## HOUSE OF ASSEMBLY

Wednesday, November 10, 1976

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

### PETITION: UNIONISM

Mr. DEAN BROWN presented a petition signed by 34 residents of South Australia, praying that the House would reject any legislation which would deprive employees of the right to choose whether or not they wished to join a trade union or to provide for compulsory unionism.

Petition received.

### MINISTERIAL STATEMENT: URANIUM PLANT

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

Leave granted.

The Hon. HUGH HUDSON: I should like to make clear to the House the action that has been taken in relation to the problem at Port Pirie. A party of officers from the Health Department, Mines Department, and an officer from Australian Mineral Development Laboratories (Amdel) has gone to Port Pirie to make preparations to render the Rare Earth Corporation treatment plant site completely safe. The few places on the tailings dams where undesirably high radio-activity, due to thorium decay products from the Rare Earth Corporation residues, has been detected by the Amdel survey will be clearly marked. A suitable site will be selected for their disposal and coverage. A thorough check will also be made of the plant area itself.

The party comprises: Mr. Geoff Templer, Deputy State Mining Engineer; Mr. Dick Hancock, Chief Mechanical and Boring Engineer, Mines Department; Mr. Doug Paech, Transport Officer, Mines Department; Mr. Mick Foote, Transport Officer, Mines Department; Mr. Bryan Jacobs, Radiologist, Health Department; and Mr. Les Wilkinson, Scientific Officer, Amdel. Personnel engaged on this work will be tagged so that any exposure to radio-activity can be automatically recorded and monitored in the normal way.

On Thursday morning (tomorrow morning), three Mines Department men will leave for Port Pirie with a 5-ton 4 x 4 truck and a 4 x 4 Huff front-end loader, a Holden 1-ton tip truck and a caravan equipped with showers. These employees will be engaged on the remedial work, the details of which will be planned during today's journey.

## QUESTIONS

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

### DROUGHT

In reply to Mr. NANKIVELL (September 21).

The Hon. J. D. CORCORAN: There has been much discussion recently about the drought situation and, before replying specifically to the honourable member's question, I believe it would be appropriate to summarise the drought relief measures taken to date by the Government. These are:

1. Subsidies up to 50 per cent of the costs incurred in:
   (*a*) Transporting breeding stock to and from agistment and on fodder to starving stock.
   (*b*) Transport, after the first 50 kilometres, of dairy stock to and from agistment and on fodder to dairy stock (excluding supplements and prepared feed mixes) in the Adelaide and Golden North milk supply areas.
2. Payment of grants to district councils for the full costs of destruction and disposal of drought affected stock.
3. The slaughter of emaciated sheep at Samcor facilities and payment to stockowners of 40c a head for such sheep.
4. Provision, without cost, of essential supplies of stock water to the Far West Coast area.
5. Grants at the rate of $10 a head for the slaughter of drought affected cattle carried out under similar procedures as the general stock slaughter scheme. Under this scheme the stockowner receives compensation at the rate of $10 a head, subject to the cattle being aged five months or more and prior ownership by the grazier for at least two months being established.
6. Carry-on finance for primary producers affected by drought.

As to the undertaking I gave to the member for Mallee concerning Commonwealth finance, I advise that agreement has now been reached with the Commonwealth on the terms and conditions of assistance and the State is now in a position to offer carry-on finance at concessional interest rates. The Minister of Lands has pointed out that the experience gained during the previous drought in the Mallee clearly indicates that unemployment relief is a practical and efficient method of assisting primary producers, and the Government has outlined to the Commonwealth the social and financial advantages of such a scheme. However, the Commonwealth has not amended its decision to disallow the incorporation of State expenditure on unemployment relief in the overall programme and the qualifying figure of $1 500 000 will be reached only by a greater allocation of funds to the carry-on finance scheme. The South Australian Government is prepared to do this, but feels that unemployment relief for specific drought areas would be a significant way of helping farmers to maintain personal liquidity.

### TOURIST BUREAU

In reply to Mr. EVANS (September 7).

The Hon. D. W. SIMMONS: At no stage was it intended to rent ground floor space to a wine company in the proposed South Australian Government Tourist Bureau office at 25 Elizabeth Street, Melbourne. There were tentative inquiries for use of the basement by a wine company, but the basement is to be sealed off against any functional use to an extent that the Melbourne City Council will be unlikely to stipulate a second exit for fire precaution purposes. The renovated building will provide accommodation as follows:

Ground floor: Open office area comprising waiting area, interview tables, work desks, containers for tourist literature, window display area, etc.

First floor: Office area providing support facilities to the ground floor operations, with some public access, storage area, etc.

Second floor: Space for promotions and other functions, including provision for audio-visual display, 16 mm film projection, facilities for 40 to 50 persons.

Third floor: Offices for the Manager and Trade Officer, facilities for visiting Government officials and important visitors in a boardroom, space for one typist.

Fourth floor: Staff lunch-room and recreation facilities to cater for staff of 16 (on rotated lunch and tea breaks).

Provision will be made on one or more of the upper floors, by way of shelving, for storage of tourist literature, having regard to proximity to the lift and load capabilities of floors and walls. It is proposed to erect an illuminated sign under the awning on the front of the building. Designation signs will be erected on one of the upper floors and on the edge of the awning. Lettering will be used on or adjacent to the front door. These outside signs will be variations of the office name "South Australian Government Tourist Bureau".

## NOISE POLLUTION

Dr. TONKIN: Can the Minister for the Environment say what has been the reason for the continued delay in introducing legislation to control noise, and can he still promise that it will be introduced this year? Legislation to control noise pollution was first promised by this Government several years ago. Questions have been asked regularly since that time, and the answers have been given with monotonous regularity, too, almost on an annual basis. On November 5, 1975, I was told again that the Bill was at an advanced stage and would soon be introduced by the Minister of Health, but it did not appear. On September 28, 1976, the Minister wrote, in answer to another query:

The legislation is presently being drafted, and it is my intention to introduce it during the current session.

We have heard those words parroted almost annually since the matter was first introduced. This session is rapidly nearing an end, and so, in November, 1976, I ask the question again: when will the Bill be introduced, and what are this year's reasons for the prolonged delay?

The Hon. D. W. SIMMONS: I have said several times this year that the legislation will be introduced in the current session and, with monotonous regularity, I have to repeat that again. I have been told only today that the Bill is now available for consideration, and I expect to put it before Cabinet next week. The measure will be introduced this session.

## BOAT LICENCES

Mr. MAX BROWN: Will the Minister of Marine have investigated the possibilities of having a State Government office (I suggest one already established) set up in Whyalla and perhaps other northern towns to be used as an acceptance area for people wishing to apply for a motor boat operator's licence? I think the Minister will be aware that, recently, two officers of his department visited the city of Whyalla and issued, I believe from memory, about 700 motor boat licences. I also understand that it is still thought that additional applicants for licences could be forthcoming. Currently, residents of the northern towns, not only Whyalla but I believe also Port Pirie and Port Augusta (although I refer here specifically to Whyalla) are required to telephone Port Lincoln to apply for boat licences. It seems to me that the procedure would be much easier to administer if a Government office already established in Whyalla could be made available for use as a base at which to receive aplications from local residents.

The Hon. J. D. CORCORAN: I shall be pleased to examine the honourable member's question. I take it that he refers not only to operators' licences but also to the registration of pleasure craft, because both types of licence are involved in this matter. Although I am unaware that officers visited the honourable member's city recently, no doubt that has happened. I know that there will be a continuing need for some place, particularly in a city the size of Whyalla, to be made available to residents either to register their intention or actually to sit for the examination. I will check with my officers to see what can be done. Probably the most desirable solution would be to have not only a place at which to register but also, if possible, an officer who may be performing other duties but who resides in the town to carry out examinations at any time. That would be far more satisfactory than adopting a system of registration whereby a certain number of people would have to register and an officer would then visit the town. I will also consider Port Pirie, Port Augusta and other cities or towns of comparable size to see whether or not we can introduce such a system. The honourable member would appreciate that an operator's licence is a once-only application: it is not issued annually. Unless a person loses his licence for a breach of the law, he holds the licence forever more (I take it, until he expires). I will certainly have the matter examined and let the honourable member know as soon as possible what arrangements can and will be made.

## NURIOOTPA HIGH SCHOOL

Mr. GOLDSWORTHY: Will the Minister of Education take steps to ensure that an adequate exit door is available from the science laboratory on the first floor of the new resource unit at Nuriootpa High School? Approaches have been made to the department by, in the first instance, the Headmaster of this school and, secondly, the Secretary of the school council who are both concerned about the safety of the laboratory in the new resource unit. Those approaches have been unsuccessful. Some time ago I was approached to inspect (together with members of council, a staff representative and the local fire chief—the man in charge of the Nuriootpa fire unit) the new resource unit, and we made this inspection. There is one small exit door from the laboratory and there is no draught cupboard, which is most unusual feature in a science laboratory. We were unanimous in our view that it would be extremely difficult to evacuate the laboratory in an emergency. In one of the department's replies it makes the following suggestion:

In the unlikely event of the stairs being unusable if a fire breaks out, it is a simple matter to break one of the large windows on the first floor to give emergency access to the balcony.

I suppose that that argument would apply to the laboratory. The only other way of getting out of the laboratory, which is a self-contained unit on the first floor, would be to break a large plate-glass window, which I do not agree would be a simple operation or safe means of exit. It did seem,

however, that it would be a simple matter to replace a large standard plate-glass window with a standard sliding door similar to those fitted elsewhere in the building. It seemed to me that that would be a relatively inexpensive operation. The school, council and the Headmaster have been rebuffed in their initial approaches to the department. Will the Minister therefore take up this matter? I believe that a hazard exists as, indeed, do all the local people who are concerned that this situation is probably repeated in other buildings of this type. These people, of course, are concerned particularly about the welfare of their own youngsters.

The Hon. D. J. HOPGOOD: The reply is "Yes". I am perhaps a little surprised that the deputation that the honourable member brought before me from that school only a week or so ago did not raise this matter. Perhaps they did not raise it because they did not wish to complicate unnecessarily the various matters they were bringing forward or to detain me unnecessarily, in which case I am grateful to them. I assume that the balcony to which the honourable member refers is near the exit door (about which he talks) from the laboratory, otherwise a staircase must be installed or the laboratory must be equipped with equipment that is not normally found in a high school laboratory. However, I will take up the matter with the appropriate officers.

## ELECTORAL REDISTRIBUTION

Mr. LANGLEY: Can the member for Mitcham say whether or not the new L.M. is involved in financing either the appeal against the validity of the legislative principles governing electoral redistribution, or the appeal against the recommendations of the Electoral Commission?

Mr. MILLHOUSE: I can answer that question and am happy to do so. The short answer is that the new L.M. is not involved in any of the proceedings current or pending before the Full Court of the Supreme Court of South Australia, for the very good reason that the new L.M. strongly supports the new boundaries that have been drawn by the Electoral Commission. I take some modest pride in the fact that the Liberal Movement played a decisive part in getting through this Parliament the legislation that led to the redistribution. That followed many years of effort on my part to get a fair system of electoral boundaries in South Australia based on the principle of one vote one value. I have spoken for the new L.M., and add just one thing from my experience as a member of the old Liberal and Country League and from reports which have come to me and which have been published in the press about this matter, particularly the remarks of one Mr. Gilbertson whose name is being used in this matter. He was reported in the press on Friday (if he was correctly reported, and I have seen no denial, so I assume it is correct) as saying that he did not even know the names of the members of the group that was standing behind him financially in this matter.

The Hon. Peter Duncan: Did they ask him who organised the group?

Mr. MILLHOUSE: I can only assume that if the group is not organised by my friends in the Liberal Party, or that Party itself, it is certainly being organised by its friends and supporters. That is a ploy that I know has been used many times in the past in this State. One has only to remember that the Hon. Mr. DeGaris—

The SPEAKER: Order! I must call the honourable member to order; he is now debating the matter and not answering the question on behalf of the new L.M.

Mr. MILLHOUSE: I just wanted to make that clear and to draw a few inferences from the actions and attitudes of my colleagues on this side of the House, having regard to the sullen way in which they have accepted the new boundaries publicly and the bitter and ferocious opposition which they have made to those boundaries privately. It is well known that the Hon. Mr. DeGaris (and he speaks for his Party on this matter) believes that it can never win on those boundaries, and he, and I believe the Party, are prepared to do anything to stop those boundaries coming into effect. It is not without significance that the Mr. Gilbertson that I have mentioned lives in the same part of the State as does Mr. DeGaris. When we add that to the fact that at the annual meeting of the council of the Liberal Party that Party took a decisive lurch to the right in the election of members of the executive, you do not have to be (as I have said in this place before) Einstein to put two and two together and know who is standing behind these appeals.

The SPEAKER: Order! I must call the honourable member's attention to the fact that he is now debating the issue. He must only speak on behalf of his Party.

Mr. MILLHOUSE: I want to make clear that it is certainly not the new L.M. providing finance—quite the reverse. We hope that those new boundaries will come into effect, and the sooner the better; and the sooner we have an election the better we will be pleased.

## PRAWN MANAGEMENT

Mr. BLACKER: Will the Minister of Works ask the Minister of Fisheries what is the present situation relating to prawn management policy decisions, and what the Government intends regarding future management and advisory committees? I have been contacted by a constituent who has been waiting for many months for the prawn advisory committee to meet and make a decision on his application for a transfer of licence. On communicating with the Agriculture and Fisheries Department last week, I was told that there was some doubt about the future of this committee, and that was the reason for delaying this specific transfer and also others that were pending. I have since been told by the department that the committee has now been disbanded and its members informed of this fact. I ask the question on behalf of my constituent and others who are relying on this committee's advice to the Minister. As bank loans and other financial arrangements are involved in this decision, can the Minister say what action the Government will take to expedite the handling of transfers?

The Hon. J. D. CORCORAN: I shall be pleased to refer the points raised by the honourable member to my colleague in order to ascertain what can be done, if anything needs to be done, to expedite the reorganisation. The honourable member will be aware that much reorganisation is being undertaken in the department at present, I hope (and I am certain that it will be) for the good of the industry generally. At the same time, I can appreciate the problems that may be presented to people subject to these decisions or who are awaiting decisions. I will ask the Minister to obtain information for me as quickly as possible that may lead to a solution to the problem referred to by the honourable member.

## SALT DAMP

Mr. SLATER: Can the Minister of Works give details of the investigations of the Salt Damp Research Committee, which was formed in 1975, and what the response was at the time to a questionnaire circulated through the press seeking information from the public on the problems of salt damp? Has the committee concluded its invesigations and, if it has, when will its report be available? The problem of salt damp in older-type buildings has been one of great concern, as I understand that South Australia has been regarded as one of the areas worst affected by this problem. I believe that the Commonwealth Scientific and Industrial Research Organisation has researched new methods of combating the problem by the use of metal or copper strips rather than the bituminous compound that had been generally used to combat salt damp. It is important that the results of the investigations of the committee should be known and made public.

The Hon. J. D. CORCORAN: As the honourable member has suggested, this is a far more serious problem in South Australia than is realised by many people, and it was because of this that the committee was set up in, I think, April, 1975, to examine the problem and find a solution to it, if possible. From memory, I believe the committee will report to me later this month, but the Chairman (Mr. Coventry) is away at present. In relation to the query about the response to the questionnaire that was circulated, I think the committee received between 600 and 700 replies but only a few of them, if any, came from people engaged in rectifying salt damp problems or from private industry; they were mainly from people who face this problem. I hope that towards the end of this month I will receive what should be an interesting report, and I hope that it contains the solution to the problem that affects many houses in this State and, of course, concerns many people.

