or does not say or by the necessity to seek, at all times, the approval of the Minister. That is probably one of the most important features of this Bill: the removal of the requirement to seek ministerial approval at all times for initiatives that local councils wish to take. They are the authorities who best know what is in the interests of their community, the best way to manage them and the best way to take advantage of the opportunties in their area.

In conclusion, I put on the record my support for the Bill and for the way in which the managers of the local government system at both elected and officer level are now being given the opportunity to respond to community needs without the constitutional and legislative shackles that have previously prevented them from undertaking a whole variety of activities. I have much pleasure in supporting the Bill.

Mr M.J. EVANS (Elizabeth): This Bill represents a significant part of the reform of the legislation which regulates local government in this State, and as such it has my support in principle. The Bill rewrites the many archaic and outdated provisions relating to finance, and the Government is to be congratulated on the manner in which the proceedings of councils have been simplified. However, many of the details of the Government's proposals need careful examination and possible amendment.

The fundamental and underlying rationale of the Bill contained in the Minister's second reading speech was that local government is now worthy of greater autonomy and that the State Parliament needs to increase the level of delegated authority and retain for the State the power to ensure that appropriate standards are maintained at the local level.

It is implicit in the concept that the council is accountable to the local electors at the periodic elections. This is a commendable theory, and I regret that it has been only partially implemented in the Bill and that some aspects of this policy have not been implemented at all. In particular, although the Government has given many new powers to local government and has broadened the scope of many

existing provisions, it has sought to retain detailed control of the actions of councils on an individual basis and often on a project by project basis. This is quite contrary to the principles expressed in part in the Minister's speech and in my view will result in the Minister herself having cause to regret the requirements for ministerial approval of significant projects when the inevitable occurs and a project fails to live up to community expectations.

Naturally, my comments are directed at the Bill in the form in which it has reached this place, and I understand that the Minister proposes to amend it to restore some of the provisions which the other place saw fit to alter or remove. For example, to enter into a long-term investment which is not a trustee investment, a council must not only obtain the advice of a registered financial adviser but must also obtain the approval of the Minister for the specific investment. The Minister is not laying down guidelines by way of regulations and then requiring councils to be accountable for their subsequent performance as investors but, rather, the Minister requires specific approval on a council by council and investment by investment basis.

Given the subsequent power of ministerial delegation, councils may well find that they are required to obtain approval from a middle level officer of the Minister's department who may well have the same or lesser qualifications in this area of professional expertise than either the council's own accounting staff or the independent expert they engage pursuant to the Act. However, apart from this fundamental departure from the basic principle of delegation, accountability and control, the further problem arises as to whom this Parliament holds accountable for a bad investment decision on the part of a council taken upon the mandatory advice of an independent expert and then approved by the Minister on a case by case basis.

Is the council to blame? Hardly! Is the independent expert to blame? Certainly, but he is not elected. Is the Minister to blame? In my view, yes, since it was the Minister who took the final decision on a fully informed basis and this scenario is repeated throughout the Bill. For example, proposed section 197 requires a council to submit any major project involving over 20 per cent of its total revenue for the preceding year to the Minister for approval. This is not simply a monitoring provision but a requirement for a full and detailed analysis of the project, and the resulting decision of the Minister will be on the basis of all of the information which was available to the council when it made the decision.

Accordingly, the question of accountability is again blurred by the need for informed consent by the Minister for significant projects, and it will be argued in the future when such a project fails, as one must surely do, that it is the Minister who should be held accountable and not the elected council. The end result can only be that, on the serious decisions, the councils will become less and less responsible, and therefore less accountable, for their own actions and the Minister will become more and more responsible and therefore accountable. A need exists for the Minister to set standards and to monitor performance against those standards. Such an arrangement would leave the locally elected councillors fully accountable to the local electorate for their actions and it would have my full support.

Underlying this Bill is the right philosophy but the implementation of that philosophy is flawed in that the Minister is proposing project by project and investment by investment control as a substitute for the accepted ministerial responsibility at a State level for the proper performance by local government of its statutory duties and functions. I recognise that the Government has acted to expend the range of activities available to councils and to give them greater freedom in some areas of their functions but it has taken away the previous controls which the electorate were able to exercise and substituted ministerial veto on a case by case basis.

It is the Minister's responsibility to lay down effective performance criteria for councils and then to monitor the performance of all councils against the criteria. The Minister would then properly be able to act where a council stepped outside those bounds. Yet, for all the professed concern, the Minister does not propose to monitor the way in which councils exercise their responsibilities in a meaningful way. There is no talk of an adjusted rate table which would allow electors to compare the rates in their area with those in adjoining areas: no attempt to publish statistics on the per capita long-term debt, the administration costs on a per capita basis, the sealed road or footpath distance per residential assessment, the number of books borrowed per registered borrower or on a per capita basis, or the expenditure on human services. Those would be genuine monitoring supply criteria. Nor is there any decision to allow electors to obtain documents from councils on a basis similar to that required of the Commonwealth Government.

In addition, while electors' polls have never been popular with some councils, they were a very effective brake on any potentially irresponsible councils or administrators, and the substitution of ministerial veto powers is not really a proper alternative. If we are really concerned about local autonomy, we should be refining the local elector poll provisions and including provisions for local initiatives to ensure that it is the electors who exercise the right of veto and not the Minister. Electors and those who object to a particular decision will now have to take the fight to the Minister and may well seek to bypass their locally elected council knowing that any really significant decision relating to an investment or a capital works project must be approved by the Minister in the final analysis. In this context, I am also concerned about the tendency in the Bill to allow for ministerial approval for a council to undertake some activity which would normally be beyond their power on a case by case basis.

While I accept that the purpose of these provisions is to allow individual councils to undertake novel and innovative projects or activities, it detracts from the proper role of the Minister, which is to lay down guidelines for councils generally. Such guidelines might well relate to a class of councils which are judged to be more able than others to embark on a particular type of new undertaking. For example, it might be reasonable for those councils, with an annual rate revenue exceeding a certain level, to be given authority to engage in projects which are not appropriate for councils without such solid financial support. However, I believe we should be very reticent as a Parliament to give approval to provisions which will allow the Minister to grant some powers to one council but not another where both councils have the same level of financial backing and professional expertise.

This is just as relevant to administrative provisions such as the power of the Minister to approve on a council by council basis some other form of differential rating which is not otherwise lawful as it is to the ministerial power to allow particular councils to undertake functions which are not available to all councils of that class. In many cases, it would be more appropriate for the State Parliament to retain its responsibility for the oversight of local government by requiring some matters to be determined by a local by-law which would then be subject to judicial review, parliamentary veto and public debate. For example, why does the

Governor need to determine the name of a council, the number of members, the status of its elected head, the ward boundaries and such other fundamental matters relating to the constitution of each council? Such matters could just as well be the subject of a local by-law which would ensure local accountability and responsibility for the decisions while allowing the Parliament to veto any inappropriate use of the power by some less than responsible council.

This concept could easily be extended to the manner of collecting rates, the basis of differential rating, the criteria for the investment of surplus funds, the inspection of council records and the rate of interest payable to council on outstanding payments, to suggest but a few relevant areas. Such a scheme would better meet the need for ministerial and parliamentary oversight without derogating from the vital principles of local control and accountability.

This proposal represents such a significant break from tradition that I do not believe this is the appropriate occasion on which to canvass specific amendments, but I believe that, at some point in the near future, the Parliament will need to consider this as an option for the next phase of the revision of the Act as a whole. Many of the more detailed issues which I wish to canvass can best be dealt with at the Committee stage of the debate and it is not my intention to discuss the amendments which I have on file. However, I must deal with the matter of the minimum rate.

This has been the most controversial aspect of this Bill and much has been said, both in this place and in councils around the State, about the need for some form of minimum rate to be retained. I strongly support the concept of a minimum rate even though I readily acknowledge that this detracts from the pure *ad valorem* basis of rating which has now found such sudden favour with the Government. While it is certainly true that a minimum rate makes the rate a regressive tax, this matter cannot be considered in isolation. The minimum rate has evolved in a specific climate, and some councils have greater need of the provisions than others. For example, those areas which were primarily developed by the Housing Trust, such as Elizabeth, Munno Para and some other areas with significant numbers of trust properties, such as Whyalla or Port Adelaide, have specific reasons for imposing high minimum rates which may not be relevant in other areas. Some district councils have a number of vacant blocks and the minimum rate has been an historic means of forcing absentee landowners to make a fair contribution to the development of the area.

With respect to my own area, Elizabeth has traditionally had a high minimum rate, but this must be seen in the context of the distorted rate base which has been brought about by the very high proportion of houses in the area which were built by the Housing Trust. While the trust certainly fulfilled its charter to make housing available to all sections of the community, it did not exercise much imagination in the way it developed its housing estates. Things have improved since the mid 1950s and the trust now seeks to diversify its estates, but this was not the case when Elizabeth was built and many thousands of houses are of almost equal capital value. Many are of almost identical design and there are over 3 000 double units in the Elizabeth council area, all of which have an almost identical rateable value. The same is true of the overwhelming majority of trust houses sold to private buyers and the single units which are still rented to trust tenants.

This creates a situation where councils such as Elizabeth are unable to benefit from the statistical distribution of valuations which would normally spread the burden to those who could afford it most. There are several plateaus in the valuation and a small tail to the distribution curve which contains the relatively small number of houses at the extreme end of the valuation distribution curve. While Elizabeth is very proud of the services which it offers to its residents, it is essential that a greater range of services are available in a community where many residents need just a little extra assistance from the community to provide their family with the facilities and services which other cities may not provide, since their residents are fortunate enough to be able to purchase for themselves.

I would be confident in stating that the northern region, and in particular the Elizabeth council, has an excellent record in providing a wide range of community services at a very high standard which are the envy of many other council areas. However, the cost of these services is high and they must be financed from the rates since a total reliance on the user pays philosophy is not practicable in this context. I emphasise that these services and facilities are not just available to ratepayers but to all residents, without exception. Indeed, almost the only service that is available only to ratepayers is the dubious privilege of queuing to pay your rates each year. Everything else is open to all, ratepayers and tenants alike.

Accordingly, there is no basis for any suggestion that tenants (through the rate component of their rent to the Housing Trust) are subsidising owner-occupier ratepayers. However, without the minimum rate, there is no doubt that the owner-occupier ratepayers would be subsidising the Housing Trust, since the very low capital value of double units as against the average value of the single unit homes would ensure that a significant disparity existed between the rates payable by the trust and that payable by the average home owner.

This is not a case of the wealthy home owner being made to pay according to his means. The income of the average home owner in Elizabeth and the other Housing Trust areas which we are talking about in this context is not high by any means. Most of the residents in the trust rental houses would have similar incomes to many of those in the purchased trust homes. Indeed, many of the purchased homes were bought in the 1950s and 60s and are now occupied by pensioners whose means are strictly limited by the generosity (although many pensioners have another word for it) of the Commonwealth Government. While the State was once generous with the $150 rebate for council rates, this has long ago ceased to have its original significance and, while any assistance is welcome, most pensioners who own their own home are certainly feeling the financial pressure.

Unfortunately, they are the ones who will be hit hardest by any increase in the general rate which must inevitably follow the abolition of the minimum rate as originally proposed by the Government and which, I understand, is still the Minister's objective. In Elizabeth, in order to ensure that the abolition of the minimum rate is revenue neutral so far as the council is concerned, the general rate would have to rise by about $50 per household in addition to any increase caused by inflation. This will have a significant effect on the annual budgets of ordinary working people who have struggled to buy their own home, but it will have a massive effect on the pensioners who have managed to stay in their own home and it is this group who will pay most dearly for the Government's wish to abolish the power of councils to impose a minimum rate.

I also remind the House that it is this group of home owners who save the Government, and therefore the taxpayers, significant amounts of money each year by not becoming a burden on the public housing system. Their low income would entitle them to receive subsidised rents and they would no longer have to pay council rates, water rates

or even excess water rates. They could simply move into the public sector and sell their own homes but, by remaining in their own homes, they save the Government money and yet they are rewarded by the Government with this proposed impost by way of increased rates and a concessional rebate which has remained static for years.

The same is also true of the average working person in my area who has purchased their own Housing Trust home rather than rent it from the trust, thereby saving the taxpayers money even though they may at times be unemployed and at no time are they able to be considered wealthy; but, again, the Government would have them pay this significant increase in rates which the abolition of the minimum rate would bring about. Hardly fair; hardly equitable!

So, who will benefit from this rate revolution proposed by the Government? Clearly, the largest single beneficiary will be the Housing Trust itself which brought about the problem in the first place. If the trust is relieved of part of its annual recurrent expenditure, will this mean reduced rents? I suspect not. Rather, it will simply reduce the deficit and thereby reduce the demand on the State Treasury. While this is a reasonable objective in isolation, the State deficit is funded not by trust tenants (who could ill afford it anyway), but by the general taxpayers of South Australia who are, on the whole, significantly more able to afford this cost than are the ratepayers of Housing Trust areas. In effect, the Government is proposing to tax the working class and the pensioner home owners and to reduce the impost on the wealthy home owners of Burnside and Walkerville.

We have seen just this last weekend the effect that this kind of policy will have in electoral terms for the Labor Party and I only hope that it understands the consequences of its actions in time. There has been little, if any, request by ratepayers in the high minimum rate areas for the abolition of the minimum rate and, while I readily agree that there are some anomalies which should be addressed (and I refer to the pensioner villa flats owned by the trust and some charitable groups), these could easily have been addressed by individual councils if the Government had sought to work with councils rather than against them on this matter.

In summary, Mr Speaker, the Bill is a significant step forward and, although I have spent much of my allotted time speaking about what I object to in the Bill rather than what I support, this is simply a product of the parliamentary debating system and a reflection of how seriously I view the matters I have raised, particularly the proposed abolition of the minimum rate. In offering my support for the second reading, I urge the Government to reconsider its intention to amend the Bill to abolish the minimum rate and to review the role which the Minister and this Parliament should have in the oversight of local government in this State.

Mr S.J. BAKER (Mitcham): I wish to address this Bill briefly. The information that I wish to convey was contained very concisely in the contribution made by the member for Elizabeth. He made a superb contribution to the debate. Also, my colleague the member for Light gave a background of local government matters and its dealings with the State Government and he also referred to some of the sorry sagas associated with the introduction of this Bill. It is worth repeating that State Governments have a great deal of responsibility concerning local government. As far as I am concerned we are involved in a partnership, each providing essential services.

It is the responsibility of the State Government not to impose its will on local government but to ensure that local government runs smoothly and effectively within very general broad guidelines. There has been a distinct breach of faith in the way that this Bill was brought before Parliament. On certain major issues the Minister consulted only very briefly and then determined to go on her own sweet way. Whether in relation to matters of minimum rates or differential rates, financial accountability or ministerial interference in the local government system, the State Government must be condemned for the way in which it has approached this Bill. It had the unique opportunity to achieve a new partnership between State and local government.

The DEPUTY SPEAKER: Order! Will honourable members not taking part in the debate please take their seats. The honourable member for Mitcham.

Mr S.J. BAKER: Unlike the member for Adelaide, who talked about the marvellous opportunities and spoke in general term for the whole of his contribution, I say that the Bill as introduced in the other place diminished those opportunities; it took away from the rights of local government and its discretion and, indeed, put the heavy fist of the State Government and the Minister on top of local government. The Bill as it has come to the Lower House now contains many amendments that were moved by the Liberal Opposition and the Australian Democrats in the other place. As such, I believe that it really does reflect the views of local government in this State. It is now up to Parliament to endorse those views and to allow the passage of this legislation without further amendment. We do not want to see the Minister, in a fit of pique, saying that the Government will revert to its original position.

In certain areas there is no doubt that the differential—the minimum—rate is very important, and it really allows for the flexibility that we should all be seeking within the various financial systems. Indeed, I believe that the State Government could learn a lot from local government in the way that it operates its finances. The position was clearly spelt out by the member for Light, and I do not intend to go over those issues because they will be more than adequately canvassed during the Committee stage.

I want to make one or two references to the Mitcham council, which operates its finances quite superbly. It is one of the lowest rating councils in the metropolitan area and it is a council with little or no debt, unlike a large number of other councils. When it enters into, say, flood mitigation work with other councils it has concerns that the Minister may determine that the Mitcham council will be required to pay enormous sums of money towards work involved in a joint venture without the council having a proper say. That matter has been canvassed by the member for Davenport. He also canvassed the issue of annexing a certain portion of the Mitcham local government area. I believe that the way in which the Minister has acted in this regard is quite scurrilous, because she has played to a particular element within the Hills community without due regard for the underlying demands. I know that those areas are receiving attention, and I am hopeful that there will be a greater coming together of people residing in the Hills and on the plains. I should mention that a differential rate operates as between the Hills and the plains because of the higher cost of servicing, and so on—and so it should.

Finally, I wish to say that the Minister of Local Government has insulted councils in this State in the way that she has conducted herself in relation to the Bill. She simply has not listened to the concerns expressed. She has gone on her own sweet way, determined to introduce measures which will confine local government and reduce it to second-rate status. It is now up to this House and in particular the Minister handling this Bill to restore some of that faith in

local government and to allow the passage of the legislation as it has come from the other place.

Mr MEIER (Goyder): I am pleased to have the opportunity to speak in this debate. As the shadow Minister of Local Government (Hon. Bruce Eastick) has said, certainly this Bill has been a long time in coming. We were told back in 1984, nearly four years ago, that the Bill was just about with us. One would have thought that appropriate consultation would have been undertaken even before anything was formulated at the discussion stage. I say that because one remembers the Government saying in its pre-election speech back in 1982 that when it came to power full consultation would be undertaken with all bodies in regard to legislation generally. Of course, we have seen that rule broken time after time and, obviously, this Bill is another example of that. Those of us who have gone to Local Government Association meetings and who have consulted with our own local government bodies realise that local government was not at all happy with various aspects of the original draft.

The matter of minimum rates, to which various speakers have referred, was a key issue. Despite the promise of consultation—which did not occur with many areas in this Bill—minimum rates were to be abolished, and the Minister stuck to her guns month after month. I am pleased that the Minister has now seen the light of day. It is a pity that consultation was not undertaken in the first place whereby the tempers of many people could have been kept in check and less anger generated.

There are 10 councils within my electorate, and whilst I did not approach them specifically for any comments some five of them wrote to me regarding concerns with the original Bill proposed, namely, the District Councils of Warooka, Minlaton, Central Yorke Peninsula, Yorketown and Munno Para. Additionally, I had some correspondence with other councils outside my area, and I also had correspondence from the Yorke Peninsula Local Government Association, which represents seven councils in my electorate, all on Yorke Peninsula. In summing up the feelings of councils on the minimum rates matter, it was very strongly opposed. In fact, the District Council of Minlaton stated:

> Council would have to increase its rates by 20 per cent to make up the income received for increases to minimum rate charges, without taking inflation rises into account.

I think this indicates very clearly why a minimum rate needs to be retained. Why should the general populace—particularly those people in rural areas—be penalised by rate increases of up to 20 per cent, when the current system is not to any great extent penalising people, so far as I have seen within the electorate of Goyder and probably in country areas generally? It has been pointed out that some metropolitan councils have abused the system and, although I still remain to be convinced of that, I believe that, if it was so abused, it was abused only by only one or two councils of the 120-odd councils throughout the State.

I was happy to read in the Minister's second reading explanation that the Government considered that the balance with respect to Parliament's responsibility for the system of local government should be based on certain criteria, the first of which was that local government in South Australia was sufficiently developed and responsible to warrant broader powers and greater flexibility to respond to local needs and circumstances, subject to the duty of Parliament to ensure that appropriate standards were maintained. I believe that local government certainly needs greater flexibility, yet the Minister in his second reading explanation virtually said the opposite:

> The Bill as introduced in the Upper House provided that those councils currently using alternative methods of annual and site (land) value could continue to do so; however, having adopted capital values a council could not revert to other valuation methods.

Despite that statement, the same Minister later in his second reading explanation said, as he had said earlier, that local government should have greater flexibility to respond to local needs. That is hypocritical without question and I am surprised that the Minister has allowed himself to be drawn into this; obviously he must have been unaware of some of the things that he was saying.

Councils are understandably perturbed about this matter. On the one hand they are told that they are being given greater flexibility yet, on the other hand, they are told that, if they start using a certain valuation system, they will be stuck with it forever. That is a matter of great concern. I was happy to hear the Minister say that concessions to private schools and show societies would continue to be guaranteed by legislation. Then, he said:

> However, instead of being granted by way of reduced property valuations, they will appear in the more appropriate form of rate rebates.

I certainly hope that this will not be a sleight of hand trick and that these private schools and show societies will receive the same rebates as they have been used to, because I do not trust the Government in any area of taxation and I should not be surprised if it used this provision to get a little money from those concerns. Can the Minister say whether the rating for hospitals, especially country hospitals, will be affected by this Bill, because I cannot see any specific mention of this matter? I have taken up a case for a hospital as to whether the council or the local hospital shall pay the rates. If I remember correctly, the Minister said that this matter would be corrected in a local government Bill to be introduced.

I am well aware that in this Bill we are dealing with aspects of finance. The member for Light, who is the shadow Minister for Local Governemnt, dealt with this matter very well and I do not intend to repeat all that he said. However, I remind the Minister that local government generally is in a precarious situation in respect of funding generally, certainly in respect of funding for roads. I also remind members of an article in the *Advertiser* of 1 February 1988, headed 'Government's road funding embarrassing.'

It was from the Lower Eyre Peninsula District Council and the District Clerk (Mr Steve McCracken) was quoted as follows:

> . . . the council's expenditure on local roads had risen 281 per cent in ten years to $666 940 in 1987-88 due to higher fuel costs, repairs and wages along with increased road making. The corresponding grants rise for the same period was 35 per cent.

That 35 per cent to which he refers is, according to him, the State Government's grants which, of course, we know come from the Commonwealth Government initially. Just consider it: in 10 years, a 281 per cent increase in expenditure by local government and only a 35 per cent increase from State funds. No wonder our roads in country areas are packing up and becoming a disgrace to this State. I want to inform this House that I have taken up this issue with all 10 of my councils, asking them to report back to ascertain what their funding has been over the past 10 years, where possible, and what the State Government's contribution has been.