## URANIUM PLANT

Mr. MILLHOUSE: Can the Minister of Mines and Energy say when he received the report of the Spencer Gulf Water Pollution Co-ordinating Committee concerning the state of the land at Port Pirie on which the former treatment works is situated? It has been suggested to me today that the Minister has had that report for a considerable time; indeed a period of eight months has been mentioned as the period during which that report has been in the hands of the Government. It has been further suggested to me that it was only the advertisement last Saturday that the land was for sale that precipitated the publication of the information that has caused such great alarm in your district, Mr. Speaker, and throughout the State and further abroad. Whether or not that alarm is justified, it is certainly real and it has led to the most precipitate action in the past two days by the Government, and I have only to remind the House of the announcement that the Minister made at the beginning of our sitting today. I suggest that this type of information should have been made known at the earliest possible moment because, as we all know, the longer people are exposed to the hazards of radiation the greater the risk of harm to them. I hope that the report given to me is wrong, and I ask this question to give the Minister a chance to tell us and members of the public just how long he and the Government have known of the situation at Port Pire. If it is for a significant period (whether the period I mentioned is accurate or not), he can explain why no action was taken until this week.

The Hon. HUGH HUDSON: If the honourable member had listened to my statement yesterday he would have noted that the report came to the attention of the Government towards the end of last week. I made one slip yesterday when I said that the Spencer Gulf pollution committee was under the Minister of Works. That is not correct; it is under the Minister for the Environment. To reiterate what I said yesterday, which would have rendered the honourable member's question unnecessary had he paid attention, I think in April this year the Spencer Gulf committee, in making its examinations, decided it would be sensible to check whether or not there were any leakages from the tailings dams into the gulf. It was as a result of that request by that committee that investigation was carried out by Australian Minerial Development Laboratories. It was only recently that the Amdel investigators looked at the question of radio-activity in the tailings dams themselves. When that report was given to the Spencer Gulf committee the chairman (Dr. Inglis) reported directly to the Minister for the Environment at the end of last week, and the Director of Mines reported to me at the same time.

Mr. Millhouse: How long did Dr. Inglis have it?

The Hon. HUGH HUDSON: The committee would have acted, as responsible officers, as soon as practicable after receiving and considering the report. Any suggestions to the contrary imply a gross neglect of duty not only by one or two members of that committee but also by the whole committee, and that is too laughable in the circumstances. The honourable member would know full well that people such as Mr. Webb and Dr. Inglis are highly competent and respected people. Whoever made the suggestion to the honourable member is wrong; that is not the case. As I said yesterday, the report came to us at the end of last week and it was discussed in Cabinet on Monday for the first time. At the same time, some indication of that report reached the news media. Certainly, we would heve wished to be in a position to announce precisely what we were going to do at exactly the time the information was released to the media. That may have avoided some of the alarmist responses we have had. I hoped that the honourable member, in particular, might have listened to the *This Day Tonight* programme last night.

Mr. Millhouse: I was engaged here in the House, actually.

The Hon. HUGH HUDSON: That is very creditable for the honourable member.

The Hon. J. D. Corcoran: And unusual, I might add.

The Hon. HUGH HUDSON: I was not going to be so uncharitable as to say that. Dr. Wilson, the Deputy Director-General of Public Health, pointed out in that programme that a check is kept by his department on radiation and that, whilst there are hot spots on those tailings, there is no measurable release of radiation. They have quite sensitive instruments and the gas that is released, at whatever level it is, simply cannot be measured. The honourable member will be aware of the alarmist reports made yesterday. I would have hoped that the whole matter could be handled in a way that avoided such alarmist responses. I realise that that did not happen on this occasion and I regret that, but I can assure the honourable member that in these matters the officers of the Government and the Government itself are fully mindful of their responsibilities. The Government would

not, in any circumstances, be a party (as the honourable member well knows) to the kind of delay or cover-up that was implicit in his question.

Mr. DEAN BROWN: Would the Minister of Mines and Energy be prepared to debate publicly the issue surrounding uranium enrichment and mining with Dr. Helen Caldicott at a meeting to be held at a time and place to suit his convenience and, if not, what are his reasons for the refusal? Members of the public have been invited to debate this issue publicly now that the Ranger inquiry report is available. Obviously, with the Minister responsible for the South Australian uranium enrichment plant and with Dr. Helen Caldicott, the outspoken opponent of that plant, it is important that we hear the views of both these people, and it would be possible to do so in a public debate. However, there are other reasons for asking this question. I have been told that apparently this State's Labor Party Caucus has refused the Attorney-General's request that Dr. Caldicott be invited to discuss with Caucus her claims about the dangers of uranium. I understand, too, that the Minister has a few political problems in his own branches in Brighton. I also understand that the secretary of an A.L.P. metropolitan sub-branch has refused to carry out her duties after consultation with the A.L.P. head office for arranging with the Minister of Mines and Energy to debate the uranium issue in certain A.L.P. sub-branches. It is for this reason that I ask the question. It seems that the Minister has his problems within the Australian Labor Party. I therefore ask the Minister whether he is willing at least to go public and debate this issue with Dr. Caldicott.

The Hon. HUGH HUDSON: One has always to be puzzled by the member for Davenport, who can rake up in the course of a short question more *canards* than can anyone else that I know. I am certain that every member on this side would agree with me about that. The Labor Party Caucus has decided to establish its own committee of anyone within Caucus who is interested to hear views expressed by people who can claim legitimately to be experts both for and against this issue. Whether or not the Caucus committee wishes to hear Dr. Caldicott will be a matter entirely for the committee to determine. Now that the Fox report has been issued and has been available for study for a week or so, these arrangements will proceed. The question of who will come before the committee will be a matter entirely for the Caucus committee to determine and, of course, will depend on the willingness of the person asked to appear before the committee. As far as the Government is concerned, there will be no limitation on that aspect.

Mr. Slater: There will be certain limitations. We will not be asking the member for Davenport to appear.

The Hon. HUGH HUDSON: No-one would claim that the member for Davenport was an expert on anything, so he would be excluded automatically. The Government's position is yet to be determined, but its policy is clear that uranium development should not proceed until an independent inquiry establishes that it is safe to do so. A good question to ask would be "Does the Fox report as we now know it establish that question?" That matter must be determined within the Party and within the Government: it is a matter that will be determined in due course.

Mr. Goldsworthy: You've already tried to sell it as a Government.

The Hon. HUGH HUDSON: That is not so. The matter has been investigated. The Deputy Leader is apparently opposed to the acquisition of knowledge and information. I would suggest that if the Government had taken no action whatever in relation to an investigation on uranium enrichment, if it was subsequently demonstrated that it would be sensible to go ahead with such a project, and if we had taken no action, the bath that the Deputy Leader and the member for Davenport would give us would indeed be great. We would have been called an irresponsible Government and negligent of our duties.

Mr. Goldsworthy: You've been hawking this—

The SPEAKER: Order!

The Hon. HUGH HUDSON: That is what the honourable member says.

Mr. Goldsworthy: That's what the press has said, too.

The SPEAKER: Order!

The Hon. HUGH HUDSON: That is what the press has said in one or two instances, but just because the honourable member or the press says it does not make it the truth.

Mr. Goldsworthy: The Premier said it.

The Hon. HUGH HUDSON: The Premier has said nothing of the sort.

Mr. Goldsworthy: He said it last week.

The SPEAKER: Order! I call the honourable Deputy Leader to order.

The Hon. HUGH HUDSON: The Deputy Leader is a peddler of untruths. I did not say anything of the sort, and I did not discuss the question of uranium enrichment in Germany. I do not know for how long one must deal with the untruths raised by members opposite off the top of their heads.

Mr. Venning: Answer the question!

The Hon. HUGH HUDSON: The Deputy Leader and the member for Davenport are two of the best dealers in untruth that it has ever been my misfortune to have had anything to do with; they are of the same standard as the kind of rumour-mongers that exist in certain parts of Australia's media. A recent example of that is the Port Pirie incident yesterday where rumour-mongers like, in this instance, Dr. Caldicott, have been given a considerable opportunity by certain sections of the irresponsible media (and I indicated yesterday that that media was interstate)—

Mr. Goldsworthy: Now you're getting off the hook.

The Hon. HUGH HUDSON: I said exactly the same thing yesterday, which the honourable member would have heard had he been listening. The media raises any scare or any falsehood and gives it currency. The member for Davenport and the Deputy Leader follow the same tactics as the gutter press. That is what they do, and that is the standard to which they plan to reduce this community.

*Members interjecting*:

The SPEAKER: Order!

The Hon. HUGH HUDSON: Frankly, I regard (and I know that there are other members of this House on both sides)—

Mr. Venning: Answer the question!

The Hon. HUGH HUDSON: I will come to that, but first let me finish dealing with the Deputy Leader and the member for Davenport.

*Members interjecting*:

The SPEAKER: Order! There are far too many interjections. The Minister must be allowed to reply to the question, because I am sure that other members in the House wish to ask further questions. The honourable Minister of Mines and Energy.

The Hon. HUGH HUDSON: I know there are members on both sides of the House who would agree with the conclusion that I have just reached about the gutter tactics

adopted by the two members to whom I have just referred. One hears comments from both sides of the House on that point.

Mr. Venning: You do not.

The Hon. HUGH HUDSON: I do not hear it from the member for Rocky River or the member for Eyre, and I would not expect to. Dr. Caldicott has set herself up as an expert, whereas I am not an expert and cannot debate in detail any question on this subject until Government policy has been determined. When that policy has been determined, I shall be pleased to discuss the matter with anyone who is willing to be reasonable. Whether or not any use is served by a debate between Dr. Caldicott and me in circumstances where the Government is still considering the consequences of the Fox report (which has not even been debated in this House or in the Federal Parliament) I would leave to others to assess. I have no doubt that if Dr. Caldicott wishes to debate the issue with other people, people like Mr. Davis, that could certainly be arranged. Apparently, however, she does not wish to do that, because such a debate has been refused. Perhaps she could pick on Lang Hancock. If Dr. Caldicott in such a debate repeats the scare tactics in which she indulged yesterday morning on the radio programme *A.M.*, she will not be doing the community a service. Her actions yesterday in trying to scare and panic people would, had it succeeded, not have reassured those people effectively, but instead we could well have people in Port Pirie believing that, for the next 15 or 20 years, they were likely to get cancer. The consequences of those tactics are indeed serious. In view of that circumstance, a debate with Dr. Caldicott that leads to additional publicity on the same sort of scare tactics that were adopted yesterday would not be in the best interests of the community at large, whether that debate was with me, the Leader of the Opposition, the member for Mitcham, or anyone else. As I have said, until the Government has determined its policies on these matters I am not in a position to debate, in the sense of arguing a particular case, with anyone. I am only in the position of saying, "These are the issues you have to consider for and against." I do not propose to get into a slanging match with Dr. Caldicott when she is arguing one thing one way and I am put in the position simply of saying, "These are the issues you have to take into account. These are the various arguments." I suggest that the member for Davenport may care, in view of his question, to say whether he is in a position to state a point of view on this matter one way or the other, and if he is perhaps he can state it.

The Hon. PETER DUNCAN: I seek leave to make a personal explanation.

Leave granted.

The Hon. PETER DUNCAN: The honourable member for Davenport has just made some assertions and allegations about me, or my activities. I want to make clear to the House that at no time have I invited Dr. Caldicott to address the Labor Caucus, advised her she is not able to, or advised her in any way that she has, could have, or may have contact with the Labor Caucus. That is an allegation completely without substance and completely without foundation.

The Hon. J. D. Corcoran: Will you ask him to apologise?

The Hon. PETER DUNCAN: I would not waste my breath asking him to apologise, because we well know from experience that the member for Davenport is not honourable enough to take that course. The situation is that it is a complete fabrication, and I wanted that placed on record.

## BUSTARDS

Mrs. BYRNE: Has the attention of the Minister for the Environment been drawn to an article about Coober Pedy that appeared in the widely circulating international magazine *National Geographic*, which has considerable prestige? I would appreciate any comments the Minister may have on this matter.

The Hon. D. W. SIMMONS: I am not surprised that the honourable member has raised this matter, because I know how concerned she is with the protection of wildlife, and indeed of animals in general. The National Parks and Wildlife Division of my department yesterday drew my attention to this magazine, and in particular to an article on Coober Pedy. I think the Director of the National Parks and Wildlife Service is in the process of writing to the journal, pointing out the error of its ways. What is objectionable is a reference to the taking and eating of one of our rare and endangered species, the Australian bustard, otherwise known as the wild turkey. The article in question is in the October issue and is headed, "Coober Pedy: Opal capital of Australia's outback", by one Kenny Moore. It is necessary to quote only one paragraph of the article to make plain our objection. It is as follows:

> We passed through creek beds overflowing with lavender flowers and finally reached a many-fingered body of beige water, crowded with low ti and coolabah trees. A pit was lined with coals and a foil-wrapped wild turkey, shot for the occasion, was placed in it and covered with more coals and sandy earth.

I need hardly point out that whoever shot the turkey and whoever consumed it were guilty of offences under the National Parks and Wildlife Act.

## VIRGINIA SPEEDWAY

Mr. BOUNDY: Will the Minister for Planning say what measures can be taken to protect the interests of minority groups and to preserve the rural nature of the Virginia area in relation to future planning and land use? Last Monday night, I attended a ratepayer meeting at Virginia at which grave concern was expressed. The Munno Para council had approved an application for a speedway to be established adjacent to the international raceway. Subsequently the matter was taken to the Planning Appeal Board, where the council's decision was upheld. Residents who live adjacent to the proposed speedway believe that their interest as a minority group particularly affected has not been adequately considered. They have said that, if such noise levels were proposed in areas close to animals, public outcry would prevent such development. Incidentally, the question today of the Leader of the Opposition regarding legislation for noise levels is also relevant. It may well be that a speedway could be established, and then it could be discovered, after the passage of the proposed legislation, that the speedway noise was outside the bounds of reasonable noise levels. Further, this community is concerned that, as it is on the rural fringe of an otherwise urban council and adjacent to the metropolitan area, it is in danger of having all manner of noxious and noisy facilities thrust on it, because the inner more closely settled areas do not want them and because the protests of this group can easily be overridden. The community is also concerned that the agricultural nature of the land should be maintained, because the use of effluent water in future will mean the need to use greater areas of land, as the salinity present in the effluent will require

gardening land to be spelled from time to time, thus involving the use of more land. The Virginia community is concerned that the unique role the district plays in supplying fresh vegetables to the metropolitan area, as well as the quality of life of the residents, could well be under threat in the future if the consent-use provisions of the Planning and Development Act are not closely monitored.

The Hon. HUGH HUDSON: From the honourable member's account, it would seem that the procedures of the Planning and Development Act have been gone through and that the matter has been on appeal to the Planning Appeal Board. Unless there are legal grounds for taking the appeal further, I presume that will be the end of the matter in relation to the existing laws. As to the protection of primary producing land, I would think (and this may become more and more of an issue in the years ahead) that the only way of ensuring that primary producing land would not be taken out of primary producing use where that was not justified in any way would be by some special legislative provisions requiring suitable declarations of what was primary producing land, that should be retained in that form, and very special procedures to be undertaken before there could be a change of land use, not within the broad band of primary producing activities, but from a primary producing activity to some other type of urban or non-primary producing activity. We do not have such provisions at present. I shall make further inquiries of the Director of Planning to see whether he has any comment to make on the matter involved in the question.

## DROUGHT

Mr. KENEALLY: Will the Premier indicate whether the Government is able to make any announcements regarding the provision of carry-on finance for farmers affected by the severe drought that has covered much of South Australia this year? As all members will realise, drought conditions have affected much of South Australia this year, and the Government has provided several forms of immediate assistance. However, the financial consequences of the drought will continue throughout next year, and the Government has stressed that it will make assistance available to alleviate these problems. Will the Premier say what decisions have been reached?

The Hon. D. A. DUNSTAN: The State Government is to provide low-interest long-term carry-on finance for drought affected farmers. It will take the form of loans over seven to 10 years, to be made available to primary producers at an interest rate which will average 4 per cent over the period of the loan. This assistance will be made available immediately to farmers on the basis of individual circumstances. Repayments need not commence until March, 1979, giving farmers up to two years free of repayment commitments.