Certainly, the State Government's revenue raising was due for reconsideration, but let us not forget that to hand full responsibility to them will not be the answer to any of the problems. The State Government has to address the problem and, in turn, the Federal Government must do so. I am pleased to see this Bill come before us, and I know

that other matters will be discussed and questioned further during the Committee stage.

Mr PETERSON (Semaphore): In the few minutes available to me I would like to cover one aspect of this legislation which, overall, I think is quite good. One aspect concerns me greatly, and that is the total abolition of the minimum rate capacity for councils. I know that the Local Government Association does not support total abolition, and I will express some of my fears and concerns in the few moments I have. In his speech a moment ago the member for Adelaide spoke about the flexibility of councils. Of course, we cannot forget that these people are elected to local councils, that it is their right to make decisions affecting the city they represent, but we will take away that flexibility by the abolition of the minimum rate capacity. In this House we always talk about the rights, powers and ability of local government bodies. Now we are about to dictate to them and take away one of their basic rights to raise funds to run the city they represent.

It seems to me that the average battler in a council area, especially in an area like Port Adelaide, will pay considerably more in rates if we abolish the minimum rate. A rough calculation I have done takes it up to somewhere between $60 and $100 a year extra for the average battler. This is the fellow with a couple of kids and a wife, who is trying to pay off his house, buy a car, educate his kids, and now we will hit him with $60 to $100 more a year. Let us not forget the effect that these additional charges have had on electoral results in this country recently; there have been additional charges all the time upon the average man, and this will do it again. He will pay more.

The subsidies that have been paid previously to Housing Trust tenants and the pensioner subsidies have not related directly to a council area: they have come out of the general purse. Districts such as Port Adelaide, with a very large percentage of Housing Trust houses, will be affected, and a majority of average battling residents and ratepayers will be penalised. I have a feeling that if we go for a fee for service the concessions that are now in place for certain groups of people will be abolished, because it will be argued that there is a fee for the services provided and no concession is payable. I would like to put that on record, because I think in time that will happen; everyone will shake their head but it will happen.

There is no doubt that there will be a huge saving for the Government which will be subsidised, as I say, by the average home owning person—the average family man. The subsidy that the average man will have to support through reduced rates in other areas will mean a great saving to Government, especially in the Housing Trust area, but there will be no reduction in rents. There will be no concession in that way. It seems to me to be a money raising aspect. I have some questions for the Committee stage about the effect, and I hope that the Minister can tell me the effect in dollars upon the average man in an area such as mine.

The Hon. G.F. Keneally interjecting:

Mr PETERSON: The average man or woman—the average person, the average ratepayer in an area such as mine. I will be asking him. I warn him that I want him to tell me how much it will cost that average ratepayer. I would certainly support a system which gave a council an option. The council has to face the people every year or two to be re-elected. If it charges rates which are outside the understanding of the ratepayer, people will show their displeasure—as they have in ballot boxes around the country recently—at increased charges. That is the council's responsibility: members are elected to a council to represent the ratepayer, to do the right thing by the ratepayer, but we are taking away that right.

We are dictating to them and saying, 'You can't have that right. You will now do as we tell you,' and that is not correct. I would support an optional rating system where the council had the choice. We are taking that away, and I will be voting against that unless there is some modification of that stance.

The Hon. G.F. KENEALLY (Minister of Transport): I want to thank all members who have participated in this debate and seek leave to continue my remarks later.

Leave granted; debate adjourned.

ROAD TRAFFIC ACT (1988)

Returned from the Legislative Council without amendment.

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

That the sittings of the House be extended beyond 6 p.m.

Motion carried.

ADJOURNMENT

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

That the House do now adjourn.

The Hon. TED CHAPMAN (Alexandra): I had intended earlier this evening to participate in the debate on local government which has been concluded temporarily by the Minister, but I heard in the corridors that the House is not sitting this evening and that we are to get the adjournment debate out of the road smartly. Furthermore, it is unfortunate that the other subject I was proposing to raise tonight has been thrown a bit out of gear, because the party I am having in for dinner has not yet arrived. It was for their benefit.

On two fronts I have been cut off at the knees, but I have a third subject that is almost an evergreen: the *Island Seaway*. It is back in trouble again. A week ago today it went off the island run, the idea being to weld some fins at the stern of the vessel. I gather from my contacts at the port that a few cracks had developed around the fins and that water was leaking into the aft region of the ship, giving it a bit of a list, a list that has been referred to several times in recent weeks in this place. However, genuine efforts were being planned for the welding up of these cracks, the emptying out of the water that had been taken on board and a few other refitting jobs during a week off the run.

Unfortunately, today I learnt that a few more cracks have developed in the meantime. Indeed, many more cracks than were originally expected have bobbed up and require attention. The experts have been engaged for a further day or two—tomorrow and the next day—to carry out this work, so that the delay is starting to cause a few problems at the island end of the run.

I am assured by the agents for the vessel that there is sufficient fuel on Kangaroo Island to last until the fuel run on Tuesday of next week. As of today, I am advised that there is a shortage of fresh fruit and vegetables on the island, all of which are imported from the mainland nowadays and transported to the island by the Port Adelaide ferry system. I raised this matter with the Minister. I am not sure whether

it was facetiously or seriously, but he indicated to me that, if a real problem arose out of this delay in the ship's going back on the run, the Government would fly fresh fruit and vegetables to the island. If the Minister is fair dinkum, that is a very generous offer; on most things he has been fair dinkum in relation to our community. I cannot catch his attention for the moment because the member for Briggs is taking the full attention of the Minister in charge of the House. If the member for Briggs would return to his seat so that I can catch the Minister's attention, my remarks might be relevant.

The Hon. G.F. Keneally: I'm listening.

The Hon. TED CHAPMAN: I thank the Minister; he is back with us again. Hopefully his offer will not need to be upheld because, if things go according to today's schedule, the ship will be back on the run on Friday morning. It will be loaded to depart from Port Adelaide at approximately 2 p.m. and, weather permitting and steerage operating within reasonable control of the captain, it should arrive at the Kingscote wharf at about 9 p.m. on Friday. This will mean a fair bit of effort on the part of the local carriers and those delivering the goods but, by Saturday morning, fresh fruit and vegetables should be back on the shelves at most trading centres.

I put those few remarks on the record for no other purpose than to draw to the Government's attention the need to look seriously at the proposal that I put to this Chamber about three weeks ago; that is, to lift the ship out of the water with the new ship lift down at the port, put it on dry land and go over it from stem to stern to have a good hard look at all of these alleged problem spots and either fix them up or list them and announce publicly when those issues are cleaned up. From that point on, members on both sides of the House will be in a position to promote with some pride the vessel that we are stuck with on the sea service run between Kingscote and Port Adelaide.

We have been told that the Golden Copper Corporation of the north, or whatever is its proper title, has not yet paid for the *Troubridge*. It has only paid a deposit. The *Troubridge* is still tied up at Port Adelaide, attracting wharfage fees (or fees in lieu of what would ordinarily be wharfage based on tonnage calculations) and surveillance or security staff expenses to the State. There is no sign on the horizon of its release. I note that the Minister shakes his head to the contrary, and I hope that he is right. I have been told in very recent hours that the pending owners have not sent representatives to the series of meetings set up to resolve this matter. I understand that it has been a bit of an embarrassment to the Government and to those who are genuinely trying to get the matter resolved because of the breakdown in communication or cooperation at that level. In any event, the *Troubridge* is still tied up at Port Adelaide. It is an eyesore to the port, an embarrassment to the Government and a concern for us on this side of the House in relation to the amount of money that it is costing the State.

I gather that the crowd who were contracted to purchase the vessel have, in the meantime, bought the *Mary Holyman*, or whatever its name is, formerly on the Tasmanian run, with the intention of using it to transport their exploration employees from northern mainland Australia to offshore exploration sites. Upon purchase of that vessel, that did not occur at all. I am told as of today that that company capitalised on the deal and sold the vessel to the Greeks for a handsome profit. 'Profit' is not a dirty word in my book; good on a company or an individual who can make a profit in today's climate. However, it concerned me to hear that it was the intention of the Golden Copper Corporation, the pending purchaser of the *Troubridge*, to sell it to the Greeks as well and not use it for the purposes that were publicly disclosed at the time of the transaction.

If that is the case and if the sort of profit levels involved in the resale of the *Troubridge* are as forecast, one might clearly ask whether the Government did its homework on the disposal of that vessel in the first instance. I leave that question with the Minister. He may care to take it up with the appropriate departmental officers, and report back to the Parliament at his convenience. The whole saga of the disposal of the *Troubridge* and the building, commissioning and operating of the *Island Seaway* has become an embarrassment to the Government, to the department responsible for its day-to-day activities, to the agents who are responsible for operating within a scheduled program of service, to the Opposition and other members of this House, and to the taxpayers of this State. The proposal to which I referred earlier and which was outlined in a debate in this place about three weeks ago should be picked up and seriously considered by the Government.

Mr ROBERTSON (Bright): I address the issue of frontier violence, as it exists in this country and in other places. In this country we tend to think of frontier violence as the form of violence that was enacted against the Aboriginal people in the early years of European settlement. I have made several speeches in this place on that issue, and I do not want members to think that I am on the same tack again. I want to broaden those first comments and draw conclusions from them.

In a recent article in the *Advertiser*, a review of the book *Australians to 1788*, by a collection of people amongst whom was D.J. Mulvaney from the Australian National University, a substantial reassessment of Aboriginal culture was undertaken. According to the *Advertiser* report the number of Aboriginal people in this country prior to 1788 had been upgraded substantially from the figure with which I grew up of about 200 000 to something like 750 000 indigenous people in this country at the time the Europeans arrived. It was also stated by Professor Mulvaney that something in excess of 600 000 of those Aboriginal people died in the years immediately following European settlement. So, the numbers were obviously severely impacted by European settlement.

It is only now becoming apparent to what extent that impact took place. Indeed, in the Alice Springs area between 1870 and 1900 between 500 and 1 000 Aborigines were killed. In one area of Queensland, according to the report, 200 to 300 were killed in one massacre alone. The overall average is something in the order of 20 to one: for every European killed on the frontier something like 20 Aborigines were killed. In the present-day context that does not stand up particularly well with the Israelis and the Palestinians where I understand the ratio is 105 Palestinians to one Israeli. However, it does us no credit as a nation that such a thing happened in the early years of our settlement. The point is that this has not been restricted to the first 50 years of European settlement at all, because the very substantial massacres which occurred in the latter part of the 19th century and which still reverberate down to the present century occurred more than 50 years after settlement.

The Myall Creek massacre, which occurred in 1838, marked something of a watershed because it was the first occurrence on which the prosecution of whites who undertook the massacre was carried out, and a number of Europeans—I think from memory seven—hanged for that. In the Myall Creek massacre of 1838, 28 Aborigines were killed; they were mostly women and children who were

chopped up with axes and burnt on a log fire. As late as 1927, in the Behm River region of the East Kimberleys, 30 people were killed in a succession of massacres. In 1930 we had the celebrated, or not so celebrated, Coniston massacre in the Northern Territory near Alice Springs, where a Gallipoli veteran who was the local police sergeant spent two weeks tracking down a number of Aboriginal groups, again mostly women and children, and killing them. A total of 31 people were killed over a period of two weeks in a succession of five or six ambushes and attacks. Even people of my grandparents' generation were inclined to joke about the practice of shooting Aborigines, so it goes back to the turn of the century in the part of northern New South Wales from which I come.

Indeed, in South Australia a friend of mine told me of her father's former neighbour, when her father was a child, talking happily about going 'black-birding' on Sundays after church. This took place, I understand, as late as 1916 in the region around Burra. So, we are not exactly lily white in our treatment of Aborigines in this State, even as late as 1916. Charles Perkins, in a television interview some 12 months ago, mentioned the Timber Creek massacre in the 1920s, when a substantial number of Aborigines were killed. Frontier violence is not peculiar to Australia or to our progenitors. It is something that we can see anywhere in the world. It occurs in the present day and is perpetrated, as it was then, by civilised Europeans.

Indeed, a recent television program on the ABC, run on 16 January at 8.30 p.m. and entitled *Lizzie*, detailed the adventures of Lizzie Hessel, a young English girl who went up the Amazon in 1896 in search of husband's plantation. The part was played by Marisa Rocha—an English actress—and was filmed by Maria Aitkin, an English film-maker. It documented some of the trials and tribulations of this young English gentlewoman travelling up the Amazon in the latter part of the 1890s. In the course of that documentary, which combined the flash-back technique of a present-day trip up the Amazon with the trip in the 1890s, it was revealed that oil company executives who work for American and other multi-nationals taking oil out of the upper Amazon basin and who are flown into various places are often troubled by the local Indian tribes, amongst whom are the Hivaros, one of the last tribes to give up the practice of cannibalism. The oil companies' way of handling the Hivaros and others is to lie in wait for them when they come to cross the very large rivers in the Amazon basin—which can only be crossed in a limited number of places—and simply shoot them when they are in the water. That is exactly the kind of thing that happened at the Behm River back in the 1920s. So, it still happens in the present day.

Violence, of course, is not restricted to frontiers, but it tends to be a little more overt and acceptable there. I suggest that it might be worthwhile bringing the allegation in the film *Lizzie* to the attention of such people as the Roman Catholic Commission for Justice and Peace, the International Committee of Jurists as well as various human rights organisations which might indeed have a vested interest in investigating those incidents. Indeed, it might even be brought to the attention of the Committee on Indigenous Peoples at the United Nations. That might be the appropriate body to investigate those allegations.

The point is that they go on. They do not go on only in the Amazon. Violence of another kind is still perpetrated in this country and I refer to the violence that occurs on the present day Australian frontier. We can cast our minds back to last year and the sad case of the Flora Valley station incident where James Annetts and Simon Amos, according to whichever account one believes, were driven to leave the station under rather hasty circumstances and subsequently died in the Great Sandy Desert. A succession of allegations were made at the coroner's inquest about violence perpetrated by the station owner against those young people.

In one case, the station owner, Giles Loder, is alleged to have 'chucked a spanner' at one of the boys, who apparently relayed the story to a friend of his and, at the time, he had tears in his eyes and a red mark on his forehead, so it is a reasonable bet that the incident took place. In fact, Mr Loder, when in the witness box and under examination by the coroner, admitted to giving people a cuff behind the ear and he said that he would use violence against station hands if he believed that it was necessary. That begs the question: what constitutes necessary violence? Other allegations were made by other people on the station who alleged that they had seen Mr Loder kick and punch station hands.

That type of behaviour is not uncommon on cattle stations in this country, or indeed on oil company encampments or anywhere else. I have been subjected to one of those incidents while working for Planet Oil in western New South Wales. It is not uncommon at all. We need to realise that the occurrence persists. We need to ensure that the rule of law extends to all our citizens of all ages, and, preferably, I suppose by extension, to all people in the world. If we delude ourselves about human behaviour and pretend that it does not happen, we will continue to ignore and turn our back on these incidents. In fact, without the operation of the law, frontier violence will persist and many people will be needlessly killed or injured.

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

Mr RANN (Briggs): During the past weeks I have received quite a bit of mail about guns and firearms. Some of that mail represents the legitimate concerns of ordinary people. Some of it is from parents who are concerned about violence in our community and the easy access of young people to guns and ammunition. Some of it is from sporting shooters who seek clarification of the proposed measures. Some of it is from rifle owners who are confused about what is happening interstate and they wonder whether the same controls will apply here. However, some of it is from people who have either been fed nonsense or who want to believe things that are just quite untrue. I have been telephoned in the past few days by several people who told me that the ALP's plan is to disarm Australia so that the Soviets could invade next year after the bicentenary. That is the level of intelligence surrounding debate in our State.

Lately, I have received the same letter from a few dozen people, an identical letter that has been sent to most members of Parliament and it states:

> I am eligible to vote and, as a citizen, wish my protest against any changes to the Firearms Act to be taken seriously. Dr Hopgood has divorced himself completely from safe-guarding our heritage, fought for by many good Australians.

The letter further states:

> Get tough on the criminals and leave us alone to pursue happiness, which is one of the cornerstones of our nation. I broke no laws; why do you persecute me and let killers loose on the community in the name of what you call 'justice'? When are you going to defend 'justice' for me? I am not alone in this sentiment; it is shared by many and unless you as an elected member of Parliament take a strong personal stand, I shall do all I can to vote you out of Parliament.

None of these letters is from the electorate of Briggs, so I invite people to go their hardest. I am very worried and concerned that people in their dozens or hundreds are prepared to put their name to such a childish and silly letter.

There is no issue more serious than trying to stop the senseless gun killings that are becoming a regular but totally

unacceptable part of Australian life. Australians are sickened by news reports about killers who get their kicks from random shootings of innocent strangers. Australians are also sickened when they hear that a killer can go out and buy a high-powered gun as easily as they can buy a beer. Of course, it is not just the carnage: it is the grief and heartache that time cannot heal. Violence and gun violence is a growing fear in the suburbs.

I am delighted that the Deputy Premier and this Government will soon introduce legislation which will address these problems in a tough but workable, responsible and sensible way in an effort to try to turn the tide against gun violence. Obviously, I will not talk about this legislation, because it has not yet come before Parliament, but there will be other opportunities to do so.

I will now comment on the disinformation being pumped out of the offices of members of the Liberal Party. Obviously, the Leader of the Opposition is dancing scared on this issue. On the one hand, he is trying to portray a phony concern about gun violence in the community to try to appeal to mums and dads in the suburbs. He is concerned about violence but, on the other hand, he wants to appeal to the more rampant elements in the gun lobby in rural communities, so he is trying to have it both ways. That can go on for only a short time: the crunch will soon come.

We have heard that the Leader of the Opposition has trumpeted his four point firearms plan. This is the grand plan and the great design for tackling violence in our community. This plan, which is the Leader's latest and most definitive comment on the issue, contributes absolutely nothing towards preventing the misuse of firearms in South Australia. It does not even have the trappings of substance. One of the Leader of the Opposition's four points includes his call for the banning of all military type firearms in Australia and in South Australia. That sounds great and very few people would disagree with that statement. He talks in his tough way with no ifs or buts: there would be no Rambos. But, whilst he is addicted to policy by press release, his researchers have failed to tell him that, under existing Australian import prohibitions, military style firearms have been banned in this country for many years, so he is actually talking about banning something that has been banned for years and this is the first point in his four point plan.

On 22 December last year the Prime Minister announced that the Commonwealth would amend customs regulations to ban the importing of all automatic and semi-automatic rifles. In any case, that undermines what the Leader of the Opposition said. Both these matters are within Federal and not State jurisdiction. The Leader of the Opposition claims that he wants to stamp out certain types of weapons, such as rapid fire military style weapons. Perhaps he can tell us what firearms are involved. Does he want to go beyond existing Commonwealth bans in this area? What does the Leader of the Opposition intend to do about the problem of the semi-automatic 22, which is considered by police to be the most frequently used weapon in unlawful situations? The fact is that he does not say anything about that in his grand plan. Indeed, the Leader does not address most of the major deficiencies in existing legislation, either in this State or around Australia.

He said that he wants to refer these issues to a select committee and, by doing so, he is signalling the Liberal Opposition's determination to block any tightening of the State's firearms controls for the time being. He wants to put it on the shelf and to keep it out of the way, because he knows that eventually he will have to stand up and be counted. He also knows that the vast majority of citizens in this State want responsible and workable policies for gun control. In many respects the Leader's statement is an attempted sop to a small, hard core section of the gun lobby and to businesses which make money from the sale of firearms. However, legitimate gun owners should treat these proposals very cautiously indeed. The Leader has not explained how they will work. How will the 130 000 licensed owners get prior approval to carry their firearms in public in each individual instance they intend to use them? His statement was absolutely nonsensical. For example, in relation to shooting on a public game reserve or Crown land, this proposal to seek prior permission is patently ludicrous and would constitute a bureaucratic nightmare. It amazes me that the media in this city can let the Leader of the Opposition get away with something that is so patently absurd and phony.

The Leader of the Opposition is under increasing pressure from Liberal Party branches to oppose any reforms whatsoever. A few weeks ago the Mount Gambier branch was the latest branch of the South Australian Liberal Party to oppose any changes to the existing laws. The changes proposed by the Government are sensible and urgently required. The community cannot afford any protracted delays in these reforms through the establishment of delaying mechanisms such as select committees. The Liberal Party needs to consider situations where criminals and 15-year-olds can buy ammunition; where anyone 15 years or over can purchase high calibre rifles, irrespective of what the guns are to be used for; where anyone of any age can purchase a mail order firearm from Queensland; and where a person can parade publicly with a firearm in the street and legally cannot be challenged until a crime is committed.

I believe that there is a community will to tackle these things in a responsible way. It is not only the Leader of the Opposition in the Liberal Party who is confused. A couple of weeks ago, before our brief recess, the member for Light, who is the Opposition spokesman on emergency services, asked the Deputy Premier how much compensation would be paid to those firearm owners whose weapons would be confiscated as a result of proposed changes.

How many times does this Government have to say that there will not be any confiscation? People who legally own firearms, responsible shooters and people in the security industry, will not be affected. The Deputy Premier has said repeatedly that the State Government has no intention of confiscating legally owned firearms. So, in fact, what we have seen is yet another attempt to misinform. People have been ringing my office saying that the Liberal Party has told them that the Government would introduce measures to confiscate weapons, that rifles owned by farmers would be taken away. Eventually, as I say, the crunch will come; it will all come out, and the Leader of the Opposition will not be able to get away with it.

Someone has to take a stand. I am proud that our Government has done that. I am proud that the leadership of our Party is prepared to take on this matter. No responsible gun club member or farmer has anything at all to worry about. We do not want our State to be an armed camp. The member for Hanson asked about New South Wales; okay, so be it, some votes might be lost; there might be one or two votes lost in Briggs, but on violence the real choice is not whether our action is popular or unpopular but whether it is right or wrong—and that is where we stand.

Motion carried.

At 6.22 p.m. the House adjourned until Wednesday 23 March at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 22 March 1988

QUESTIONS ON NOTICE

DEPARTMENTAL STOCK CONTROL

258. **Mr BECKER** (on notice) asked the Minister of Transport representing the Minister of Health:

1. What was the total amount of all items of stock lost, stolen or missing from each department and authority under the Minister's control for the years ended 30 June 1986 and 1987?

2. What value of goods, and which, were recovered during each period?

3. Have internal auditing and improved stock controls helped reduce stock deficiencies and theft and, if not, why not?

4. What amounts of cash and/or cheques have been lost or stolen in the same periods?

The Hon. G.F. KENEALLY: The replies are as follows:

1. 1986—Nil—No incidents reported. 1987—One pack of ten (10) word processing discs stolen.