As the financial effects of the drought will continue throughout next year, the major thrust of the programme has been carry-on assistance to help overcome those effects. These provisions complement the previous range of short-term drought assistance measures that we have instigated. The loans will be available to meet all carry-on finance requirements, including but not confined to living costs, superphosphate, feed, fuel, and replacement of stock.

Mr. Rodda: Under a new Act?

The Hon. D. A. DUNSTAN: It will be done through the rural assistance authority.

Mr. Gunn: With Commonwealth Government money!

The Hon. D. A. DUNSTAN: No; it is our money to start with. We have to spend $1 500 000 before any money comes from the Commonwealth.

Mr. Gunn: You've spent $31 000 up to date.

The Hon. D. A. DUNSTAN: In that case, we have much money to spend before getting any Commonwealth money. All the money we spend will depend on what farmers apply for. If the honourable member does not want any assistance for his farmers, he can no doubt tell them, but I suggest that other members circulate the information to farmers as soon as possible that applications for loans may be obtained from any office of the Lands or Agriculture and Fisheries Department. The applications should be sent to the Minister of Lands, or they can be made directly to the Rural Industries Assistance Authority, Commercial Union Assurance Building, Adelaide.

Mr. Nankivell: Under the Primary Producers Emergency Assistance Act?

The Hon. D. A. DUNSTAN: Yes.

## METROPOLITAN DEVELOPMENT PLAN

Dr. EASTICK: Can the Minister for Planning say what progress has been made on the urgent and extremely important task of reviewing the Metropolitan Development Plan and when is it contemplated that action to confirm or amend the Metropolitan Area of Adelaide Development Plan attached to and referred to in the Report of the Metropolitan Area of Adelaide, 1962, will be brought to the attention of the House? I believe that the Minister would accept that the manner in which I referred to the Metropolitan Area of Adelaide Development Plan is as it was presented in section 5 of the Planning and Development Act, 1966-1967, and I believe the Minister has already stated that action is being taken to review this whole matter. As several actions by local government and other authorities are dependent on a decision, I seek information on when this legislation may be before the House.

The Hon. HUGH HUDSON: The honourable member, if he checks with the Planning and Development Act, will realise that supplementary development plans are not required to be approved by Parliament. The procedure is for the development plan to be exhibited, for a period to be provided during which objections may be made, and for those objections to be considered, whereupon the supplementary development plan is presented to the Governor in Executive Council for proclamation as an amendment to the metropolitan Adelaide development plan. The review is proceeding now, and it is likely that a series of supplementary development plans, dealing with different sectors of the metropolitan area of Adelaide, will be presented. The existing 1991 boundary will almost certainly not be adjusted, and any changes in the plan will be within that boundary.

It would be proposed that a review of the metropolitan Adelaide development plan take place more frequently, and it may be that the boundary will have to be adjusted at a subsequent time in the future. Regarding our existing assessment of the situation, that boundary is certainly adequate for development that will take place up until 1991, and perhaps beyond that time. Therefore, that boundary will not be adjusted at this stage. If any of the matters the honourable member is worried about relate to extensions of that boundary, I am sure that he can confidently assure his constituents or others that that amendment will not take place.

## FISHING

Mr. VANDEPEER: Can the Premier say whether his Government will continue negotiations with the Polish Dalmor Deep Sea Fishing Co-operative now that a joint State-Commonwealth research programme into deep sea trawling has been agreed to? A report in yesterday's *Border Watch* announces that the Commonwealth Government is to provide $200 000 for a research project into deep sea trawling on the edge of the continental shelf. The programme is to be assisted by the States of Western Australia, Victoria, Tasmania, and South Australia. As this action appears to make the negotiations with the co-operative unnecessary, I therefore ask the question.

The Hon. D. A. DUNSTAN: It certainly does not make the negotiations unnecessary. A $200 000 research programme does not begin to approximate the work to be carried out by Dalmor, which would have provided additional employment and an additional employment resource in South Australia to workers of Safcol. The sum to be spent on the Dalmor project runs into millions of dollars, not $200 000. It is an extensive programme that does not affect those fisheries with which we are at present in any way connected, and it is beyond the continental shelf. We have full agreement with Dalmor and Safcol, and the programme is held up at present only by the refusal of the Commonwealth Government to approve the project, its excuse being that it has not yet settled the law of the sea, but that will take years. There is no indication that we can get on with the job in the foreseeable future while it is taking that attitude. The Dalmor project would be of considerable benefit to South Australia. Safcol is keen to proceed with it, and so are we. It would be an extremely valuable resource to us, and we are continuing to press the Commonwealth Government for permission.

## HEYSEN TRAIL

Mr. WOTTON: Can the Minister for Planning say, having regard to mounting public disapproval concerning the possible introduction of legislation providing power to acquire compulsorily land required to develop the remainder of the Heysen Trail whether the Government intends to proceed with any such legislation? I am in no way knocking the idea of the Heysen Trail, and I think the Minister is aware of that. Confusion has arisen from a report that appeared the day after the opening of the first section of the Heysen Trail, when the Minister said that the South Australian Government would legislate to establish the remainder of the trail. The report states:

The South Australian Government will legislate to establish the remainder of the Heysen Trail. The Minister for Planning (Mr. Hudson) said this on Saturday at the opening of the first part of the trail by the Governor (Sir Mark Oliphant). He said a Recreation Trails Bill would "hopefully" go before State Parliament this year. The legislation was needed because the trail could not be confined only to Government-owned land. "Do we provide for the Recreation Trails Authority or for the State Planning Authority the right to acquire land compulsorily in order to develop the whole trail?" Mr. Hudson said. Public access to private property in the Hills is already causing much concern and forcing a number of graziers away from the reach of the metropolitan area. The matter of possible legislation providing the Government with power to acquire such land compulsorily is causing much concern, and I would like the information so that I may answer this query.

The Hon. HUGH HUDSON: I cannot settle the matter at this stage. No doubt representations are still to be made, but details of the Recreation Trails Bill are still under consideration and no determination of that question has been made by the Government. I raised that question at the time in order that people would have an opportunity to make submissions about that very point. I have not received any detailed submissions of an extensive nature on this point at this stage, but I shall be happy to receive them.

## COMMONWEALTH GENERAL ASSURANCE CORPORATION

Mr. WELLS: Can the Minister of Prices and Consumer Affairs inform the House of the outcome of a query raised with him regarding the refusal of the Commonwealth General Assurance Corporation to meet a claim for $10 000 on a life assurance policy arising from the death of the claimant's husband?

The Hon. PETER DUNCAN: I thank the honourable member for the question, because it raises a matter that I think ought to be aired in this House concerning one of the worst examples of an assurance company's acting in certainly an immoral if not an illegal fashion in the time I have been Minister or, for that matter, the time I have been in this House. The matter, as I understand it, involved a proposal for an insurance policy which was taken out with the Commonwealth General Assurance Corporation Ltd. in mid-May of 1976 by a lady and her husband, who were joint beneficiaries on the policy, or proposal, on his life. Because the couple concerned were proposing to go on holidays, the agent or salesman for the insurance company suggested to them that they should pay six weeks premium in advance to ensure the currency of the policy. This suggestion was made when the policy was issued to them. They paid the six weeks premium and received a receipt from the company for the amount concerned. The husband was required to undergo a medical test because he had had a hernia some time before and the insurance company wanted to assure itself that that matter would not affect the policy. The man had had other policies with this company over a number of years and it well knew his medical record.

Whilst the couple were on holidays, the husband died as a result of a heart attack. When the widow returned home she wrote to the Commonwealth General Assurance Corporation Limited claiming the $10 000 for which her husband had been insured. I remind the House that six weeks premium had been paid, accepted and receipted by the insurance company concerned. As a result of that letter, the Commonwealth General Assurance Corporation Limited wrote back and said that the claim would not be admitted because there was no formal contract signed at the time the husband died, notwithstanding that their agent has suggested to him that to ensure the currency of the policy the six weeks premium should be paid in advance. There can be no doubt that that was said and, in fact, once this matter was brought to my attention I wrote to the company concerned and in the reply it did not deny that it had received the money or that it had issued an official receipt to acknowledge it. As a result of that I wrote then to the Life Offices Association and brought the matter to its attention. I asked for any comments that association could make, and it informed me in its reply that the Commonwealth General Assurance Corporation Limited was not a member of the Life Offices Association and that therefore it was unable to take any steps in this matter.

This is one of the worst examples I have encountered of an assurance company using the letter of the law in a completely immoral fashion to avoid the obligation which it had undertaken (certainly the obligation which the people concerned believed the company had undertaken and certainly the obligation that its agent believed had been undertaken). I think it is timely that the honourable member has raised this matter, because this is the sort of matter that should be investigated thoroughly and reported on to this House by the Prices Commissioner. However, because of the attitude taken by the Liberal majority in the Legislative Council in opposing amendments to the Prices Act which would have enabled (and I am not reflecting on the decisions of this House) the Prices Commissioner to investigate this sort of matter, this matter still cannot be investigated by the Commissioner, as he does not have power legislatively to investigate. It seems to me that this is one of the most unfortunate and sorry incidents that I have heard of concerning the insurance industry, and is an example of an insurance company acting without regard to the humanity and the morality of the situation. It is the sort of case which should be considered by the Commissioner for Consumer Affairs and on which he should report to this House. It is a sorry situation when the Opposition has taken on itself the task of denying people of this State that sort of protection from the Commissioner.

## PERSONAL EXPLANATIONS: URANIUM MINING

Mr. MILLHOUSE (Mitcham): I seek leave to make a personal explanation.

Leave granted.

Mr. MILLHOUSE: During his reply to me today the Minister of Mines and Energy reproved me for, as he said, not having listened to the Ministerial statement he made yesterday concerning the Port Pirie situation, in which the Minister said that he had said that the report of the Spencer Gulf Water Pollution Co-ordinating Committee had been received by the Government only last Friday. I confess that when the Minister made that point at the beginning of his reply to me, I felt discomfited as I always do when apparently I am at fault and I have no excuse for it. However, since he gave that reply, I have checked *Hansard* for yesterday and I can see no reference in the Minister's statement of when the report was received. It may be that the Minister of Health in his statement, to which our Minister referred yesterday, may have said something about it but I have not seen the Minister of Health's statement, and apparently he did not make it in the Council. Therefore, I have not been able to check it in *Hansard*. I remind members that the Minister of Mines and Energy yesterday made a statement that was not written out, as was the one he made today. He spoke at most from notes, and he may have thought that he said when the Government had received the report, but he did not.

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

Leave granted.

The Hon. HUGH HUDSON: I have not had time to check yesterday's *Hansard* pull, but in a day that was fairly busy in making statements one way or another that started at about 7.15 in the morning with telephone calls from other States and finally finished on the question of statements at 5.30 p.m., I think I said twice that the report had been received at the end of last week.

Mr. Millhouse: Not in this House, though.

The Hon. HUGH HUDSON: I may have been mistaken on that point, and I am not sure whether that point was not made in the *Advertiser* yesterday, and I will check that. I am sure it has appeared in a press statement somewhere. I hope the honourable member will forgive me if my recollection of having said it in the House is wrong, because I am sure that he will appreciate there were at least a dozen times yesterday in which I was involved in making statements either in the House, to the press, in a press interview, or over the telephone. This went on virtually all day. If I were asked to give a detailed account of what precisely I had said every time, I could be wrong in my recollection.

Mr. Millhouse: You based the first part of your answer to me on it.

The Hon. HUGH HUDSON: I was certain that it had appeared in a way that the honourable member would have noticed it, and I am sure that it appeared in the press or came over the news media. I thought that the honourable member may not have remembered that he had heard it or had read it.

---

*At 3.15 p.m., the bells having been rung:*

The SPEAKER: Call on the business of the day.

## ENVIRONMENT PROTECTION (IMPACT OF PROPOSALS) BILL

Mr. MATHWIN (Glenelg) obtained leave and introduced a Bill for an Act to make provision for the protection of the environment in relation to projects and decisions of, or under the control of, the South Australian Government, and for other purposes. Read a first time.

Mr. MATHWIN: I move:

*That this Bill be now read a second time.*

This Bill seeks to provide for a greater protection of the environment and environmental issues of this State, and will give the public in general, who are most concerned at the present situation, the right of assessment of an environmental impact statement by an independent body. I believe that the public should be provided with the opportunity of involvement and debate. People should be able to influence the outcome because of the vast local knowledge they would have and no doubt have.

One of the main concerns in relation to the present Federal Environmental Protection Proposals Act is that it applies only where Federal finance is to be spent; secondly, there is the question of who prepares the e.i.s., who is responsible for it, and, most importantly, who is to assess it. I believe that it must be an independent body. That matter presents a problem because, whether it is a Government department or private industry, it is always difficult to know whether one side or the other is a completely independent body and whether it will submit a completely independent and unbiased statement.

My Bill provides a protection in clause 8, in which I have named the Environmental Protection Council, the members being: Dr. W. G. Inglis (Chairman); Mr. Lewis, Director and Engineer-in-Chief, Engineering and Water Supply Department; Mr. Bakewell, Director-General, Premier's Department: Dr. Woodruff, Director-General of Public Health; Mr. E. M. Schroder; Mr. C. H. Cox, solicitor; Professor D. O. Jordan; and Mr. P. Reeves. There

will be four public servants and four other people on the council, and I have full confidence that all members will form a representative body and be an independent council.

Let me remind the House of the situation of the Morphettville bus depot, where we have one department, the Bus and Tram Division of the State Transport Authority, being assessed by the Environment and Conservation Department. The motions of the Federal Act were put into some sort of effect. Public meetings were called, and the Government employed public environmental consultants to communicate with residents and the division, whilst in fact they were the ones who took the pressure off the Government to de-activate the residents' committee in what was a grand public relations campaign.

The fact that the division prepared the e.i.s. suggested that the report would be biased; it tended to make good the full report glossing over the many defects. With the bus depot at Morphettville being built, we have a situation that a recommendation from the Environment Department that the fuel tanks should be placed underground has now been overridden, and they are being placed high in the air at the side of one of the buildings. It has been claimed that the tanks could not be seen from the roads, but they can be seen, as I see them as I pass the depot every day, and they are not a pretty sight. The argument is used that the proponent learns a lot from preparing an e.i.s. I believe if it were known that the e.i.s. would critically examine the proponents' plans rather than glorify them, the report would have to be suitable environmentally, not only in words but also in deeds. The environment must be protected. Many mistakes have been made and are still being made in the Old World, and we must learn from those mistakes. I understand that in America legislation in relation to e.i.s. matters is cumbersome. They have difficulties in relation to mandatory requirements for statements, and procedures which too frequently resort to the use of the courts. Much of my Bill deals with public inquiries into matters of environmental concern.

Clause 1 is formal. Clause 2 is formal. Clause 3 explains definitions and the environment. Clause 4 deals with approved procedures to be adopted in relation to an e.i.s. Clause 5 deals with publishing the name, place and where the order can be purchased, and also states that it must be laid before each House of Parliament. Clause 6 deals with the duties of the Minister in ensuring that procedures approved in the Act are given effect to, that his department assists in giving effect to the procedures, and that suggestions and recommendations are taken into account. Clause 7 requires the Minister to furnish promptly information in respect of a particular matter to a person who requires it in writing. Clause 8 deals with the Environment Protection Council as established under the 1972 Act. It may direct inquiries to be conducted and report on any environmental aspects referred to as in clause 4 of the Bill. The council is not subject to a direction of the Minister. Clause 9 deals with notices of inquiries to be published in the *Gazette* and newspapers. Clause 10 outlines procedures of the inquiry. Clause 11 gives the council powers to summon witnesses. Clause 12 deals with failure of witnesses to attend, bringing a penalty of $1 000 or six months imprisonment. Clauses 13, 14 and 15 deal with administering the oath, refusal to answer questions and contempt of court. Clause 16 enables members of the council or anyone assisting the council to inspect books. Clause 17 deals with witnesses and expenses incurred. Clause 18 inflicts a penalty in the event of a witness being prejudiced. Clause 19 gives members of the council power to enter and inspect land, material and buildings. Clause 20 deals with giving the Governor power to make regulations.