2. 1987—Value—approximately $130. $30 was recovered under existing insurance policy arrangements as there is a $100 excess on the policy.

3. Yes. Access to the main stationery store located at the garage, 248 Pirie Street, is restricted to authorised personnel only. Valuable items are secured under separate lock and key. Spot checks on stock holdings against stock control cards are carried out at intervals. Operating units have small holdings for day to day purposes; holdings are checked at next re-order point.

4. 1986—Nil—No incidents reported. 1987—Sum of $68.80—petty cash—stolen in November 1986. The money was not recovered.

SOUTHERN WATER SUPPLY

486. **Mr S.J. BAKER** (on notice) asked the Minister of Water Resources: What is the current status of filtration of the water supply to the southern suburbs?

The Hon. D.J. HOPGOOD: Filtration of the water supply to southern suburbs will be achieved by the construction of plants at both the Happy Valley and Myponga Reservoirs. Originally, the Happy Valley plant was to be commissioned in two stages; the first to provide filtered water to suburbs from Marino to Port Adelaide by February 1990, and the second, suburbs down to the Onkaparinga River by mid 1991. However, it was decided recently to accelerate construction of this plant. The result of this decision is that 400 000 consumers serviced from the Happy Valley Reservoir will receive clean, filtered water by November 1989. The Government hopes to be in a position to make an announcement on the filtering of the Myponga water supply in the near future.

CHLORAMINATED WATER

515. **Mr TYLER** (on notice) asked the Minister of Water Resources: How will the changeover to the Myponga Reservoir chloraminated water supply affect residents of the southern suburbs and, in particular, how will the taste, odour and colour compare with chlorinated water and will earthworms and organisms in the soil be adversely impacted by the greater persistence of chloramines compared with chlorine?

The Hon. D.J. HOPGOOD: Myponga Reservoir water has a higher degree of colour than that of the Happy Valley Reservoir. Additionally, chloramines do not have the same bleaching effect as the previously used method of disinfection—chlorine. Consequently, consumers in the southern area may have noticed more colour in their supplies. Further, chloramines can impart a slight taste/odour to the water.

Monochloramine is a weak oxidising agent and will decay as a result of the large pool of organic matter in the soil. It is therefore unlikely that there will be any significant impact on soil organisms. In addition, no detrimental effects on soil organisms have been reported with the extensive use of chloramination in other States of Australia or overseas.

As the honourable member would be aware chloramination of the Myponga supply was discontinued on 12 February 1988 as it seemed to be the most likely cause of a recent decrease in quality of supplies to consumers. Chlorination has been reinstated as the method of disinfection.

METROPOLITAN FIRE SERVICE

527. **Mr OLSEN** (on notice) asked the Minister of Emergency Services: How may copies of the annual report of the Metropolitan Fire Service 1986-87 were printed and what was the total cost of production including photography, writing, typesetting, design and printing?

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

1. 400.

2. $7 839.14.

STATE TRANSPORT AUTHORITY

529. **Mr OLSEN** (on notice) asked the Minister of Transport: How many copies of the annual report of the State Transport Authority 1986-87 were printed and what was the total cost of production including writing, typesetting, design and printing?

The Hon. G.F. KENEALLY: The replies are as follows:

1. 1 000 printed.

2. Total cost including writing, typesetting, design and printing—$5 200.

DIRECTOR-GENERAL OF EDUCATION

531. **Mr OLSEN** (on notice) asked the Minister of Education: How many copies of the annual report of the Director-General of Education 1986-87 were printed and what was the total cost of production including photography, writing, typesetting, design and printing?

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

1. 2 030.

2. Cost to Education Department of photography and printing $12 296. Typesetting and pre-press costs were invoiced direct to Parliament. Editing and design were provided in-house.

NORTHFIELD COUNTRY FIRE SERVICE

541. **Mr BECKER** (on notice) asked the Minister of Correctional Services:

1. Why was the Mercedes fire truck taken from Yatala Labour Prison and relocated at Cadell?

2. What rehabilitation program has been provided for Yatala prisoners to replace the loss of the fire vehicle?

3. Since inception, how many prisoners and prison officers have been involved in the voluntary program?

4. When did the Metropolitan Fire Service recommend the abandonment of the Northfield Country Fire Service and what were the details of the recommendation?

The Hon. FRANK BLEVINS: The replies are as follows:

1. In November 1986 a review of the efficiency and effectiveness of the department's Country Fire Service operations was presented to management. This review stated that Yatala was no longer a suitable site for this program because low security prisoners were no longer located there and that the Northfield Prison Complex has too high a turnover in the prison population for the program to be effective. As a result the appliance was transferred to Cadell to replace an existing fire truck which had reached the end of its useful life, thus achieving substantial savings on replacement costs.

2. Membership of the Northfield Country Fire Service has not been available to Yatala prisoners since 1983.

3. The Department of Correctional Services has not maintained records on the number of people involved with the Northfield Country Fire Service since its inception in 1964.

4. In a response dated 18 November 1986, the South Australian Metropolitan Fire Service made the following comment on the Northfield Country Fire Service Proposal:

> This decision will not affect the firefighting activities of the South Australian Metropolitan Fire Service as our standard operational procedures do not rely on specific country fire service brigades or units.

OLD TREASURY BUILDING

542. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. Has salt damp reappeared in the foundations of the Old Treasury Building and, if so, why and what action will now be taken to remove it?

2. How much has been spent in the past three years on removing salt damp from the building?

3. How many coats of paint have been placed over the affected area in the past two years and why?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. The extent of salt damp in the foundations of the Treasury Building has not changed significantly since my answer to Parliamentary Question on Notice No. 300. AMDEL is currently testing several damp proof systems and this investigation is scheduled for completion in 1989. The blistering identified last year has been repaired but no major program of salt damp treatment will be undertaken until test results are known.

2. The expenditure on salt damp treatment over the past three years has been limited to the surface repair and painting of the building plinth and was carried out in the main facade restoration program.

3. Only one touch up coat of paint has been applied to the minor blistered areas on the plinth, as a temporary seal coat and cosmetic repair, until implementation of the major salt damp stabilisation program.

MOTOR VEHICLE USE

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

1. To which Government department or authority does the Mitsubishi motor vehicle registered UQG 169 belong and for what purpose is the motor vehicle used?

2. What classification level is the person who regularly drives the vehicle and why does the user visit shopping centres and picnic grounds?

The Hon. G.F. KENEALLY: The replies are as follows:

1. The Mitsubishi motor vehicle registererd UQG-169 is on long term hire from the S.A. Government Car Pool to the Aboriginal Studies and Teacher Education Centre of the Underdale site of the South Australian College of Advanced Education. The motor vehicle is being used in the Aboriginal Language Revival Project, which is a project funded by the Australian Bicentennial Authority.

2. The person who regularly drives the vehicle is the Aboriginal Language Liaison and Extension Worker for the above project. Researchers and liaison officers conducting investigations into the Aboriginal language or culture must be prepared to meet with Aboriginal people wherever and whenever they are to be found, which necessitates a very flexible approach to the location and scheduling of meetings. This would account for the vehicle being sighted in such places as shopping centres and picnic grounds as researchers need to take all opportunities to meet with Aboriginal community members that present themselves.

SACAE PAY INCREASE

549. **Mr BECKER** (on notice) asked the Minister of Further Education: Has the South Australian College of Advanced Education awarded staff a 4 per cent pay increase and, if so, what was the cost for the year ended 31 December 1987, what is the estimate for the full year 1988 and where will the additional funds come from?

The Hon. LYNN ARNOLD: Staff at the South Australian College of Advanced Education have not yet been awarded a 4 per cent pay increase. Therefore, no costs have been incurred for the year ending 31 December 1987. The college is presently negotiating the second tier increase with the Public Service Association and negotiations in relation to the academic staff are being handled nationally.

GOVERNMENT CARRYING CONTRACT

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

1. Which company has been awarded the carrying contract for Government departments and authorities and the Government Printer and was the contract let by tender and, if not, why not?

2. What is the annual value of this contract?

3. When was the contract awarded and why?

The Hon. G.F. KENEALLY: The replies are as follows:

1. The contract referred to is a service contract and, as such, is normally arranged by the head of a public authority for use by that authority. There is no overall carrying contract for use by all Government agencies.

Government Printing Division does not have a formal carrying contract, although the division is currently preparing specifications for the calling of tenders for such a purpose.

A goods carrying service is currently provided by Kwikasair Taxi Trucks, a division of TNT Management Pty Ltd.

2. The annual cost of the goods carrying service is approximately $50 000.

3. In July 1983 approaches were made to three companies for the purpose of comparing the cost of Government Printing Division's normal delivery service against that of a private taxi truck operation. TNT Taxi Trucks offered the best package and after comparing its charges with the division's costs it was apparent savings could be achieved.

On 6 September 1983 it was decided to engage TNT Taxi Trucks on a three month trial basis. A review undertaken in December 1983 recommended the continuance of the arrangement which in fact still exists. A number of subsequent reviews have shown this type of arrangement is still the most cost effective method of goods delivery.

AUSTRALIAN WORLD MOTOR CYCLE CHAMPIONSHIP

555. **Mr BECKER** (on notice) asked the Minister of Recreation and Sport: What action has the Government taken to ensure South Australia is in the forefront as a venue for the first Australian World Motor Cycle Championship in 1989 and, if none, why not, and will the Government immediately seek the opportunity for South Australia to be considered and, if not, why not?

The Hon. M.K. MAYES: The Government has not supported any application to ensure South Australia is in the forefront as a venue for the first Australian World Motor Cycle Championship in 1989. There is presently no suitable circuit and the cost of providing such a venue is prohibitive. The controlling body for the sport has recommended that the championships be held in Victoria. South Australia has indicated an interest to hold the event if requested by the governing body of the sport in Australia.

GOVERNMENT VEHICLES

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

1. To which Government department or authority is the motor vehicle registered UQG 529 attached and what Government business was the occupant undertaking at the premises of 31 Rochester Street, Leabrook at 12.15 p.m. on Sunday, 13 December 1987?

2. Was the driver of the vehicle conforming with Government instructions for use of the vehicle and, if not, why not?

The Hon. G.F. KENEALLY: The replies are as follows:

1. The motor vehicle registered UQG 529 is attached to the Department of Agriculture. The vehicle was used by the chief of the department's Central Veterinary Laboratory's Branch to represent the department at an evening function on 11 December 1987 and returned to his home at 31 Rochester Street, Leabrook.

2. The driver was conforming with departmental instructions for use of the vehicle.

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

1. To which Government department or authority does the Ford Laser registered UQG 169 belong and is it normal for this vehicle to transport young children to shopping centres on a regular basis?

2. What instructions are issued to the drivers of this vehicle and are such instructions adhered to?

The Hon. G.F. KENEALLY: The registration number UQG 169 does not belong to a Ford Laser. Please refer to Question on Notice No. 547, which correctly identifies registration number UQG 169 as belonging to a Mitsubishi.