I ask all members for their serious consideration to this first Bill of its type to be introduced into this Parliament. It is designed to protect the environment and it is a pointer to the Government's open policy. It will be of benefit to all South Australians no matter what is their political outlook or whatever their daily avocation might be. I commend the Bill to the House.

The Hon. D. W. SIMMONS secured the adjournment of the debate.

## COMPULSORY UNIONISM

Mr. DEAN BROWN (Davenport): I move:

That this House request the State Labor Government to rescind immediately the requirement of compulsory unionism for persons seeking employment under the State unemployment relief scheme, as this requirement is discriminatory and against democratic principles.

I am moving this motion because I believe this to be one of the worst policies the State Government has introduced. As the motion states clearly, I believe it discriminates within our community. It is incredible that any Government could introduce a policy of discrimination when that same Government is so vocal in other matters of discrimination. Recently, we have heard the Government speak on race discrimination and on previous occasions it has spoken on sex discrimination, but now the Government is about to impose on South Australia a policy that will establish a new type of discrimination. I believe that a strong, responsible trade union movement is essential for a balanced economy. I believe there needs to be a balance between the employers and the employees and the power they have. That would require many members to be active participants in union affairs. However, the decision to join and participate in a union must always remain with the individual person and must not be compelled upon an individual by a Government: that is against a fundamental right of any democracy.

In this State we have a Premier who has been vocal on the subject of conscription, yet the policy he is now supporting is one of conscripting people to join a union. The State has made a large sum available under the State unemployment relief scheme. I congratulate the Government on that move, which will help unfortunate people who at this stage do not have a job. However, the Government has now sent out instructions that before the councils receive their money they must give an undertaking that any people employed under that State unemployment relief scheme will join the appropriate union before being allowed to work. The Government calls that a policy of preference to unionists. It is not preference to unionists: it may be called absolute preference to unionists, but it is far better described as compulsory unionism.

I say that because the Government is not saying that members of a union can get a job first; that is not the case at all. I agree that that would be a case of preference to unionists. The Government is saying that a person will not get any job under the State unemployment relief scheme unless he is a member of a union. That is not preference but absolute preference, compulsory unionism. Let us not allow the Government to try to sneak out under the phrase "preference to unionists". The Universal Declaration of Human Rights clearly protects the rights of people to join or not to join any association, including trade unions.

Dr. Tonkin: Does the Labor Party subscribe to that?

Mr. DEAN BROWN: It should. Australia is a signatory to that declaration and that imposes a responsibility on any State Government to uphold its principles. The

Premier should not pick and choose democratic principles to suit his own political whims. The Government policy of compulsory unionism was made considerably worse because of the close affiliations between the Australian Labor Party and the trade union movement. The Premier has in fact conscripted membership and financial support for his own political Party through this policy that he has adopted. That is shabby politics. It is well known that there is a direct political affiliation fee paid from the A.W.U. to the Australian Labor Party. I know that it is possible for someone to sign out of that obligation to pay the political levy but, of the many thousands of members of the A.W.U. in this State, only five or six have exercised that right.

Mr. Max Brown: Where did you get those figures?

Mr. DEAN BROWN: The union supplied them. If the honourable member wants to question the figures, I suggest he should take up the matter with the union. The Premier, in introducing this policy, is introducing a policy that will line his own Government's pockets and, furthermore, increase its membership. That is against any democratic principle, and certainly against the sorts of principle we in South Australia want our Government to uphold. The public has spoken clearly on this subject. In a recent poll, 68 per cent indicated that they were against compulsory unionism. The majority of those people were members of trade unions, and 71 per cent of trade union members polled indicated that they had been forced to join that particular union. That sort of pressure is against our democratic principles.

As I said earlier, the Government is trying to impose a new form of discrimination on our community. That is a blatant double standard from a Government that had so much to say earlier about discrimination. The State Govment has promised the many young unemployed people in the community an extra $60 a week in pay through the State unemployment relief scheme, provided they pay a subscription to the appropriate union. Such a promise is blackmail, and takes advantage of the unfortunate plight in which these people find themselves.

If the State Government continues to pursue a policy of compulsory unionism, community respect and support for the trade union movement will decline rapidly. Resentment within the community is already mounting. The push for compulsory unionism is a political move against the best interests of trade union members. I do not wish to speak at length on this subject, because it has been canvassed previously in this House by way of questions to the Minister. I congratulate—and I am doing this because we have been requested to keep our speeches short, as this is the last day of private members' time—

Mr. Wells: There is nothing else you could say that is of any value at all.

Mr. DEAN BROWN: I could go on for some time—

Mr. Wells: Of course you could.

Mr. DEAN BROWN: It is because of requests from members on the Government side that we are keeping our speeches short. I congratulate Mr. Hancock on his stand in resigning from the Meadows council, and I am pleased that the council has not been able to receive nominations to fill the vacancy caused by his resignation. A meeting is to be held at Meadows this evening, and I would expect a large crowd to turn up and express support for Mr. Hancock in his opposition to this policy of absolute compulsion in joining unions, under the State unemployment relief scheme. I am most disappointed that the Minister did not accept the invitation to attend the meeting. He had a chance to explain to the people of Meadows why he had introduced the policy, but he was not prepared to go to Meadows and debate the issues in front of the people there. That was a shabby attempt by the Minister to slide out of the situation.

The Hon. J. D. Wright: There is no issue. The council endorsed the policy of the Government and that eradicates the issue.

Mr. DEAN BROWN: Of course there is, and the Minister knows it. He has squirmed and wormed his way around it like a worm in a frying pan. He is not prepared to debate the matter; he has admitted that this afternoon.

Mr. Coumbe: If the council did not accept the terms, it did not get the money.

*Members interjecting*:

The SPEAKER: Order! There are far too many interjections.

Mr. DEAN BROWN: The issues are plain, simple, and black and white: the Government is conscripting people to join the unions. It is forming a new style of discrimination within our community, and forcing people to join unions which are closely affiliated with its own political Party. The Government is in fact gaining financial support for its own political Party through the political levy. Whether people like it or not, it is against the Universal Declaration of Human Rights. I am proud that Australia, as a democratic country, is a signatory to that declaration.

The Hon. J. D. Wright: Worm! You haven't read it.

Mr. DEAN BROWN: The Minister likes to throw insults across the Chamber at the best of times, when he has no defence whatever for his remarks. The clause is 20 (*b*). I have read it on numerous occasions in this House. The Government knows it is on shaky ground. The Minister always blusters when he is on shaky ground. He knows this is against the universal declaration, and he knows it is against the fundamental democratic right of our community. I am proud to support Mr. Hancock and the people who have objected to this policy of the State Government.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): Before dealing with the main subject raised by the member for Davenport, I think we should clear up one aspect of the accusation he has made about my being invited to go to Meadows tonight. I do not know what right he has or in what category the member for Heysen sets himself up as an authority with the right to invite me anywhere. I have had no invitation from the Mayor of Meadows or from the Town Clerk.

*Members interjecting*:

The Hon. J. D. WRIGHT: It was he who wrote to me. What authority has he to invite a Minister of the Crown to go anywhere? If the Mayor, the Town Clerk or the citizens of Meadows had asked me, I would have reconsidered the situation.

*Members interjecting*:

The SPEAKER: Order!

The Hon. J. D. WRIGHT: Do not let us start kidding ourselves about what this meeting will be. It is a Liberal Party set-up, a right-wing Liberal controversy to try to overcome the Labor Party's policy.

Mr. Chapman: Are you going?

The Hon. J. D. WRIGHT: Of course not. I have told the member for Heysen that I am not going to the meeting. I have no intention of going to a Liberal set-up. If the people of South Australia ask me to go somewhere, I will go. I have had no request from the people of Meadows. Let us get that straight. The other point is

that there is now no issue at Meadows. The only issue now is that the Liberal Party is trying to raise an issue through the member for Heysen and the member for Davenport. The council at Meadows has accepted the Government's regulation in relation to trade unions.

Let me now deal with the matters raised by the member for Davenport. The issues raised by this motion have already been discussed in this House and elsewhere on many occasions. I would have thought that even the most obtuse would by now be familiar with the policies of the Government and the reasons for them. Nevertheless, for the benefit of the House I shall once again go over this well travelled ground. The issue arises on this occasion because members of the Opposition are unwilling or unable to direct any criticism at the measures we have taken to alleviate the sufferings of the unemployed in this State. Instead, they must make their criticisms in the indirect, roundabout way of this motion.

More than any other Government in Australia, we have given prime attention to reviewing unemployment and the suffering and dislocation it causes. Our measures are well known to the House and have received considerable acclaim from the public. It is sufficient to point out that they have resulted in the lowest unemployment rate in the whole of Australia. We are not content just to rely on this record, however. We are taking whatever measures we can to reduce this rate further and to ease the crippling burden on workers, their families and the community as a whole that is the result of the sustained high levels of unemployment this country is experiencing. Unlike the Federal colleagues of members opposite, we do not close our eyes to the real suffering in the community, or prefer empty and discredited economic theory to the needs of our people.

In this case, the Government has made available $14 000 000 to carry out necessary public works, and at the same time to relieve unemployment in their areas. We might have retained this money in the Government to speed our works, as important and as necessary as those conducted by the councils. If we had done that, the present motion would not have been raised. The expenditure of that money would, like all other Government works, have been subject to the publicly announced industrial policies of the Government, including those provisions in regard to preference to unionists for which we are now attacked. We have never made any secret of these policies, as they apply to the unionists and the work force.

Instead, we have distributed these funds to local councils, because again, unlike the Federal colleagues of the Opposition, our commitment to the decentralisation of Government is more than a catchy phrase for the newspapers; it recognises the importance of local government, the "third tier" of the Australian Government structure, which is contemptuously ignored by the Federal Government.

Mr. Dean Brown: Who wrote this for you?

The Hon. J. D. WRIGHT: Colin Branson did not write it. He probably wrote yours. In making these funds available we have tried to ensure that the Government's policies, including our industrial policies, are fostered to the same extent as if the Government had itself spent the funds. I know that the member for Davenport does not like my speech. I did not expect him to like it, and that is why I have written it in this way. These facts provide a simple and concise answer to the claims made by the Opposition. I am tempted to leave the matter there, pointing out that any local government council that cannot accept the context in which these funds are made available (that they come from this Government, as an alternative means of expenditure to our own works, and are therefore part of its expenditure and subject to its policy considerations) can refuse the grant and attempt to justify its refusal to its own electors, if it can. I make that challenge to any council, and to the member for Heysen as well. Since the grants are additional to the normal revenues of those councils, the fairness of this approach is obvious.

However, the Opposition has chosen to raise issues about our policy in general terms, no doubt to avoid having to compliment us on our specific measures. I intend therefore to spell out the basis of and the reasons for the policy in the hope that this is the last time it shall be necessary—that we can once and for all be done with this favourite topic of the "knee jerk" conservatives. The policy of the Government on preference for unionists (the policy which we have always espoused, have implemented for some considerable time and, I hope, will always continue to implement) is based on considerations of fairness and equity to individual workers, to their trade unions and to the community at large.

Our policy is preference for unionists in engaging people for employment. In the present economic situation (not caused by the Government, be it noted) there are so many good, dedicated unionists out of a job, men and women with no blemishes on their character, with undoubted qualifications, that this policy would in all cases ensure that the vacancies will go to union men and women. We are prepared to include those who are willing to join the appropriate union, even if they are not unionists at the time of engagement. Even this can be seen as a concession. Whatever we do, a large number of unionists (people who have paid their way all their lives, but are now unemployed through no fault of their own) will remain out of work. We are prepared to make exceptions of those who, though not unionists, are prepared to undertake to join. If they do not want a job on these terms, I am sure we will find plenty of good workers, good union workers, who are.

Nor is this unfair. Those who find employment under this scheme will receive the benefit of wage rates established for them by the actions of trade unions. They will receive the benefit of conditions of work established over the long decades of struggle by the unflagging activity of the unions. They are protected in their health, safety and welfare by laws that have resulted partly from the political activity of trade unions. In their daily and working lives they will receive a wide range of benefits which they would not have received but for the trade unions. The unionists who have supported this effort over the years with their personal labour, their subscriptions and their moral support have every reason to object if the conditions that have been won applied to the non-unionist as much as to himself. Their efforts and sacrifice have built the present structure: why should the free-loader, the parasite, the people the member for Davenport supports, and the social bludger receive the advantages and escape having to make his contribution to the cost?

The Opposition speaks of compulsion, of lack of choice, and of the United Nations Convention. The member for Davenport has made several ploys in the House about the Convention. As he has never bothered to read it, I will read it. Page 37, under the section headed "Freedom", contains an important and pertinent paragraph, as follows:

Lastly, there are a good many countries, including some economically advanced ones, where trade union membership is often voluntary only in that the law does not require a worker to join or forbid him to do so and often does not define the rights of the individual respecting

freedom of association. Yet practices which make employment dependent on whether or not he belongs to a union may impair his right to work and to equality of opportunity. Suffice it to say that as regards the vexed question of "union security" clauses and practices, which vary greatly from country to country, it was agreed, when Convention No. 98 was adopted, that this instrument could not be interpreted as authorising or forbidding such clauses, and that such matters were to be settled by national regulation or in accordance with national practice.

I do not know how what we are doing in this current situation conflicts with that policy. The honourable member has never explained that in its proper perspective. It is strange that it is only in this one context that we hear members opposite talk of these things. We are compelled to pay our rates and taxes. We are compelled to insure ourselves for medical health, whether we feel the necessity or not. Our society recognises certain social obligations for which we are given no option. If we own a car we must insure against injury to others. In all these examples the justification for compulsion is the necessity to spread burdens over the whole community in the interest of all.

To play their proper part in representing workers and in improving social conditions, unions find themselves facing large and rising expenses. To do this job well, the costs are greater again. The whole work force benefits from the results of their activities. It would be grotesquely unjust if the whole burden of the cost fell only on a small minority. I have said, "The whole work force benefits from their results." I might as correctly have said, "The whole community benefits." However much the Opposition might resent the fact, South Australia is now a modern industrial society, with all the advantages and the disadvantages that implies. Its economic life has become institutionalised, and our dealings with one another have become more impersonal as the boundaries of our society have grown larger. Many regret this, but it is an unfortunate fact of life which must be dealt with in its own terms.

One object of the Government is to minimise the conflicts which arise in such a society. So many individuals are involved that it is no longer possible to deal with these conflicts in an individual sense. We must have representative institutions which can speak with one voice for many thousands of individuals. All around us we can see this necessity throwing up new representative institutions, such as consumer groups, pensioner groups, environmental groups, and many others, to speak on behalf of their members. The most critical area in this development is still that of industrial relations. The necessity for collective and representative bargaining institutions is nowhere more critical than there. Unless we have proper bargaining entities to negotiate, to arbitrate—in a word, to represent the individual members—industrial relations would be impossible, a mass of individual conflicts without a machinery of resolution.

The employers know this. Not only are they themselves combining in industry associations, chambers of commerce and similar representative organisations but also they are encouraging, at times compelling, their workers to join unions. Every sensible employer wants to have a union or small groups of unions which can speak out authoritatively on behalf of the whole work force and with which the employer can make agreements with confidence. Only in this way can the employers ensure the stability of labour relations and their business. If anyone doubts this, let him look at the major employers in this or in any other State.

Industrial institutions have come to accept this point, too. At each stage of the indexation hearings, the Australian Conciliation and Arbitration Commission has required the peak union councils, namely, A.C.T.U., A.C.S.P.A., and C.A.G.E.O. to accept responsibility for the conduct of the work force as the spokesmen of organised labour. State tribunals have followed suit. Effectively, a national wage policy exists, with machinery to implement it, only because our work force is organised into unions. The greater the membership of these unions, the greater the authority with which they can speak and bargain.