TAB AGENCIES

562. **Mr BECKER** (on notice) asked the Minister of Recreation and Sport:

1. Why was the TAB agency at Wallaroo transferred from a delicatessen to the Weeroona Hotel?

2. Has a check been made of the service now offered to TAB patrons and, if not, why not?

3. Why do hotel staff serve hotel patrons with refreshments in preference to TAB patrons and what is the TAB policy on providing service to TAB patrons where agencies are located in hotels and clubs?

The Hon. M.K. MAYES: The replies are as follows:

1. The previous subagents sold their general business and terminated their agreement with the TAB effective from 7 September 1987. A survey of the town was conducted by an officer of the TAB and, as a result, the TAB established a subagency in the Weeroona Hotel because it was considered to be the most suitable location in Wallaroo.

2. A check has been made of the service provided by Weeroona Hotel to TAB patrons.

3. The TAB executive is unaware that hotel staff serve patrons with refreshments in preference to taking TAB bets. TAB's policy is that an efficient service is to be provided to TAB clients in businesses where subagencies are installed. Regular visits are undertaken by the staff of the TAB to ensure adherence to this policy.

GOVERNMENT VEHICLE

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

1. To which Government department or agency does the motor vehicle registered UQL 490 belong?

2. What classification of officer is permitted to take such a vehicle home and is it Government policy to allow the vehicle to be used to deliver children to St Peters College and, if so, why?

3. Does this vehicle attract fringe benefits tax and, if so, how much in the past financial year and in this financial year so far?

4. Is additional insurance payable to cover passengers and, if not, who covers liability for any passengers and why?

The Hon. G.F. KENEALLY: The replies are as follows:

1. The vehicle registered UQL 490 is on long-term hire to the Lotteries Commission of South Australia.

2. The vehicle is assigned to the Casino Coordinator. The circumstances described are within the bounds of permitted use.

3. Details of fringe benefits tax are as follows:

1986-87 financial year	$820
1-7-87 to 31-12-87	$430

4. No additional insurance is paid. Covered under normal third party.

HOUSING TRUST ACCOMMODATION

567. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. How many South Australian Housing Trust houses and rental units, respectively, are being built this financial year in the country?

2. How do these figures compare with each of the past two years and what is the reason for any variation?

3. What is being done by the trust to provide affordable rental accommodation in the country?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. In 1987-88, the trust will start a total of 200 houses in country areas. These properties are all constructed for rental in the first instance.

2. In 1985-86 and 1986-87, the trust commenced 645 and 594 houses (which includes 54 starts under the Design and Construct Program) respectively in country areas.

The decline in the country program for the current financial year is due to funding restrictions.

3. Refer 1. Where special needs are indicated, the trust has continued with a limited country program, particularly housing for the aged and those affected by the lead decontamination program in Port Pirie.

PLANNING APPEALS TRIBUNAL

570. **Mr BECKER** (on notice) asked the Minister of Education representing the Attorney-General:

1. Why does the Commissioner of the Planning Appeals Tribunal have a private secretary when the others have to share?

2. Why does this commissioner have a secretary even if there is a staff shortage in the office?

3. Why does the commissioner have the only covered lock-up garage in the Supreme Court yard for his own car when all the judges and other commissioners park in the open?

4. Why does the commissioner get extra expenses paid by the Government when he goes to the country, more than anyone else is allowed?

5. Has the Attorney-General personally instructed the Courts Department to give the commissioner anything he asks for and, if so, why?

6. Does the commissioner attend all meetings of State Cabinet and, if so, why?

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

There are five full-time commissioners of the Planning Appeals Tribunal.

1. With the introduction of a new amendment to the Planning Act number 49/86 which provided for judges and commissioners to constitute the tribunal sitting alone, the workload of the commissioners of the tribunal increased dramatically. It was very soon apparent that secretarial services available to the commissioners were no longer adequate. A request was made for an additional secretary to be appointed. The Treasury did not fund this position in the 1987-88 budget and as a result alternative arrangements needed to be made to ensure that the productivity of the tribunal was not affected. A member of the staff employed as a tribunal clerk in the Appeals Tribunal who had secretarial skills was relocated to provide additional secretarial services for the commissioners. This staff member was attached to Commissioner Tomkinson on the understanding that she would still continue to attend in court to undertake tribunal clerk duties and that she would also be available to provide secretarial services to the chairpersons and part-time members of other tribunals. As a result of this additional secretary being provided it was possible to re-arrange work responsibilities for the other two secretaries so that each secretary would be responsible for two commissioners and not have general responsibilities as had previously been the case.

2. The arrangements set out above were put into effect with a view to creating the least disruption possible. However, it was inevitable that increased work pressures would be placed on staff. Additional secretarial assistance was provided for the commissioners so as to ensure that the disposition of appeals by the tribunal was not frustrated by the inability of the commissioner to produce judgments.

3. Commissioner Tomkinson parked his motor vehicle in an area adjacent to the cells of No. 12 court for a period. The cells were rarely used following the completion of the Sir Samuel Way Building, but for obvious reasons the area is lockable. When required Commissioner Tomkinson removed his vehicle. He has not used this area for some time and his vehicle is now parked elsewhere on the premises with other commissioners and judges. During the period of his occupancy of the area in question the commissioner was required to lock and unlock the gates, a requirement which renders the area unpopular as a car park.

4. No commissioner receives extra benefits when he/she goes to the country. They are paid the standard rates.

5. No such instruction has been given to the Court Services Department.

6. No planning appeals commissioner attends meetings of State Cabinet.

GRAND PRIX

571. **Mr BECKER** (on notice) asked the Premier:

1. How many VIP guests were there for the 1987 Adelaide Grand Prix, who were they, where were they accommodated, and at what cost?

2. Did Robert De Castella and his family stay at the International Motel, Anzac Highway and occupy three rooms, including one for clothes and toys and one for the child's nanny and, if so, is this the usual request by official guests?

3. What limousines were made available to each guest and were two provided for Mr De Castella and, if so, why?

4. Was the New Zealand Prime Minister a special guest with all expenses paid and, if so, why?

5. Where was the New Zealand Prime Minister accommodated, why and at what cost?

The Hon. J.C. BANNON: The replies are as follows:

1. State Government guests in the S.A. Suite for the 1987 Adelaide Formula One Grand Prix totalled 405 over the four days of the event. Grand Prix board guests in the S.A. Suite totalled 475 over the four days of the event. Department of State Development and Technology guests on corporate platform 21 totalled 213. Department of Tourism guests on corporate platform 21 totalled 144.

The broad categories of guests invited by the South Australian Government and the Grand Prix board included members of the Government and the Opposition, representatives of charitable and voluntary organisations, representatives of sporting organisations, business and trades union leaders, corporate sponsors, media, key public sector managers and tourist operators. In most cases, accommodation costs were met by the guests. As part of a special business investment promotion the Department of State Development and Technology provided accommodation for some VIP guests at a cost of $19 468.

2. Mr De Castella was a guest of Adidas and his arrangements were made direct with Adidas.

3. Cars were provided for some Government guests from the Government Motor Garage and Commonwealth Government vehicles were ordered as required by Federal Ministers. A coach was also made available for the business investment group. An Access taxi was on call for disabled guests. Limousines were provided to all celebrity guests for attendance at celebrity race training and attendance at qualifying times at the Grand Prix circuit. This service was provided by the Grand Prix office as part of the agreement with celebrities.

4. No.

5. The New Zealand Prime Minister was accommodated at Government House as a guest of His Excellency the Governor.

NEIGHBOURHOOD WATCH

574. **Mr BECKER** (on notice) asked the Minister of Emergency Services:

1. Why has there been no Neighbourhood Watch established along the foreshore area of West Beach?

2. What action was taken by the Police Commissioner following lodgement of a 151 signature petition on Tuesday 11 February 1986 calling for a Neighbourhood Watch program?

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

1. Neighbourhood Watch areas were originally established on the basis of reported crime in a particular location, with those areas having the highest incidence of crime receiving priority. Because of public demand, the criteria was changed in 1987 to a waiting list basis so that areas seeking to join the program were dealt with in turn following application. The West Beach areas submitted a petition to the Crime Prevention Unit on 23 October 1987 and was added to this list. Neighbourhood Watch is expected to be launched in this area later this year.

2. Refer 1. above.

MORGAN-WHYALLA PIPELINE

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

1. What is the annual maintenance costs for the Morgan-Whyalla pipeline?

2. What sections have had to be repaired since 1 July 1986 and why?

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

1. The Morgan-Whyalla system consists of two independent pipelines. The Morgan-Whyalla No. 1 pipeline is a mild steel concrete lined (MSCL) pipeline ranging from a diameter of 750 mm to 525 mm which was constructed between 1941 and 1944. The Morgan-Whyalla No. 2 pipeline, constructed between 1962 and 1967, duplicated this line and is a 1050 mm to 825 mm MSCL pipeline.

$482 284 was spent on operations and maintenance of both pipelines in 1986-87. (It is not possible to identify only maintenance costs.)

2. Two small pipe sections, each approximately 3 metres long were replaced between pumping stations 1 and 2 as repairs could not be effected by the usual method of welding. A 50 metre section of pipe at Port Augusta was replaced following a burst.

ABORIGINAL OFFENDERS

584. **Mr BECKER** (on notice) asked the Minister of Correctional Services: What special and urgent consideration has been given to the problem of Aboriginal offenders, given the highly disproportionate percentage of Aborigines in prisons and, if there has been no action taken, why not?

The Hon. FRANK BLEVINS: The replies are as follows:

1. Diversionary Programs: The Department of Correctional Services supervises offenders who are placed on probation, community service orders or undertake community work in lieu of fine payment or default imprisonment. Community service projects specifically designed for Aboriginal offenders are in place at Norwood and Yalata.

The department is investigating appropriate means of extending the Community Service Order Scheme to the far north of the State.

These initiatives provide options to the courts for the non-custodial disposition of Aboriginal (and other) offenders. These dispositions are, however, the ultimate responsibility of the courts rather than the Department of Correctional Services.

2. Programs for Aboriginal Offenders:

(a) General approach—The general approach of the department has been to improve its contacts with Aboriginal community groups, improve staff awareness of Aboriginal issues, increase the proportion of Aboriginal staff and improve its access to expert advice on issues affecting Aboriginal offenders.

(b) Specific measures—An Aboriginal Liaison Officer was appointed in 1985. With the co-operation of Aboriginal community groups an Aboriginal resource booklet was produced for offenders in the community and for staff working with them. Training courses at induction and promotion levels contain material on Aboriginal offenders. A film on suicide in prison has been used as a training device in all institutions. Currently over 500 departmental staff hold a first-aid certificate and are competent in resuscitation procedures.

The department has employed an Aboriginal Programs Officer to assist with the design of appropriate prisoner programs. There are now six Aboriginal staff employed by the department and there is continued effort to increase the proportion of Aboriginal staff. At Port Augusta Gaol, which has the highest concentration of Aboriginal prisoners, tribal elders have taught aspects of Aboriginal culture to prisoners in the Wali Wiru environmental shelter on the prison site. A stock horse program at Port Augusta Gaol has involved Aboriginal prisoners as a particular target group. A consultant's report has been prepared on the education of Aboriginal prisoners about AIDS.

STURT TRIANGLE

587. **Mr S.J. BAKER** (on notice) asked the Minister of State Development: When will a decision be made on the future development of the 'Sturt Triangle', at what stage are the plans to establish a second Technology Park type facility there and, will such facility contain a biotechnology component?