The Government is a major employer, and has believed in this necessity and encouraged it. Unions can only be authoritative spokesmen when all the relevant work force is enrolled. All members have their democratic rights in the unions, rights that are protected by State and federal laws, and regularly enforced by the courts. If a person disagrees with the policy of his union, whether on industrial or political grounds, he has the same rights as all other members to seek a change, and the same obligations to accept the majority decision.

Finally, let us consider the alternatives to the policy that the honourable member has criticised. In the past we have had disputes with unions over this point. I sympathise with the unions when they seek to make all the beneficiaries of their activities contribute to the cost. I do not believe that the "right" of a worker to be a parasite, a free-loader is worth defending. Therefore, if we have eliminated just these types of dispute, we have acted sensibly and responsibly. The only other alternative is to say, "Let us allow a worker not to make his contribution but, in fairness, he shall not receive the benefits. Let him have the benefits only of what he has won with his unaided efforts. He shall be deprived of any benefits won by union activity, through the courts, in negotiation, by political lobbying, by any of the methods which are so demanding on trade union resources."

Even to spell out such an alternative is to show how ridiculous it would be to have one group of workers on award rates, another on individual contracts, another group with current standards of leave and conditions, another with those that applied in the 1920's (which is what the member for Davenport would like), another group with today's entitlements to workers' compensation, and another group with entitlements under the previous Act, before this Government was elected with the assistance of the trade unions. Not one significant employer would have a bar of it. If an employer was insane enough to try it, his plant would be torn apart by individual disputes within 48 hours. Industrial relations would be impossible, as would the society that we now have, for better or for worse. I understand the desire of the Opposition to have a flutter on this issue. I doubt if there is any member who, after a little thought, would not be greatly relieved that what he proclaims will never come to pass. I doubt if any member opposite really wants to be remembered as the member who destroyed society in South Australia.

The House divided on the motion:

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

Noes (21)—Messrs. Abbott and Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Keneally, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright (teller).

Pairs—Ayes—Messrs. Chapman and Gunn. Noes—Messrs. Broomhill and Jennings.

The SPEAKER: There are 21 Ayes and 21 Noes. There being an equality of votes, I give my casting vote in favour of the Noes.

Motion thus negatived.

## SHEARERS' REGULATIONS

Notice of Motion, Other Business, No. 4: Mr. Chapman to move:

That the shearers accommodation regulations, 1976, made under the Shearers Accommodation Act, 1975, on September 16, 1976, and laid on the table of this House on September 23, be disallowed.

Mr. CHAPMAN (Alexandra): As the Minister of Labour and Industry has now agreed to uphold my previously recorded objections to shearers' accommodation regulations, 1976, I do not wish to proceed with this Notice of Motion.

## THEBARTON PLANNING REGULATIONS

Mr. EVANS (Fisher): I move:

That the regulations under the Planning and Development Act, 1966-1975, relating to planning regulations of the Corporation of the Town of Thebarton, made on March 4, 1976, and laid on the table of this House on June 8, 1976, be disallowed.

In moving this motion I am only attempting to make a point about two or three words in that massive heap of regulations that could cause some concern to the local government authority (or authorities possibly in future), perhaps to the State Planning Authority and may be to the Minister himself. The point I raise may not seem significant to us as Parliamentarians, or to the majority of the community, but those words have a bearing on decisions made under the Planning and Development Act regulations as proposed for the Thebarton council. Regulation 3 provides (on page 9):

In reaching a decision whether to grant or to refuse consent—

and I am only talking in relation to the granting or otherwise of consent to carry out any development—

or upon what conditions consent should be granted, the council shall have regard only to the following matters namely—

(iii) the preservation of the character and amenity of the locality;

I am concerned with the use of the word "preservation". I think that that word is too stong and too narrow if the definition of the word is to be taken as defined in the dictionary—in other words, to preserve the amenity and character of that locality.

For example, in Thebarton there would be some streets of old homes where the persons who own those homes and live in them or rent and live in them are happy with their way of life and enjoy the protection the home gives and the community in which they live. I believe that under this definition, if a council gave permission for a developer (whether it be the Housing Trust or a private developer) to move in and start developing modern housing, residents in the area could be disadvantaged, first because the land would immediately increase in value in that locality because the developers would build a better type of house and thus automatically increase the value of the surrounding houses, not because of the house value but because of the increase in land value. With that increase in valuation, those ratepayers would be subject to higher rates and taxes.

I believe that, if they protested and said that the character and amenity of the area was not being preserved, they could win their case. That may seem to be just in the short term, but in the long term we may end up preserving areas that reach the slum stage before they are upgraded. I am not saying that people living in those homes at the moment would neglect them deliberately or intentionally, but over the years if these regulations prevail, that circumstance could eventuate. This is not the sort of view I expect all Parliamentarians to support, but I have held the view for a long time, because I believe some people who argue the environmental cause go to extremes. These provisions leave open the opportunity to go to the extreme, so that local government, perhaps the State Planning Authority, and particularly individuals may be caused much legal expense to prove the point about what is the amenity and character and what is really meant by "preservation".

We have attempted to define, within these regulations, the word "amenity". The definition of that word is given as being in relation to an area. We are not talking about a locality in this case. When we are talking about amenity we are talking about an area, but "area" is not defined, and "locality" is not defined either. "Amenity", in relation to a planning area or locality, includes such quality or condition of the area as contributing to its pleasantness, harmony, or its better enjoyment. In the case of "amenity", the definition refers to a planning area. What is a "planning area"? I believe that is not clearly defined. "Locality" is not clearly defined, but we are asked to look at what contributes to pleasantness, harmony and better enjoyment. If a person is enjoying living in an old home which is his home, he may not enjoy another style of house coming into the area.

I have told the Minister I am concerned with those words. "Planning area" means that part of the State in a planning area for the purpose of the Act and these regulations. I do not believe the local council can consider the total area of the council, or the R1, or whatever it may be of the council when looking at the amenity of the area. I make the point by this method that those words concern me and I hope that other councils when looking into this matter will think of using other words, such as "conserve" instead of "preserve". An objection has been lodged with me by one of the major building associations in the State saying that they see some problem in this area. I will not say anything about the next motion on the Notice Paper because I do not believe the same words apply, or the same potential problem exists.

The Hon. HUGH HUDSON secured the adjournment of the debate.

## INDUSTRIAL CODE AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 3. Page 1879.)

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I oppose this Bill, first introduced in the Legislative Council, and later introduced in this House by the member for Davenport, who in his second reading explanation said, "I make the challenge to the Government that we expect to vote on this matter next week." The

Government accepts that challenge, and is pleased to debate this issue and to have a vote taken today. That of course will depend on how many Opposition members wish to speak on this matter.

Mr. Allison: And you'll keep your comments short?

The Hon. J. D. WRIGHT: I did not make a promise on that; I will be as brief as I can. I am at a loss to understand the true meaning of this Bill, and have not changed my mind after listening to the member for Davenport from what I had decided when I first read the second reading explanation of the honourable member who introduced the Bill in the Legislative Council. I do not know what it is after. It seems that the member for Davenport suggested that he was looking not for a way to have longer trading hours but to have more flexible trading hours, but I do not see how that situation can be achieved by this Bill.

Twice the honourable member referred to the effect of extended trading hours as a result of this Bill: first, he said that it would provide job opportunities for potentially unemployed school-leavers and, secondly, equal trading opportunities. I believe that neither of these will occur. If the Bill were passed, there would be a situation that employers would not in any circumstances employ more labour, because their attitude would be to introduce a roster system and extend the hours worked by the present shop assistants in the industry. If we try to do that, we will have problems, because the union has a policy that, if there is to be a one night shopping extension of hours during the week, there will be no work done on Saturday morning. If we accept that there could be Saturday morning work, that does not signify that more people will be employed.

An application to introduce rosters will be made and overtime penalties will be introduced, and it is obvious that this situation will not provide opportunities for school-leavers to find employment. The member for Davenport also referred strongly to the public opinion poll which was conducted some time this year and which was merely based on a one-line question that asked people whether or not they wanted an extension of hours. I do not know whether you can frame a question in that way and get an accurate reply. If one wants a specific answer, the question is framed accordingly. I do not rely on that poll as support for the suggestion that there is a public requirement in this area.

As Minister of Labour and Industry, responsible for this sort of legislation, one would think that I would have received many complaints concerning this provision. It is true to say that, since shopkeepers in the lower end of Rundle Street opened last year, there has been no significant sign that there was a requirement by the public or by shopkeepers that there should be an extension of shopping hours. Even if we were to allow for a trail period as has been suggested between now and Christmas, I suggest strongly to Opposition members that they should think seriously about it, because award provisions do not provide proper protection for shop assistants to be able to receive penalties they would be required to receive, and would want to receive. I think that the Industrial Court would be in turmoil trying to solve that problem.

If we were honest in our approach to extended shopping hours, we should not be referring to a trail period between now and Christmas, because we could not fulfil all the obligations that would be required. The member for Davenport does not seem to be on the side of the working people, and even he has stated that penalty rates would have to be considered. I know something about the machinations and workings of the Industrial Court, and it would be impossible to conclude a hearing which would be satisfactory to the union, shop assistants, and employers and which would give them proper protection and provide rostered penalty rates. Even if this Bill were passed, the court could not deal with that situation. The honourable member suggested that a carnival atmosphere could be introduced in the mall with the extended late night shopping.

Mr. Wells: At the expense of shop assistants.

The Hon. J. D. WRIGHT: That is right. The Bill has a carnival atmosphere itself, and should not be treated any more seriously than that. It contains contradictions and misunderstandings, and gives one the absolute impression of how immature in industrial matters both the mover in the Upper House and the mover in this House are, when considering the possibility of legislating for industrial tribunals that would be required. I doubt whether the member for Davenport has consulted in any way with shopkeepers or shop assistants. If he had, obviously he did not take much notice of what they had to say.

I have communicated with Mr. Goldsworthy, Secretary of the Shop, Distributive and Allied Employees Association, who is adamant that his members do not require any changes in shopping hours. I have received a telegram from P. R. Seaman, President of the Retail Storekeepers Association of South Australia, stating:

This association reaffirms total opposition to any extension to the present trading hours.

I have also received a letter in much stronger terms from the Secretary of the South Australian Mixed Business Association Incorporated, and a further letter from the Federation of Chambers of Commerce of South Australia Incorporated, situated at Dulwich, and signed by R. K. Pratt. Also, I have had representations made to me by Mr. McCutcheon, Secretary of the Retail Traders Association.

It is obvious to me that these people, who represent the workers or management in this industry or are shopkeepers themselves, are adamant that they do not require any change in shopping hours in this State. This is unusual to me, because it is my experience in this House that the members of the Opposition always consult employers about industrial relation matters. I proved that yesterday when I spoke about the contact the member for Davenport has with the General Manager of the South Australian Chamber of Manufacturers.

Mr. Gunn: You told untruths.

The Hon. J. D. WRIGHT: No, I told the exact truth and you know that. On this occasion, the member for Davenport and the Hon. Mr. Laidlaw have had no such consultations or, if they have done, they have not taken any notice of what the storekeepers require in this area. If it was a move to increase the rates of pay for shop assistants, I bet they would be there quickly and get their advice and come here and oppose such legislation. However, because this is a move to extend trading hours and they want to make a political point, they do not consult.

I advise them to consult on these matters in the future because their popularity is at a low ebb at the moment. Even if this Bill was passed, (and it certainly will not pass because the Government will oppose it as strongly as it can), I do not believe it is a valid test of whether or not the extension of shopping hours is required, whether it would work or whether the shop assistants, who I believe are pawns in this exercise, want it.

The member for Davenport did not deal with the results of the 1970 referendum. Whether we liked the result of that referendum or not, whether the Government wanted

that result or not, whether the public of South Australia wanted it or not, the result of the referendum is still on the Statute Books in South Australia.

Mr. Becker: It's history.

The Hon. J. D. WRIGHT: That is the important thing. It is not history. When the member for Hanson wants to rely on convention he uses it, and he uses it well. That is still on the Statute Books in South Australia and the Government is bound by it until some extraordinary change takes place, either by another referendum or in some other way. It appears to me that the people of South Australia spoke strongly at that time and told the Government they did not want an extension of shopping hours.

One thing is absolutely certain on this occasion and that is that we have complete agreement between managers, shop assistants working in the industry and the union responsible for the workers. Those three groups have all indicated strongly that they do not require any extension in the hours now or in the future. I will not stand aside, and my Government will not stand aside, and see the working people, the traders, or anyone else used as pawns in a political exercise. That is what this is all about. If this was a genuine approach with some honesty about it, and if there was a demand for extended shopping hours, why could not the Opposition come up with something realistic rather than this farce, this sham? This is an attempt to embarrass the Government politically. The Opposition is not going to achieve that; we are going to be strong about this. It is our responsibility to protect the shop assistants and people in the industry from what they do not want. Opposition members are going against the tide, telling people in South Australia that they will change shopping hours. The Government will decide whether to change the hours, not the Opposition.

Mr. Coumbe: Not the Parliament?

The Hon. J. D. WRIGHT: The Government decides.

Mr. Coumbe: Not the Parliament?

The Hon. J. D. WRIGHT: The Parliament if you like, but the Government has the votes on this occasion and it will continue to have them. The member for Davenport said nothing about what chaos would be caused to the public transport system if this Bill were passed. No consultation has occurred with the people who have to get to and from work, and there has been no consultation with the Tramway Employees Union. There has been no talk at all.

*Members interjecting*:

The Hon. J. D. WRIGHT: Remember this Bill relates to a month's trial period. The Opposition is prepared to leave kids in the streets. Many areas in Adelaide are not served by public transport after 6 p.m. Did members consider how those kids would get home? They do not care. That is why I say that the Bill is a farce. It is a political gimmick to try to embarrass the Government, and I know who will come out embarrassed.

One thing the honourable member did mention was increased costs, and I want to speak about that in some detail. The principal argument against extended trading hours has been clearly stated in the past. However, it is appropriate to restate these arguments, not formulated by the Government, but by shopkeeper associations. An extension of trading hours would increase costs which would therefore necessarily mean higher prices for consumer goods. In introducing the Bill the member for Davenport stated, without any proof, that there had been no increase in costs in Melbourne or Sydney because of late night shopping. He did not supply any proof, because there is none available to support such a statement.

As would be expected, the major retailers in Sydney and Melbourne have made a careful study of the effects of late night shopping in their cities. The Secretary of the Retail Traders Association has told me that, first, little or no additional business has been done as a result of the longer trading hours, and, secondly, the increased wages bill has varied between 3·2 per cent and 7·3 per cent, depending on the roster. If the member for Davenport wants to have that on his shoulders let him try to get this Bill through. If he has the courage of his convictions, he ought to withdraw the Bill now.

The most costly roster was that adopted in the city of Sydney where shop assistants refused to work on the Saturday morning in the week they worked on the late shopping night (that has not been checked out by members of the Opposition), and that is what the shop assistants' union here has threatened to do and I do not doubt that it has the strength to do it. If the union can do it in Sydney why can it not be done in South Australia? This legislation is a farce.

The Bill has not been considered or, if it has been, it has not been considered by the people with knowledge of the industrial scene. The Opposition has had no considered consultation with the people I have named. The Bill is an attempt to try to embarrass the Government. I tell the Leader of the Opposition and his shadow Minister that it will not embarrass this Government. We believe in acting on principle and we oppose this legislation.

*There being a disturbance in the Strangers' Gallery.*

The DEPUTY SPEAKER: Order! I would like to inform the gallery that at no time do people have the opportunity to take part in the debates before the House. I hope in future they will remain silent. Whatever opinions they may have, they must remain silent.

Dr. TONKIN (Leader of Opposition): I think that, before we do anything else, we must get this whole business into perspective. I think the Minister is performing as though this is an Opposition Bill, which it is not. It is a private member's Bill. The Hon. Mr. Carnie, who introduced this Bill in another place, did so as a private member to ventilate a subject, and I believe it should be treated in that way. Before the member for Mitcham stops frowning and starts opening his mouth, let me say, "Be careful". Before the Minister attributes attitudes to the Opposition and to the Party generally, he should check his facts.