The Hon. LYNN ARNOLD: A decision to proceed with the development of the 'Sturt Triangle' has not been made yet. A steering committee has been established to investigate the feasibility of a southern science park and is expected to report at about the middle of the year. At that stage Cabinet will further consider the matter. It is anticipated that biotechnology will be an integral element of a southern science park if established.

STATE BANK BUILDING

588. **Mr S.J. BAKER** (on notice) asked the Premier:

1. Is the construction of the State Bank building running more than six months behind schedule and, if so, what are the reasons?

2. What is the estimated cost of this project?

The Hon. J.C. BANNON: The replies are as follows:

1. The construction of the State Bank Centre is expected to be completed on schedule.

2. The estimated cost of construction is $69 million.

TEACHER POSITIONS

590. **Mr S.J. BAKER** (on notice) asked the Minister of Education: How many teachers who applied for teaching positions in primary and secondary schools have not received a contract teaching position or permanent appointment for the first term in 1988?

The Hon. G.J. CRAFTER: Two thousand six hundred and twenty-four.

EMPLOYMENT OF APPRENTICES

591. **Mr S.J. BAKER** (on notice) asked the Minister of Employment and Further Education:

1. How many new apprentices, male and female, respectively, have been employed in Government departments (by type of trade and by department) in 1988 and what were the comparable figures for 1986 and 1987?

2. Have any been employed from trades for which a prevocational course exists but who have not fulfilled that prerequisite and, if so, how many and what were the comparable figures for 1986 and 1987?

3. Is the Federal Government providing any moneys towards the employment of apprentices in the State Government and, if so, will the Minister provide details?

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

1. 174 new apprentices were engaged by the South Australian Government in 1988, through the Office of Employment and Training which operates the centralised recruitment of Government apprentices system. This total recruitment also includes apprentices for some major Government authorities. The total recruitment of apprentices by trade and by male/female for the 1986/1987 and 1988 calendar years are set out in a table which I will forward to the honourable member, as it is too voluminous to have inserted in *Hansard.*

2. Apprentice recruitments in 1988 from persons who did not fulfil the prevocational prerequisite was 51, of which 12 were recruited from the metropolitan area in which prevocational courses are available. There were no available prevocational course graduate applicants in these trades at the time of appointment. These appointments were made after all prevocational course graduates had been considered. Comparisons of the non-prevocational graduates, within the metropolitan area for the 1986, 1987 and 1988 calendar years are:

OFFICE OF EMPLOYMENT AND TRAINING
NON PREVOCATIONAL GRADUATES—METROPOLITAN AREA

Trade (Brief Description)	1986			1987			1988		
	M	F	T	M	F	T	M	F	T
Boilermaking	3	—	3	1	—	1	—	—	—
Plumbing	1	—	1	—	—	—	—	—	—
Fitting and Turning	12	—	12	9	—	9	—	—	—
Painting and Decorating	3	—	3	—	—	—	—	—	—
Auto Electrics	1	—	1	—	—	—	2	—	2
Radio Tradesman	7	—	7	—	1	1	—	—	—
Motor Mechanics	12	—	12	—	—	—	—	—	—
Carpentry and Joinery	2	—	2	—	—	—	—	—	—
Electrical Fitting	8	—	8	9	—	9	4	—	4
Panel Beating	1	—	1	—	—	—	—	—	—
Patternmaking	1	—	1	—	—	—	—	—	—
Instrumentation	2	—	2	—	—	—	—	—	—
Binding and Finishing	2	1	3	—	—	—	—	—	—
Gardening/Greenkeeping	2	—	2	—	—	—	—	—	—
Refrigeration Mechanics	4	—	4	4	—	4	2	—	2
Wood Machining	1	—	1	1	—	1	—	—	—
Printing Machining	2	—	2	—	—	—	—	—	—
Composition	1	1	2	—	—	—	—	—	—
Graphic Reproduction	—	1	1	—	—	—	—	—	—
Moulding	—	—	—	1	—	1	—	—	—
Sheetmetal Work	—	—	—	1	—	1	—	—	—
Motor Mech. (Diesel)	—	—	—	—	—	—	3	—	3
Motor Painting	—	—	—	—	—	—	1	—	1
	65	3	68	26	1	27	12	—	12

Thirty-nine appointments were made from country applicants who were not prevocational course graduates. The availability of prevocational courses in country areas is limited and it is Government policy not to disadvantage country residents where appropriate courses are not available. Details of the 39 country appointments are:

OFFICE OF EMPLOYMENT AND TRAINING
NON PREVOCATIONAL GRADUATES—COUNTRY AREA

Trade (Brief Description)	1986			1987			1988		
	M	F	T	M	F	T	M	F	T
Boilermaking	1	—	1	3	—	3	2	—	2
Plumbing	—	—	—	—	—	—	—	—	—
Fitting and Turning	8	—	8	8	—	8	5	—	5
Painting and Decorating	1	—	1	—	—	—	1	—	1
Auto Electrics	1	—	1	1	—	1	1	—	1
Radio Tradesman	—	—	—	—	—	—	3	1	4
Motor Mechanics	6	—	6	2	—	2	2	—	2
Carpentry and Joinery	—	1	1	—	—	—	—	—	—
Electrical Fitting	3	—	3	6	2	8	12	1	13
Panel Beating	—	—	—	—	—	—	1	—	1
Patternmaking	—	—	—	—	—	—	—	—	—
Gardening/Greenkeeping	—	1	1	—	—	—	—	—	—
Saw Doctoring	2	—	2	2	—	2	2	—	2
Refrigeration Mechanic	—	—	—	1	—	1	—	—	—
Motor Mechanic (Diesel)	—	—	—	3	1	4	7	—	7
Cooking	—	—	—	—	1	1	—	—	—
Welding 1st Class	—	—	—	—	—	—	1	—	1
	22	2	24	26	4	30	37	2	39

3. The Federal Government provides substantial moneys by way of grants for all employers of apprentices. These grants apply to employers in both the public and private sectors. Prior to 1 January 1988 the grants were provided through the Commonwealth Rebate for Apprentice Full-time Training (CRAFT) Program. This program had four elements:

(1) Pre-vocational graduates rebate which now provides an amount of $820 to employers for each prevocational graduate they employ as an apprentice.

(2) Technical education rebate which provides a daily subsidy to the employer for each day the apprentice attends at a TAFE College to undertake the required course of instruction. The amount of the rebate varies dependent upon the industry in which the training is taking place and the stage of the training being undertaken. The rebate generally totals between $3 000 and $4 000 over the period of the apprenticeship.

(3) Off-the-job training rebate which again provides a daily subsidy to the employer for each day that the apprentice is involved in an approved off-the-job training program. Each apprentice has a maximum entitlement of 130 days. This may be spread over the first three years of the apprenticeship. Not all apprentices have the opportunity to participate but a significant number of apprentices training in State Government departments and authorities do. Major users of this element of the program include, Engineering and Water Supply Department, and the Electricity Trust of South Australia. The daily rates are the same as apply to the technical education rebate element.

(4) Special assistance program which only applies in particular circumstances. Assistance was provided in three categories all aimed at assisting employers and apprentices to continue training in times of economic difficulty. The State Government has not been a user of this element of the program.

Also relevant is the Group One Year Apprentice Scheme (GOYAS) where surplus training capacity in public sector skill centres has been utilised in the training of first year apprentices for the private sector. The Engineering and Water Supply Department's training centre at Ottoway has been a major participant in this scheme for some years. The costs of providing the training are paid by the Federal Government as are the wages of the apprentices.

For all apprenticeships commenced on or after 1 January 1988 some major changes have been made to the CRAFT program. The prevocational graduate rebate and the off-the-job training rebate elements continue unchanged. The technical education rebate element has been changed to the Apprentice Training Incentive (ATI). Instead of a daily rebate tied to attendance at the required course of instruction employers will now receive up to $3 000. This will be paid in two instalments: $1 500 when the apprentice indenture papers are registered (in South Australia with the Industrial and Commercial Training Commission) and the probationary period has been completed; the remaining $1 500 when the apprenticeship is completed. Again employers in both the public and private sectors are entitled to the support. The Special Assistance Program has been dropped and replaced with a re-establishment grant of $500 payable to employers who take on an unemployed out-of-trade apprentice who is registered with the Commonwealth Employment Service.

It is not possible without a very substantial amount of effort to identify the total amount of moneys received by the State government (departments and authorities) from the Commonwealth in each of the categories. However as an indication of the level it is pointed out that some $363 000 has been received through the Centralised Recruitment Program for the period 1 July 1987 to 31 January 1988.

CHILDREN'S HOSPITAL

594. **Mr BECKER** (on notice) asked the Minister of Transport, representing the Minister of Health:

1. Why was one ward at the Adelaide Children's Hospital closed on Sunday 14 February?

2. How many wards at A.C.H. are fully operational at weekends and how many are closed?

3. How many doctors were on duty for each shift on Saturday 13 and Sunday 14 February?

4. Were extra doctors called in on Sunday 14 February and, if so, why?

5. Why did it take one patient four hours from 10 p.m. to 2 a.m. to be admitted and is this usual?

The Hon. G.F. KENEALLY: The replies are as follows:

1. It is common practice at the Adelaide Children's Hospital and other metropolitan teaching hospitals to close wards during weekends as part of overall bed management.

2. The number of wards which are fully operational depends on the seasonal demand for services. For instance, there were two wards closed on the weekend of 20-21 February 1988. In mid-winter it is likely that all wards will be fully operational.

3. Saturday 13 February 1988:

From Midnight	3
2.00 a.m.	2
8.30 a.m.	4
9.00 a.m.	5
12.30 p.m.	4
2.00 p.m.	5
4.00 p.m.	6
4.30 p.m.	7
5.30 p.m.	5
6.00 p.m.	4
7.00 p.m.	5
10.30 p.m.	4

Sunday 14 February 1988

From Midnight	3
2.00 a.m.	2
8.30 a.m.	4
9.00 a.m.	5
12.30 p.m.	4
2.00 p.m.	5
4.00 p.m.	6
4.30 p.m.	7
5.30 p.m.	5
6.00 p.m.	4
7.00 p.m.	5
10.30 p.m.	4

4. No extra doctors were called in on Sunday 14 February 1988. The head of casualty visited the department during the course of the evening and saw three patients about 10.00 p.m. on Sunday 14 February 1988.

5. Delays in admission sometimes occur due to the need to rearrange ward accommodation for patients who are not in a critical condition. Long delays do not occur in emergency situations.

MYLES PEARCE PTY LTD

595. **Mr BECKER** (on notice) asked the Premier:

1. How did the Executor Trustee and Agency Company arrive at a valuation of $4 million for the shares purchased in Myles Pearce Pty Ltd?

2. What profit earnings ratio was used as a guide?

3. In what ways and to what extent have the State Bank of South Australia and the Executor Trustee and Agency Company benefited from the purchase?

The Hon. J.C. BANNON: The replies are as follows:

1. Executor Trustee and Agency Co. of S.A. Ltd has not arrived at a valuation of $4 million for the shares purchased in Myles Pearce & Co. Pty Ltd. The price to be paid for the shares will be determined over the three years following the purchase date, according to the profits earned by the joint venture.

2. See 1. above.

3. To date, the State Bank and Executor Trustee and Agency Co. of S.A. Ltd have not received a financial benefit from the purchase. However, it is expected that by year end a dividend will be paid which will provide a reasonable yield on the bank's investment. The bank has received other benefits of an intangible kind from its association with Myles Pearce & Co. Pty Ltd. In particular, it has been able to receive professional advice on the structure of certain real estate financing and development deals. It has also been able to receive assistance in the managing of certain accounts.

CROUZET SYSTEM

596. **Mr INGERSON** (on notice) asked the Minister of Transport: How many cassettes containing the programs for the on-board Crouzet computers on buses have been replaced, what has been the cost and what were the reasons for replacement?

The Hon. G.F. KENEALLY: During the first five months of operation of the Crouzet ticketing system, 55 cassettes out of a total of 1 330 have been returned to Crouzet for checking of software. No cassettes have had to be replaced. The cassettes are under warranty by Crouzet and no cost is incurred by the State Transport Authority.

597. **Mr INGERSON** (on notice) asked the Minister of Transport: In relation to the Crouzet system:

(a) How many faulty tickets have been dumped and at what cost;

(b) How many different types of tickets have been used and what were the reasons for the changes;

(c) Are the tickets imported and, if so, by whom; and

(d) Are there any prospective Australian ticket manufacturers?

The Hon. G.F. KENEALLY: The replies are as follows:

(a) One faulty batch of tickets was received in October 1987. This comprised 3.312 million tickets. These tickets were withdrawn from issue as soon as they were identified as faulty and the balance returned to Crouzet. The tickets were not paid for and an alternative ticket supplier selected.

(b) There have been five different types of tickets used in the system to date:

1. PVC tickets for annual passes;
2. Cardboard tickets—cash fare—Blue/Red
3. Plastic tickets—multitrip—Blue/Red
4. Cardboard tickets—cash fare—Blue
5. Taracarte tickets—multitrip—Orange

The first group were supplied by a West German manufacturer, Fleischhauer, a sub-contractor to Crouzet, and are still in use. Groups two and three are also from the West German manufacturer and are progressively being phased out. The last two groups are from a French manufacturer and are currently in use. This manufacturer has a more efficient testing program which minimises the production of defective tickets.

(c) The tickets are imported by Crouzet.

(d) Two Australian manufacturers have expressed interest in manufacturing the tickets. One supplier has delivered production samples that are currently undergoing testing.

STA DRIVERS

599. **Mr INGERSON** (on notice) asked the Minister of Transport: What productivity changes were obtained when STA drivers were granted the 4 per cent wage increase?

The Hon. G.F. KENEALLY: The replies are as follows:

1. Standardisation of signing on and off times at all bus depots.

2. Introduction of unpaid meals where practicable on weekday afternoon shifts in place of paid crib breaks.

3. Acceptance of sale of tickets by external agencies and vending machines.

4. Acceptance of technological change such as computerised berthing of buses and electronic monitoring of fuel consumption.

5. Three month probationary period for new entrants.

6. Standardisation of annual and sick leave accrual from a common date.

7. Use of 'pay-in' safes for paying in cash when depot revenue staff are not on duty.

8. No demarcation objections where employees are on rehabilitation following work relating injury.

9. Co-operation towards optimum viability of tour and charter work.

10. Bus operators to hand out authority publicity and other material as part of normal duties.

11. Acceptance of common mess facilities where this is more economical.

AUSTRALIAN NATIONAL

606. **Mr INGERSON** (on notice) asked the Minister of Transport: What is the current position in relation to all employees on loan from Australian National becoming employees of STA?

The Hon. G.F. KENEALLY: As at 1 March 1988, there were 721 AN employees on loan to the authority on a full-time basis. These employees fall into several categories, the main three being:

1. There are approximately 390 members of the Australian Railways Union comprising train staff (other than drivers) and station staff, permanent way graders and certain non-trades workshop and depot employees. Negotiations over a new federal award prescribing wages and conditions for all of these employees, as well as a wide range of administrative issues, have been concluded but the current national wage guidelines have prevented formal ratification of the award. Measures to achieve ratification are being pursued.

2. There are approximately 140 members of the Australian Federated Union of Locomotive Enginemen, covering rail car drivers. Discussions have commenced but the union has adjourned further progress pending the outcome of an industrial dispute.

3. There are approximately 150 rail car depot staff, comprising mainly metal trades grades. A number of meetings have been held to progress direct employment.

The remaining approximately 40 AN employees on loan to the authority comprise electrical tradesmen and unskilled staff in the signal and communications and works maintenance sections. These employees are members of the ARU and metal trades unions and negotiations over direct employment are either incorporated with the ARU matter or are being handled separately.

CROUZET SYSTEM

608. **Mr INGERSON** (on notice) asked the Minister of Transport:

1. What action has been taken to minimise driver error in validating Crouzet tickets purchased from the driver?

2. Can on-board computers be easily over-ridden by drivers and, if so, what is being done to maximise security and what checks are done by STA on any over-riding of the computer system?

The Hon. G.F. KENEALLY: The replies are as follows:

1. To minimise driver error:

(a) Those drivers who have experienced difficulties are being retrained;

(b) Inspectors carry out regular checks in the field.

2. On-board computer software prevents drivers from over-riding the system for their own benefit.

Regular checks are being made by inspectors to ensure that invalid tickets are not being issued.

609. **Mr INGERSON** (on notice) asked the Minister of Transport:

1. Why are the Crouzet system portable validators failing at temperatures of over 30 degrees Celsius?

2. Why are the portable validator batteries not holding their charge for more than 2-3 hours?

The Hon. G.F. KENEALLY: The replies are as follows:

1. The portable validators are failing at temperatures above 30 degrees Celsius because the temperature control was set by the supplier at approximately 30 degrees Celsius instead of 50 degrees Celsius. They are being progressively reset. Cost of rectification will be claimed from the supplier.

2. The batteries were not accepting the charge for more than 2 to 3 hours because the temperature control was set at approximately 30 degrees Celsius instead of 50 degrees Celsius. The resetting will also correct this problem.

LACROSSE STADIUM

611. **Mr INGERSON** (on notice) asked the Minister of Recreation and Sport:

1. What was the total contract price for the Hockey and Lacrosse Stadium at Gepps Cross?

2. What was the contract cost of artificial turf pitches?

3. What was the contract cost of grandstand and offices?

4. What was the contract cost of car parking?

The Hon. M.K. MAYES: The replies are as follows:

1. The total contract price for the Hockey and Lacrosse Stadium at Gepps Cross is $4 135 071. The contract, awarded to Hansen & Yuncken (S.A.) Pty Limited is a lump sum, fixed price contract which includes a contingency sum.

2. 3. and 4. These items are all included in the Hansen & Yuncken contract, and, consequently, separate contract prices were not received by the Government.

NELSON INQUIRY

612. **Mr INGERSON** (on notice) asked the Minister of Recreation and Sport:

1. What was the cost of the Nelson inquiry into the racing industry?

2. How much was paid to the Chairperson and members of the committee of inquiry?

The Hon. M.K. MAYES: The replies are as follows:

1. The cost of the Nelson inquiry into the racing industry, excluding the Public Service salary of the Executive Officer for the duration but including the expenditure indicated in 2. below, was $38 492.32.

2. The amount paid to the Chairperson and members of the committee of inquiry as meeting fees was $18 056.55.

ADVISORY BOARD ON AGRICULTURE

618. **Mr GUNN** (on notice) asked the Minister of Agriculture: Who are the current members of the Advisory Board on Agriculture and when were they appointed?

The Hon. M.K. MAYES: The members of the Advisory Board of Agriculture and the dates on which they were appointed are as follows:

The current Chairman, R. Smyth, has represented the Murraylands Region since August 1985.

Mr Smyth represented the Upper South East from 1982 to 1985.

J. Symons representing Kangaroo Island, from August 1982.

B. Vickers representing Central, from August 1983.

D. Mitchell representing Barossa, from August 1984.

J. Pearson representing Lower Eyre, from August 1984.

D. Molineux representing Mid North, from August 1985.

J. Arney representing Upper South East, from August 1985.

M. Greenfield representing Lower South East, from August 1985.

A. Habner representing Eastern Eyre, from February 1986.

J. Seekamp representing Riverland, from August 1986.

I. Venning representing Upper North, from August 1986.

T. Fulton representing Far West, from August 1986.

G. Schulz representing Yorke Peninsula, from August 1986.

P. Vivian representing Southern Hills, from August 1986.

The constitution allows for a member to be reappointed for up to five consecutive two year terms. The two non-farmer members who hold *ex officio* positions on the Advisory Board of Agriculture are the Director-General of Agriculture and the Director of the Waite Agricultural Research Institute.

MANUFACTURED CATAPULTS

620. **Mr M.J. EVANS** (on notice) asked the Minister of Education representing the Attorney-General: Will the Minister give consideration to a total ban on the sale of manufactured catapults to prevent the serious injury to persons and damage to property such a device can inflict?

The Hon. G.J. CRAFTER: Detailed consideration is presently being given to a total ban on the sale of manufactured catapults. To this end the Attorney-General's Department is liaising with the Parliamentary Counsel to determine best the means by which this prohibition can be effected.

MINISTER OF AGRICULTURE

622. **Mr GUNN** (on notice) asked the Minister of Agriculture: How many Acts are administered by the Minister of Agriculture?

The Hon. M.K. MAYES: There are 56 Acts administered by the Minister of Agriculture.

HIGH VOLTAGE TRANSMISSION LINES

623. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Mines and Energy:

1. Does ETSA recognise potential dangers to humans and/or stock from electric and magnetic fields associated with high voltage transmission lines and, if so, what measures are being implemented to safeguard those living or working in proximity to such phenomena?

2. Have there been any specific actions taken to minimise perceived effects of the phenomena and, if so, what are they?

3. Has the trust embarked on forward planning to minimise the effect in the vicinity of currently operated facilities and, if so, what are the plans and do they envisage a reduction in electrical energy transmitted to such facilities?

4. Does the trust contemplate relocating any existing or planned transformer facilities because of the phenomena and, in particular, a facility on Dorrien Road, Marananga?

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

1. Yes. ETSA is aware of the public interest in electric and magnetic fields and the suggested health effects, and is kept fully informed on developments in several ways:

- through an ETSA Technical Committee on Electric and Magnetic Fields,
- representation on the Electricity Supply Association of Australia (ESAA) Ad Hoc Committee on Power Frequency Electromagnetic Fields,
- membership of other ESAA and CIGRE (Conference Inter-nationale des Grands Reseaux Electriques a Haute Tension) Australian Panels which have an involvement in the topic,
- attendance at conference or training sessions incorporating aspects of electric and magnetic fields at power frequencies (50 cycles per second),
- subscriptions to specialist publications and monitoring services.

By maintaining this watching brief, ETSA is able to relate levels of fields associated with its lines and equipment to levels considered acceptable by independent authorities such as the World Health Organisation.

2. No, as the levels of electric and magnetic fields directly under ETSA lines are lower than the levels presently considered acceptable by the WHO and other review organisations.

3. ETSA takes measurements near existing installations to check that field levels are less than presently acceptable levels and will continue to do so. There are no plans to reduce the electrical energy to currently operated facilities.

4. ETSA has no plans to relocate any existing or planned transformer facilities because of electric and magnetic fields, which includes the planned Dorrien Substation between Tanunda and Nuriootpa, as the levels are below the World Health Organisation standards.