Mr. Millhouse: I think that is an extraordinary point to start with; I really do.

Dr. TONKIN: Come in! As a private member's Bill, this Bill will be considered by members of the Opposition (and, I hope, by every other member of this House) on its merits. It is a subject of considerable interest. I do not think the Minister can suggest in the slightest way that the referendum held some time ago could bind any Government from here on in. There have been elections since then. I am quite certain that, if it pleased the Minister to change his mind, he would be the first to say that there had been an election since that time and that the new Government had been given a mandate to perform whatever it was that he wanted to do, so that argument will not hold water.

*Members interjecting*:

Dr. TONKIN: I shall not answer any more interjections, because there is not much time this afternoon if we are to get through a piece of business emanating from the other side which I understand most members want to deal with. The referendum to which the Minister referred was an abortive one; it did no good. The question did

not cover the desires of the electorate, and the Minister knows that. It is quite amusing to hear him talking about the framing of questions by public opinion surveys when in fact the question framed in the referendum (before his time, of course) did not in any way cover the situation as it was. People were asked whether they wanted late night shopping or whether they did not; they were not asked whether they wanted matters to stay as they were.

In some areas, people had become accustomed to late night shopping, and in others they had not. We had the ridiculous situation of members opposite voting in this House against the clearly expressed wishes of the people in their districts on the matter, and voting for a restriction of shopping hours when the people in their districts had voted quite clearly in favour of extended Friday shopping hours. So much for the referendum and the Minister's arguments on framing questions.

Philosophically, as a Party I suppose we should support extended trading hours and, perhaps, the abolition of any controls at all. That is a philosophical approach to the problem. When that comes, I have no doubt that an agreement could be reached and that reasonable shopping hours could be set by agreement, but practical considerations must be thought of. There is no point in talking about what we would like to do when we have to consider what we are able to do. The surveys which have been conducted (and I have no reason to suppose that they were not adequately and properly conducted) show quite clearly that people in the community would like (not demand, not want) late night shopping. The validity of those surveys has been questioned by the Minister. I cannot accept the validity of his criticism. I do not think he has any way of determining whether or not the survey was correctly formulated, and I have no reason to doubt that it was.

The problems of late night shopping are great. We recognise them, and they are particularly marked in this State. I am grateful to the Minister (and I am sorry he is leaving the Chamber, because I thought he would have shown more interest in the matter) for pointing out the difficulties that possibly could occur with public transport. It was not a matter I had considered, and possibly it should be considered by the Minister of Transport and his department if late night closing comes in. There is no reason why additional public transport could not be put on. It is a factor to be considered if we are to give this a trial run.

The basic question is this: can the community afford late night shopping? I have no doubt that it could well prove to be a luxury. Certainly, it will cost money. How much money will it cost, and what retail price increases will be necessary if we bring it in? Can the community afford such price increases? At a time when inflation has been steadily whittling away the value of money, it is an important consideration for people in the community to decide whether they can afford yet another price increase in staple commodities and goods in retail stores following on the price increases that have been coming quite regularly because of inflation and increased costs.

The balance that must be struck is simply that between the higher retail prices that will be necessary as against the advantages of late night shopping. I am not in a position, and I doubt whether any other member in this House is in a position, to balance those two factors. The major costs involved are those attributable to wages, especially to the penalty rates applying to the hours worked. Representations have been made by the shop assistants and the retailers about the hours to be worked and the effects of them. I recognise the difficulties and fears of these people.

As I understand it, shop assistants in Victoria regularly enjoy long weekends because of the hours they work, and their leisure time in certain circumstances is increased in that way. Many people in Victoria have expressed to me personally, while I have been in Melbourne, that they greatly enjoy the situation. Other shop assistants say they cannot stand it and would rather go back to the old system. We have no way of determining any unanimity, because no shop assistants in South Australia at present have been given an oppportunity to say whether they would prefer a three-day weekend every two or three weeks. I think this is one of the factors that must remain in limbo at present.

I can understand the concern expressed, but I can only point out that widening the times during which trading may ocur does not of necessity compel retailers to open during those hours. It should be left entirely to the small retailer if he employs no union labour. In the case of the retailer employing union labour it must be a matter of consensus, a matter for common consent. In this regard, retailers and shop assistants have shown a general agreement on a common purpose, clearly indicating to me that there could be general agreement on hours of opening if the widening of shopping hours should be contemplated.

But this is not what we are considering, and obviously it is what the Minister has been considering. We are not considering the overall widening of shopping hours on a permanent basis. The legislation would enable any retailer who wished to open or who was able to open by agreement to do so on one evening each week in the month of December in this year, if he or she so desired. In other words, there is a freedom of choice. This is a different proposition, involving four weeks in the pre-Christmas period and only one evening in each week. Already, we are to have one evening of late night shopping anyway, and the purpose is quite clear: it is to serve as a trial period. I believe that is what the Hon. Mr. Carnie wanted when he introduced the Bill.

The trial period could carry through in December, and all aspects of the issue could be assessed. It seems that there would need to be a great deal of assessment before any move could be made to open up shopping hours permanently. Certainly, there is no point in opening up shopping hours for permanent late night shopping if the community is to be disadvantaged. That is what we want to find out. The assessment during the trial period may indicate that the difficulties outlined by the retailers and by the union are such that they cannot be overcome satisfactorily. Assessments may show that increased costs would result in increased costs which are unacceptable to the general public or that the problems envisaged by the retailers or the shop assistants (or both) are not as serious as was originally thought. The whole point is that we have no way of telling. We are not voting for extended shopping hours or for no futher extension of shopping hours: we are voting only for a trial period of four weeks during the month of December, one of which will operate anyway. I believe that this is one way in which the effects of late night shopping can be assessed.

We can provide a practical demonstration of the difficulties that have been outlined and, if they are insurmountable, we will know that. If the costs are prohibitive, we will know that, and we will know what action to take in the future. Especially, a trial period could dispel or confirm many of these fears. I cannot

understand why the Minister and the Government are so afraid of the Bill. In supporting the Bill (and I do support it) I am supporting a trial period in the hope that the overall position may be clarified for retailers, shop assistants and the general public. For that reason, I believe that the trial is worth making in the interests of establishing the truth about the whole matter.

Mr. MILLHOUSE (Mitcham): It was not until the last sentence or so of the Leader's speech that I was certain about which way he was coming down.

Mr. Wells: I thought he opposed it.

The Hon. J. D. Wright: It was a big battle, wasn't it?

Mr. MILLHOUSE: Apart from learning from almost his last sentence that he supports the Bill, the only other thing I learnt from his speech was that his Party is apparently not united on the matter.

Mr. Goldsworthy: Is your Party united?

Mr. Mathwin: Will you have a personal division?

The SPEAKER: Order!

Mr. MILLHOUSE: They are most unmannerly, Mr. Speaker. I imagine that every Liberal Party member in the Upper House must have supported the Bill, otherwise it would not have been passed. That group says that it is not bound by any Party discipline. I suppose it was just a coincidence that they all happened to believe in this Bill, whereas here, where one normally expects the Liberal Party to vote as a Party, it is split.

Mr. Goldsworthy: So is the Labor Party.

Mr. Venning: Tell us a bit more about the tiddlers at Paringa!

The SPEAKER: Order! Any other honourable member who wishes to join in the debate will be called on. The honourable member for Mitcham.

Mr. MILLHOUSE: I am quite perplexed by the member for Rocky River. He referred to Paringa. I was trying to recall when I was last there. I do not know why he persists in bringing that forward. I do not understand it.

Mr. Venning: You will.

Mr. MILLHOUSE: I am sure that it is irrelevant to this matter. I was staggered at the ambivalence of the Leader of the Opposition and to find out that the Party in this Chamber is not united on this matter. I propose to support the Bill, because I believe that no restrictions by law should be placed on trading hours, and that has been my personal position for a long time. I believe that this matter should be left to traders and their staff to work out in the light of customer demand, industrial conditions, and so on. I believe it is simply another aspect of the matter we debated last evening: that of personal freedom. I cannot make it any clearer than that and, although I think the Bill is piffling in itself (there is no doubt about that), at least it is better than what we have at present. I can tell the Leader why it is being opposed, and I think that the short answer lies in the name of Mr. Teddy Goldsworthy, who is here overseeing the proceedings today.

The SPEAKER: Order! I remind the honourable member that in no way can he involve himself with the gallery.

Mr. MILLHOUSE: I did not mention the gallery. I was studiously avoiding mentioning it.

The SPEAKER: He could not be in any other place if he were here.

Mr. MILLHOUSE: Mr. Speaker, perhaps you have helped me to make the point better than I could have done. That is the reason why we are getting opposition to the Bill. I will not reflect on any individual Government member, but I am sure that there are several who, if left to their own convictions, would be more than a little sympathetic to the point of view I have put.

Dr. Tonkin: There were five of them, I think, after the referendum, weren't there?

Mr. MILLHOUSE: We will not go into past history, which is painful to some and amusing to others. The final point I make is that I believe, on information I have been given in the past hour or so, that there will be another revolt by traders in Rundle Street East, if in no other part of the city, against the refusal to pass the Bill and that we will again see an attempt by some traders, anyway, to open despite the law. I regret that these traders find it necessary to make their point or that they have to make their point in that way, but I do not blame them. While there is resistance now to this move, I have no doubt that, when one takes into account what has happened in other places, inevitably, sooner or later (and, in my view, the sooner the better) we will have much freer, if not entirely free, trading hours in South Australia.

Mr. WELLS (Florey): I oppose the Bill. I was sickened by the Leader of the Opposition's obvious subterfuge and embarrassment in his attempt to shed responsibility for the Bill on to this House. Every utterance he made before his final comment indicated his opposition to the Bill. His primary concern, which came very late, was the chaos that would be created, particularly regarding costs and prices. I believe that our Minister's capable contribution to the debate forced the Leader to back off quickly by saying that this was a private member's Bill. He attempted again to avoid the resposibility of support for such a Bill in this House, and that was a complete sham. Although the Hon. Mr. Carnie introduced the measure in another place, it was supported right down the line by the Liberal Party. The Liberal Party is now in trouble; it wants to hedge and wriggle away and throw responsibility in other directions. We must ask ourselves why. It is because it realises, as the Minister has capably pointed out, that its masters, the people who supply the bulk of its campaign funds, the Rundle Street traders, are the people it is going to hurt, and they are in direct opposition to the measure. That is an established fact, and every member realises that. I am not one bit concerned about the opinions of the traders, the retail traders organisation, or of any other body, because they examine the situation on the basis of profitability: if they profit by a particular move, it suits them, and the Opposition will support them. I am concerned about the welfare of the workers in the industry; they are the people who should be considered. In reply to the member for Mitcham, it does not matter who is in the Chamber to listen, because I will support the workers in this or any other industry against moves to take away rights or privileges for which they have fought over the years.

The Leader has said that the Bill provides that late night shopping is to be introduced only for a trial period of one month. That may be so, but it is the thin end of the wedge, and ultimately, a demand would develop for workers to make themselves available for late night shopping on a permanent basis. Such a measure will never have my support. There has been talk of the referendum on this issue. That referendum had rather strange results. The member for Mitcham began to explain that situation but did not continue. The referendum had certain effects in certain districts. It was then that leaders in the retail trade and others demanded that certain areas of South Australia conduct late night trading but, when the Government said, "We will make it universal

if that is the case and, if there is to be late night trading in Tea Tree Gully, Salisbury or Christies Beach, we will let shops open throughout the State; Rundle Street and all," but the retail traders backed away.

What the traders wanted was preferential treatment. They wanted people to leave the metropolitan area and travel to outlying spots to shop in a carnival spirit. When traders ascertained that trading would be evenly distributed and that profits would not be as great as they expected, they backed away. The Hon. Mr. Carnie rapidly backed away from his original Bill at the behest and on the instructions, I have no doubt, of his Party, and watered down the Bill to a point where, instead of open slather trading (24 hours a day seven days a week), he suggested a trial period of one month. It is an absolute sham and a subterfuge.

If any Government supports a Bill that wreaks hardship on workers in any industry, that Government should not remain on the Treasury benches. This Government in particular is here to defend the rights of workers throughout the State. The Shop, Distributive and Allied Employees Association is an integral part of the work force of this State, and, of necessity, we must support that union. It is shameful to see members of the Opposition shamefacedly and with tongue in cheek support a Bill that means that workers in a certain industry will be required to work and give up their leisure—for penalty rates, no, for peanuts! It would not matter what penalty rates applied because those rates would not be sufficient to cover the inconvenience caused to the family and social lives of those people if late night shopping were introduced.

Without doubt this Bill is the thin end of the wedge because, if it is successful (and members opposite will not vote for it), before too long we would have an absolute demand and, perhaps by virtue of another private member's Bill, a measure would be introduced for open slather trading or for extended shopping hours on a permanent basis. I oppose the Bill.

Mr. DEAN BROWN (Davenport): What the member for Florey has forgotten is that last evening the Minister announced that late night shopping would apply on December 23.

Mr. Wells: That's usual.

Mr. DEAN BROWN: I know, but the arguments coming from members opposite fall apart when it is remembered that the total effect of this Bill is to increase late night shopping from one night to four nights spread over a month. The Government's arguments have been entirely inconsistent and are as hollow as they have sounded all afternoon. In fact, they have really been preselection speeches. The Minister has said that we will not change the Government's attitude until we have a substantial change in the circumstances demanding late night shopping. The only way to obtain a substantial change in the circumstances would be to hold another referendum. Perhaps the Minister is suggesting that he is now willing to hold another referendum.

The Minister accused me of producing no evidence that related to the costs involved, whereas I did, in my second reading speech, deal at some length with this matter, comparing consumer price index figures in New South Wales and Victoria with those in South Australia. At no time did the Minister try to refute those very convincing figures, which showed that, for the relevant periods when late night shopping was introduced in New South Wales and Victoria, the consumer price index figures there were less than those in South Australia. My final point relates to the people who work in this industry; of course, they are the people who must be considered. The right place to consider their working conditions is in the Industrial Court. The Secretary of the relevant union made that very statement. How can the Industrial Court rule on a matter like this when another Act precludes the court from doing so? The Industrial Court cannot rule on this issue when industry is precluded from trading at this time of night.

The Hon. J. D. Wright: You're backing off, too.

Mr. DEAN BROWN: I am not backing off one iota.

*Members interjecting*:

The SPEAKER: Order!

Mr. DEAN BROWN: By passing this Bill—

*Members interjecting*:

The SPEAKER: Order!

Mr. DEAN BROWN: —we are allowing the matter to go to the Industrial Court and to be sorted out there in exactly the way the unions have asked for. Having caught the Government with its inconsistency and with its pants well and truly around its ankles, I ask all members to support the Bill.

The House divided on the second reading:

Ayes (13)—Messrs. Allison, Becker, Dean Brown (teller), Coumbe, Evans, Goldsworthy, Millhouse, Nankivell, Tonkin, Vandepeer, Venning, Wardle, and Wotton.

Noes (29)—Messrs. Abbott, Allen, Blacker, and Max Brown, Mrs. Byrne, Messrs. Chapman, Corcoran, Duncan, Dunstan, Eastick, Groth, Gunn, Harrison, Hopgood, Hudson, Keneally, Langley, Mathwin, McRae, Olson, Payne, Rodda, Russack, Simmons, Slater, Virgo, Wells, Whitten, and Wright (teller).

Pairs—Ayes—Messrs. Arnold and Boundy. Noes—Messrs. Broomhill and Jennings.

Majority of 16 for the Noes.

Second reading thus negatived.

## EDUCATION ACT REGULATIONS

Adjourned debate on motion of Mr. Goldsworthy:

That regulation 201 of the general regulations made under the Education Act, 1972-1975, on August 26, 1976, relating to constitution of school councils and laid on the table of this House on September 21, 1976, be disallowed.

(Continued from November 3. Page 1883.)

Mr. GOLDSWORTHY (Kavel): I do not wish to delay the House as there are some other matters of importance to be debated. I will briefly refer to the history of this matter. The intention was not to bring the education regulations before the House, because it was being promoted that this was purely a consolidation exercise. After inquiry it was agreed it was not a consolidation exercise. Some changes were made and the regulation to which I have taken objection is one which has been changed. Mr. Jones, in his explanation to the Subordinate Legislation Committee, made the following point:

The consolidation exercise has been carried out in close consulation with officers of the Crown Law Department. The Institute of Teachers and parental organisations have also been closely involved.

If Mr. Jones considers these are the appropriate parental organisations to be consulted (and I believe they are), that statement will not stand up because, from the inquiries we have made (and they have been extensive), 98 per

cent of secondary school councils in South Australia were not aware of the change, so for Mr. Jones to assert that "parental organisations have been closely involved" is not correct. I believe the appropriate parental organisations are the school councils. I refer, briefly, to the Minister's remarks last week, as follows:

My feeling in relation to the second matter is that if it is a matter of saving the regulations, I should be pleased to compromise.

It is not a question on saving the regulations. My motion would simply disallow regulation 201. All the other regulations (and there is a lengthy list) will not be affected. My motion means that, in relation to school councils, this regulation is disallowed and the previous regulation will stand. This will give the Minister time, if he wants time, to have the proper consultations and talks with school councils to find out what they think about this matter. So that point is also not valid; it is not a question of saving the regulations. The only regulation being challenged is regulation 201, which does not take up much space in the consolidated regulations.

There is one other minor change in this regulation to which I have not referred and to which there is no objection. The regulations are intact except in two cases. The first relates to staff members elected at a meeting of the staff. Representatives are elected by the teaching staff. The new regulations exclude ancillary staff and I do not argue about that. We object to the part of the regulation in relation to secondary school students. We are arguing not about the principle of representation of students but about the people who will decide whether or not in the circumstances it is appropriate to have student representation.

Conditions vary markedly between secondary schools in this State. We have the large secondary schools in the metropolitan area with many senior students. We have small secondary schools in country areas where the student population comes very largely by bus, and it seems to me that the people best qualified to make the decision are the parents and the members of the school council. I repeat that we are not arguing the principle of student representation, which is a well established principle.

What the Minister is arguing for is centralism. He is saying that, on the one hand, school councils should have autonomy, that they should have the power of decision, but in this case others will lay down the law for them. The provision is, in effect, that the school council is not the right body in changing circumstances (and they change from year to year) to make the decision. The central office will make this all-embracing rule. That, to me, is authoritarianism and centralism at its worst. In rejecting this regulation, we will be casting a vote for the autonomy of school councils and reflecting the will of the majority of councils we have contacted, both metropolitan and rural, and we will also be giving a salutary instruction to those who make the sort of statement that parental bodies have been consulted, to go away and do their homework properly. I do not stress that last point.

The Hon. D. J. Hopgood: You're making a lot of friends among my advisers, I don't think!

Mr. GOLDSWORTHY: I cannot help that. If your advisers say that parental bodies have been consulted but they have not been consulted, they should take stock of the situation. I am aware of the hurried negotiations that took place as a result of the introduction of this motion for disallowance because, when I contacted one or two people, they had already been approached to seek to choke off the grounds for disallowance. However, I do not stress that point.

The Hon. D. J. Hopgood: Are you talking of the Institute of Teachers?

Mr. GOLDSWORTHY: No, I am not.

The Hon. D. J. Hopgood: To whom are you referring?

Mr. GOLDSWORTHY: I will let the Minister work that out. School councils have not been consulted, although they should have been. Those that we have contacted believe that the change is retrogressive, and does not line up with the Government's philosophy of open government. The Minister knows that he has made a fool of himself: he says that the regulations will fall, but we know they will not. He may be trying to cover up. There is overwhelming opposition to this change, and it is encumbent on the Government to contact school councils and convince them of the merits of this change. If it can, we will have no argument.

The House divided on the motion:

Ayes (20)—Messrs. Allen, Allison, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy (teller), Gunn, Mathwin, Nankivell, Rodda, Russack, Tonkin, Vandepeer, Venning, Wardle, and Wotton.

Noes (21)—Messrs. Abbott and Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan, Groth, Harrison, Hopgood (teller), Hudson, Keneally, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Pairs—Ayes—Messrs. Arnold and Boundy. Noes—Messrs. Broomhill and Jennings.

Majority of 1 for the Noes.

Motion thus negatived.

## WATER RESOURCES ACT AMENDMENT BILL (No. 2)

(Second reading debate adjourned on November 3. Page 1884).

The House divided on the second reading:

Ayes (20)—Messrs. Allen, Allison, Arnold (teller), Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Nankivell, Rodda, Russack, Tonkin, Vandepeer, Venning, and Wotton.

Noes (21)—Messrs. Abbott and Max Brown, Mrs. Byrne, Messrs. Corcoran (teller), Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Keneally, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Pairs—Ayes—Messrs. Boundy and Wardle. Noes—Messrs. Broomhill and Jennings.

Majority of 1 for the Noes.

Second reading thus negatived.

## ABALONE FISHING

Adjourned debate on motion of Mr. Rodda:

That, in the opinion of this House:

(*a*) the South Australian Government should immediately set up an Abalone Advisory Committee, to include representatives of the Abalone Divers Association and the Agriculture and Fisheries Department, with an independent Chairman;

(*b*) that abalone divers be permitted to sell their permits with their boats; and

(*c*) that abalone divers be permitted to employ relief divers.

(Continued from September 22. Page 1162.)

Mr. GUNN (Eyre): I second the motion, and strongly support it. It has resulted from long discussions with members of the abalone industry who have requested for

a long time the propositions outlined in it. The Government has not considered the properly documented case put to it.

Mr. Keneally: What do you mean by "a long time"?

Mr. GUNN: Years.

Mr. Keneally: How many years?

Mr. GUNN: What is in the motion has been requested for four or five years. For the benefit of the member for Stuart, I shall read it. It states:

That, in the opinion of this House:

(*a*) the South Australian Government should immediately set up an Abalone Advisory Committee, to include representatives of the Abalone Divers Association and the Agriculture and Fisheries Department, with an independent Chairman;

That is a reasonable request; no-one can argue against that. The motion continues:

(*b*) that abalone divers be permitted to sell their permits with their boats; and

(*c*) that abalone divers be permitted to employ relief divers.

Paragraph (*b*) of the motion contains provisions that already operate in two other States, one with a Labor Government and one with a Liberal Government. For the benefit of members opposite, I shall read a letter I received from the Tasmanian Minister of Agriculture and Lands, dated August 16, as follows:

Dear Sir,

I refer to your letter of July 19, 1976, and advise that a strict management policy exists in this State whereby entry for commercial fishing in the abalone fishery is limited to 125 entitlements to licences. However, there are no zoning areas applicable to this fishery.

The current holder of a commercial abalone licence may elect to have the entitlement to his licence re-allocated to another qualified person whom he wishes to nominate. But the entitlement must have been held for at least three years before it may be sold unless there are extenuating circumstances.

To qualify for an entitlement to a licence a person must comply with the following requirements:

1. A Tasmanian resident for at least six months prior to the issue of a licence.
2. Medical certificate and results of chest x-ray and long bone x-ray to be submitted.
3. No serious convictions for fisheries offences.
4. A fit and proper person to hold such a licence.
5. A certificate that the applicant is principally engaged only in the occupation of taking abalone by swimming or diving for commercial purposes.
6. Holder of commercial fisherman's licence.

When the transferor has surrendered and assigned all rights of the entitlement to the transferee, the application for a commercial abalone licence should then be lodged with the prescribed price of $250.

Departmental forms and a copy of the relevant regulations are enclosed for your information.

Yours faithfully,
Eric Barnard, Minister for Agriculture and Lands

The divers in South Australia ask for a similar situation. Turning now to Western Australia (and the member for Stuart can look at this letter if he wishes), I have a letter from the Minister of Fisheries and Wildlife, dated July 29, 1976, as follows:

Dear Mr. Gunn,

In your letter of July 19, you asked me if holders of abalone licences are permitted to sell their permits with their equipment when they leave the industry.

The abalone fishery in this State is a limited entry fishery. A person wishing to leave the industry may propose a prospective buyer for his equipment as a person to take over his licence. Subject to that prospective buyer meeting criteria for entry into the industry and expressing satisfaction with the price being asked for the equipment the department will give approval to the transaction.

There is no definition of the value of the licence as such, but obviously there is some loading in the price of the equipment.

Yours faithfully, P. V. Jones.
Minister for Fisheries and Wildlife

That is a similar situation, and yet the South Australian Government will not accept the reasonable requests in the industry. It is about time the Government gave the matter some real thought.

Mr. Chapman: Do they give you a reason?

Mr. GUNN: I can never get a logical reason. I have had numerous discussions with departmental officers and with the Minister. I have asked questions in the House, as have other members. At present, a great deal of dissatisfaction exists regarding the operations of the Agriculture and Fisheries Department.

Mr. Chapman: Do you think the fishermen themselves are satisfied with the—

Mr. GUNN: Many of them are concerned about the administration of the department. When letters are written to the department, sometimes it is necessary to wait weeks to receive an acknowledgment. Obviously, there is a breakdown somewhere.

Dr. Eastick: Is it longer than you have to wait for the Environment Department?

Mr. GUNN: Fortunately, I have not had to have much negotiation with the Minister for the Environment for a while, but I should not be surprised how long it was necessary to wait for that department.

The Hon. D. J. Hopgood: Perhaps you could give us a run-down on all the departments.

Mr. GUNN: I should be quite happy to go through department by department, but I have promised my Whip that I will speak for only a few minutes.

The SPEAKER: And furthermore, the Speaker will see that you keep to the Bill.

Mr. Gunn: To the motion, Sir.

The SPEAKER: To the motion.

Mr. GUNN: I do not wish to be sidetracked. I sincerely hope the Government will accede to these requests. I can assure members opposite that, after the next State election, when they are tipped from the Treasury benches, these propositions will be put into effect. The situation is long overdue for improvement. The requests are reasonable and should have been implemented long ago. I hope that the Government will take positive action in other sections of the fisheries industry that are also overdue for attention. I commend the member for Victoria for bringing this matter forward. It has the complete support of members of the abalone industry.

Mr. MAX BROWN (Whyalla): I am sure the member for Victoria will expect me to say something on this motion. I suppose I could be called a shadow shadow Minister of Fisheries. I will not answer the comments of the member for Eyre, because he raved on and said nothing, but I should like to comment very quickly, because I have not much time, on some things the member for Victoria said. The member for Victoria referred to what he considered to be the apparent lack of management of abalone divers. I draw his attention to the apparent lack of Opposition policy, because I recall his moving his motion, and the remarks made by the member for Alexandra. They both seemed to differ in their opinions, so I take it that the Opposition has no policy on the matter. The member for Victoria said that the industry was worth about $2 000 000 to the State annually and that 32 divers were operating in the industry.

I question the income those divers derive from the industry. I also question about whom we are talking when we talk about the industry. The sum of $2 000 000 divided among 32 divers is not too bad an annual income. The whole issue is one of opening up the industry, and I challenge the Opposition, including the member for Hanson, about whether the abalone divers are fair dinkum in this matter. I commend the member for Victoria for pointing out the dangers that exist in the industry, but the policy of the abalone industry is not based solely on that question. Why are there only 32 divers in the industry? The member for Victoria also said that the divers did not want a closed shop industry. That statement astounded me. The member for Alexandra said that he wanted the industry to have two more divers. The industry is, I believe, saying that it wants 10 more divers. Certain divers oppose having even two additional divers.

Mr. Chapman: The onus on you now is to carry out a proper survey.

Mr. Rodda: That's all we are asking for.

Mr. MAX BROWN: Not according to the member for Alexandra.

Mr. Chapman: I am impressed by the emphasis you put on statements by me.

Mr. MAX BROWN: I am aware of what the honourable member said. Part of the motion calls on the Government to set up an abalone advisory committee immediately. However, the Government does not consider that judgments can or should be made on the granting of permits to applicants by other fishermen who are so near equal in their qualification, and it is adopting a policy where criteria are set by the Agriculture and Fisheries Department and selection of applicants who meet the criteria is by ballot. This removes any chance of bias or any accusation of favouritism either by the department or, indeed, the fisheries representatives on any advisory committee. Undoubtedly those already in the industry would oppose letting others into it. Regarding the provision that abalone divers should be permitted to sell their permits and to employ relief divers, the Government does not support the sale of abalone permits between individual divers as this practice would tend to place a value on the permit that would inflate the price of the vessel and equipment. That is common sense; it would obviously do that. Once that was done, it would encourage speculation on the value of the permit, which is worth only a few dollars.

The Government knows that this has occurred in managed fisheries in other States, and the member for Eyre can say what he likes. If a sale price or value were placed on a permit, it would place an additional financial burden on successive purchasers. In other words, it would be inflationary. This would be particularly undesirable in the abalone fisheries, because it might force a diver to work longer hours to catch abalone for sale to meet his financial commitments, thereby jeopardising his health ad placing extra demands on abalone stocks. By doing this, we would be buying into a first-class barney in the industry. It is common sense that that would happen. If we look into this matter deeply the facts are that the abalone diver with his low-cost permit would be able to hawk it around for $X.

Mr. Rodda: It's done in other States.

Mr. MAX BROWN: I am pointing out why the Government cannot accept that proposition. What would happen to the relief diver? An abalone diver who owns a permit issued to him by the Government at $X might sit home and employ a relief diver at minimal cost. He might obtain a few thousand dollars for a permit that had cost him between $5 and $10.

Mr. Rodda: No wonder the industry is in such a mess when you get up and say—

Mr. MAX BROWN: The member for Victoria knows that that would be the position. The Government does not support the motion, but deplores the whole idea of having such chaos brought into the industry itself.

Mr. BLACKER (Flinders): I support the motion, because I believe that chaos exists within the industry and, more to the point, why should the industry be set aside from other fishing industries? If we are going to have one management policy for one aspect of fishing it should apply State-wide to all aspects of fishing. After all, the permit is applied for on a common fishing licence form. I will quote from an editorial in the *Port Lincoln Times,* headed 'Conflict on abalone', which states:

Shots are still being exchanged between the South Australian Abalone Divers Association and the Department of Agriculture and Fisheries over the planned issuing of 10 new permits. Agriculture and Fisheries Minister Brian Chatterton accused the divers of claiming stocks were not good enough to support another ten divers, and then wanting to bring in 32 more—as their relief divers. The divers, in turn, want the Government to take stock of the resources available to the industry before granting additional permits. For the general public the issue has been obscured by a great deal of conflicting information given in and out of Parliament. For example, in the Legislative Council Mr. J. C. Burdett described as "ridiculous" a statement that an abalone boat was worth as little as $10 000.

The truth is that some boats are worth quite a lot less than that figure and some a lot more. There is also conflict over what a diver is reputed to earn and the amount of effort used. Rewards for some of the hard-working divers have been, and are still, high by any standards. However no-one with any understanding of the nature of the work and the risks involved would begrudge this. What the Government is literally accusing the divers of is a "dog in the manger" attitude of trying to stop others from sharing in a resource which is not being fully exploited by them. The divers say they have fully exploited abalone stocks in waters which carry them at a depth which can be readily worked. They say the reason they want relief divers is to enable them to work deeper water with a reduced health risk. There seems to be no end to the conflict short of a close study into the actual stock position, and as the Minister has said, that is virtually impossible. And so the letter goes on.

I have reams of evidence about disputes involving the abalone industry. The Minister has made what could be valid comments about this industry not being fully exploited. In 1974-75, abalone divers dived for abalone for a total of 8 834 diving hours in South Australia. Let us assume that a diver can cover a 2·7 metre strip 0·8 kilometres long under water each hour. I believe that that calculation is unrealistic, because I do not believe that a diver could do it. That means that in 12 months only about 1 800 hectares would be covered by a diver. That is only half the area of Flinders Island—only a small area indeed. The divers dispute that calculation and say that, over the years that they have been operating, they know where to look for abalone and that there are many hundreds of thousands of hectares where abalone does not exist. That is a valid point. At most, only about 1 800 hectares of the total South Australian seabed is covered. That raises the question, "Maybe there is room for further exploitation."

Divers have been subjected arbitrarily to health standards. Whilst I do not believe that one diver would deny that he should be aware of the medical and physical dangers that he faces in his industry, it is grossly unfair that someone

should have the power to say, "You're out!" A diver has equipment that is of no real value to anyone else. His equipment is highly sophisticated and has been developed as the industry has developed. Some divers have expensive boats, whereas others conduct their business in "tinnies", which are small 3·7 metre aluminium boats with an outboard motor. Equipment and boats are now highly sophisticated, with some boats and equipment worth up to $30 000 not being uncommon. As the industry has developed, so has the equipment been developed to safeguard the diver's life. Divers have developed reliable equipment such as self-propelled shark cages and other equipment of that nature. Divers have had to build that equipment themselves; they can get it no other way. If a diver is suddenly told that, because of an X-ray, he is out, his equipment is not worth a cracker to anyone unless he has an opportunity to sell his way out. As a medical risk is sometimes involved, no diver would deny that he should have an opportunity to leave the industry. I am sure that it is an opportunity that all the divers would take. However, divers should not be left with equipment which lies rotting in their backyard and which is of no value.

The increased number of divers in the industry is forcing abalone divers into deeper waters. I have examined the requirements for divers under the Industrial Safety, Health and Welfare Act as it relates to time limits for dives and stoppages during ascent. As low as the figures may be, not one abalone diver last year would have dived in accordance with the regulations under that Act. If a diver dives between 12 metres and 15 metres, which is an average depth in the industry, he can do so for up to four hours with a decompression time of 50 minutes. Divers are not complying with that requirement. Many abalone are found in deeper water. In depths between 30 and 34 metres, where divers admit that there is more abalone than the industry could dispose of readily but it is difficult to harvest, a diver can dive for a maximum of only 60 minutes a day and the various stages of total decompression take another 60 minutes for him to get to the surface. Therefore, from the time that he jumps into the water until the time he stops work is one hour, and it takes a further hour from the time that he leaves the seabed until he reaches the surface. If more divers enter the industry and divers are therefore forced into deeper waters there will be little compliance with the regulations under the Act. I support the motion simply on the grounds that it involves logical and practical management of the industry, an industry that is subject to the whims of unusual circumstances and the varying depths at which divers are asked to work.

Mr. CHAPMAN (Alexandra): I have no real fight with the motion that has been moved by the shadow Minister of Fisheries, the member for Victoria. I can see nothing in the proposal that is objectionable. The motion calls on the Government to set up immediately a State Government advisory committee on which will be included the Abalone Divers Association and the Agriculture and Fisheries Department, which is perfectly reasonable. The second part of the motion calls on the Government to allow abalone divers to sell their permits with their boats. I see some dangers in that scheme, and I cite the example of the sale of taxi licences in Queensland, where licences are transferable and can be sold at the wish of licence holders. From fairly recent information, I understand that a taxi plate licence attracts about $20 000, which is far in excess of the value of the vehicle on which the plate hangs. That practice has become quite erratic in Queensland. My fear in relation to licences being transferred, as embodied in the motion, is that it will become another racket whereby people in the industry can gain a licence and, for one reason or another, market the licence at a profit. No permit or licence should be marketable in a way in which it attracts a profit.

The third point raised by the honourable member was about abalone divers being permitted to employ relief divers, and I see no problem with that. Generally speaking, I accept and support the proposal put forward, but I again stress that there are some dangers in the part of the proposal involving the transfer and in particular the sale of permits.

There are one or two other aspects of this industry I wish to mention. Previous speakers have told the House this afternoon, as some have told the House on many occasions, that not only is the Agriculture and Fisheries Department in chaos, not only is the industry generally in chaos, but also those persons in the industry and those persons seeking to enter it are confused. Those in the industry are scared stiff that their position is going to be shared by others seeking to enter the industry, and those outside the industry are crooked on those in it, and are playing all sorts of politics and using lobbying tactics in order to enter the trade.

I see absolutely no solution to this under the present management policy of the Government. If this Government and in particular the department were to settle down, and the Minister of Fisheries were to get his feet on the ground and seek to manage the industry and cease to manage the people, they might be on the right track. There is no harm whatever, and I believe it is in the interests of the fishing industry to have some basic policy regarding its management. There should be a size limit for all types of fish. That limit ought to take into account seriously the opportunity for that fish resource to be preserved, and that means that fish smaller than that size limit must be sufficiently mature to reproduce and so keep the resource alive. There may be a need to have a bag limit. In other words, there may be some justification for controlling the magnitude of the income involved. We heard the honourable member for Whyalla tell us there were 32 fishermen in the abalone industry and that, as he understood it, there was about $2 000 000 income to those 32 fishermen; that is $62 500 a man. I do not know how many days of the year these fishermen go under the surface—

Mr. Max Brown: Not very many.

Mr. CHAPMAN:—but I venture to say that they are on dry land a hell of a lot more days than they are under water.

Dr. Eastick: The average under water is 52 days.

Mr. CHAPMAN: The member for Light tells me the average is 52 days.

Mr. Blacker: At five hours a day.

Mr. CHAPMAN: That further interjection by the member for Flinders reinforces the fact that we have a few people in the industry with a massive income putting all sorts of effort into lobbying Parliament, not only in this Chamber but in recent weeks in the other place, in order to keep their exclusive business to themselves, at $62 500 a year average income for 52 days of the year at work. That is quite incredible. Fish resources are a natural resource. They belong to the people, and fishing licences and permits ought to be available in the same way as driving licences; one should qualify by virtue of one's ability to enter the field, as is the case with drivers'

licences. A person must qualify as the driver of a motor vehicle, and a person applying for an abalone diver's licence should go through the same stringent health requirements and tests as apply in that other field. I seek leave to continue my remarks.

Leave granted; debate adjourned.

## PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 3. Page 1884.)

Mr. ALLEN: Last week, when speaking on this Bill, I was making the point that I had never had any financial interest in the sport of coursing. I pointed out that I had never owned a coursing dog, but I failed to point out that I had occupied the official positions of President, Secretary, breed controller, flag steward and slip steward in connection with this sport, so I believe that I am in a position to refute many of the points made by the member for Ross Smith and the member for Mitchell. I think that I must refute their remarks, and I have figures in relation to this sport that have not been presented to the House before.

The member for Ross Smith, when introducing this measure, said that he was hoping I would vote this time in a way more in character with my attitude to most things. I am sorry to disappoint the honourable member, because I intend to vote on this matter in the same way as I always have done. I have the conviction that there are many other sports just as cruel as coursing and that until these other sports are incorporated in the legislation I intend to oppose this Bill. Racing pigeons is equally as cruel as coursing dogs, because pigeons are boxed in crates, sent to, say, Marree or Melbourne, and released in strange surroundings. They know their way home but have to battle with the goshawk, the predator of all pigeons. It was reported recently that, of 10 pigeons released in Melbourne, only two reached their destination in South Australia. The others, no doubt, had fallen to the hawks. I believe there is no difference between racing pigeons and live hare coursing. I have figures to show that the number of hares killed in live hare coursing in the past two years is not as great as the number of horses that have been destroyed on racecourses in South Australia.

Mr. Chapman: I'd like to see you try to stop horse racing.

Mr. ALLEN: Yes, but that is a different story. Over the past two years at the Hartley meetings there have been 273 courses, and no hares were killed. At the Strathdownie meetings, there have been 115 courses and no hares killed. At seven Kenderleigh meetings there have been 121 courses with 1 hare killed, and that hare hit the fence because it did not see the escape hole, and broke its neck. At Mintaro there have been 21 meetings, 315 courses, and one hare killed. The same thing happened there: no hare was actually caught by the dogs. Out of a total of 45 meetings in South Australia, involving 860 courses, two hares have been killed, so if one compares the number of horses destroyed on racecourses during that time with the number of hares killed, the figures will bear out my argument. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

## URBAN LAND (PRICE CONTROL) ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

## NARCOTIC AND PSYCHOTROPIC DRUGS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

## SUCCESSION DUTIES ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Succession Duties Act, 1929-1975. Read a first time.

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

*That this Bill be now read a second time.*

Its principal object is to remove the burden of succession duty on property passing between spouses and on all bequests to benevolent institutions. It is interesting to note that succession duty was first introduced in this State on October 23, 1876—almost 100 years ago. Last year saw a significant easing of this tax in relation to property passing from a deceased person to his family, particularly where a matrimonial home was a major asset in the estate. Now, on the centenary of this tax, I am happy to be proposing these further concessions, which will go some way towards relieving the financial difficulties surviving spouses very often suffer, and will aid benevolent institutions in this State. It is heartening to be presenting a Bill that reduces, and not imposes, taxation, and this of course once again demonstrates my Government's declared intention of easing tax burdens on the people of this State whenever possible. The Bill also seeks to overcome several minor administrative problems, and this is dealt with in detail in the explanation of the clauses, which I seek leave to have incorporated in *Hansard* without my reading it.

Leave granted.

### EXPLANATION OF CLAUSES

Clause 1 is formal. Clause 2 renders these proposed amendments effective as from July 1, 1976. Clause 3 is a consequential amendment. Clause 4 provides that the proposed amendments will operate only in respect of the estates of persons who died on or after July 1, 1976. Clause 5 repeals the provision inserted last year exempting a gift between spouses of an interest in a matrimonial home. This provision will become redundant. Clause 6 exempts all property passing between spouses from duty.

Clause 7 provides for the filing of succession duty statements. The information to be contained in such a statement shall be as prescribed. It is intended that very little information need be provided in relation to property derived by a spouse, thus relieving the administrator from the obligation to have expensive valuations made. Clause 8 removes the present obligation of the Commissioner of Succession Duties to inform the Registrar of Probates of the "net present value" of all estates. The Commissioner will not necessarily know this in relation to property passing between spouses. It is intended that probate fees will be reviewed. Clauses 9 to 15 inclusive effect consequential amendments.

Clause 16 provides that the rate of interest to be paid on refunded duty under this section shall be as fixed from time to time by the Treasurer. It is not desirable to specify a rate of interest in the Act. A similar amendment was made in 1975 to sections 51 and 55 of the principal Act. Clauses 17 and 18 recast the wording of these sections in a less confusing form. Clause 19 inserts a new section that provides for the granting of certificates by the Commissioner in relation to the releasing of assets under the two preceding sections of the Act.

Clause 20 provides that regulations may be made for fixing and recovering valuation fees where a valuation is made at the instigation of the Commissioner. Clause 21 provides that all gifts for the advancement of religion, science or education, and all gifts to a benevolent institution or society are exempt from succession duty. As the Act now stands some charitable bequests bear duty at 10 per cent, while others are completely exempt.

Mr. GOLDSWORTHY secured the adjournment of the debate.

## ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act, 1961-1976. Read a first time.

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

*That this Bill be now read a second time.*

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

Leave granted.

EXPLANATION OF BILL

The purpose of these amendments is three-fold. First, and perhaps most importantly, the penalties prescribed in the Act are increased, with particular attention being given to the penalties for "drink-driving" offences. The majority of the present penalties in the Act were set 15 years ago, and the penalties for the "drink-driving" offences have not been increased since 1967. It is obvious that we must, at the very least, keep abreast of inflation in relation to the imposition of monetary penalties, and from this point of view the proposed increases are long overdue. In addition, the penalties for the "drink-driving" offences are to be made more stringent, particularly with respect to the penalty of disqualification from holding a driver's licence. The proposed amendments follow the recommendation of the Road Safety Committee. I think all of us agree that the increasing problem of drinking drivers must be attacked with courage and firm resolve.

Secondly, the proposed amendments deal with the substitution of the notion of "mass" for the existing notion of "weight" wherever it appears in the Act. The metric experts hold that "mass" is technically the correct expression, and so this Act is accordingly amended. Thirdly, sundry substantive amendments are proposed. This Act is under constant review as to its effectiveness and so these amendments propose the solution to several minor problems.

Clause 1 is formal. Clause 2 provides for the commencement of the Bill. Clause 3 is consequential. Clause 4 places the definitions relating to the mass of vehicles in this main interpretation section. Clause 5 provides for an increased membership of the Road Traffic Board. Two further members are added, bringing the total membership to five. One member will be well versed in road safety and the other in vehicle safety. Clause 6 is consequential on the increased board membership. Clause 7 deletes an obsolete reference.

Clauses 8 and 9 delete penalty clauses. A general penalty of $300 is proposed for all offences against the Act, except for "special" offences where the penalty will still be provided for in the individual sections. Clause 10 provides a new section in relation to instruments for determining mass. All determinations of mass for the purposes of this Act must be made in accordance with the regulations. Clauses 11 to 18 inclusive delete penalty provisions. Clause 19 provides a new scale of penalties for reckless and dangerous driving. A mandatory period of disqualification is provided. The court may reduce this period of disqualification only in the case of a first offence that is trifling. Clause 20 provides a new scale of penalties for the offence of driving under the influence. Again, the minimum penalties may not be reduced, except that the period of disqualification may be reduced in the case of a trifling first offence.

Clause 21 provides a new scale of penalties for the offence of driving "over ·08". Stiffer penalties are provided where the prescribed concentration of alcohol exceeds ·15 grams. A provision is inserted in this section as to the reduction of minimum penalties similar to that provided in section 47. Clause 22 provides a new scale of penalties for failure to give a breath test. Again a provision is inserted as to the reduction of minimum penalties. Clause 23 provides for a similar scale of penalties where the driver of a vehicle involved in an accident refuses to permit a blood sample to be taken. The same provision as to the reduction of minimum penalties is inserted. Thus, the four "drink-driving" offences are brought more into line with one another.

Clauses 24 to 36 inclusive delete penalties. Clause 37 makes clear that the driver of a vehicle must also give way to a tram that is in an intersection. Clauses 38 to 53 inclusive delete penalties. Clause 54 makes clear that the driver of a vehicle must also give way to trains that are on a level crossing. Clauses 55 to 62 inclusive delete penalties. Clause 63 similarly provides that a pedestrian must give way to a train that is on a level crossing. Clause 64 deletes a penalty.

Clause 65 repeals the now redundant definition of "laden weight". Clauses 66 to 85 inclusive delete penalties. Clause 86 is a consequential amendment. Clauses 87 to 91 inclusive delete penalties. Clause 92 tightens the prohibition against left-hand drive vehicles by deleting these words; such a vehicle will no longer be able to be driven indefinitely on traders' plates. Clause 93 deletes a penalty. Clause 94 is a consequential amendment. Clause 95 repeals two sections of the principal Act that relate to the mass of vehicles. The provisions of these sections are incorporated in section 147 as amended by this Bill. Clause 96 is a consequential amendment.

Clause 97 amends section 147 of the principal Act in such a way that this section now contains all the provisions relating to maximum masses. All exemptions from this section will be handled by the Road Traffic Board (whereas currently the Minister also has power to grant permits in certain circumstances). A steeper monetary penalty is provided. Clause 98 is a consequential amendment. Clause 99 repeals a section that is now superfluous. Clauses 100 and 101 effect consequential amendments. Clause 102 deletes a penalty.

Clause 103 repeals a now superfluous section of the Act. Technical requirements for weighbridges, etc., will be set out in the regulations. Clause 104 effects consequential amendments. Clauses 105 to 113 inclusive delete penalties. Clause 114 provides that certain trailers must also be marked with the required information. The Act

as it now stands does not make clear that trailers are included in this section. In future, regulations may be made if further information is desired, or if a further class of vehicle should come within the ambit of this section.

Clause 115 provides that Central Inspection Authority inspectors may be appointed by the Minister. The need has arisen to appoint inspectors otherwise than under the Public Service Act. Clause 116 deletes a penalty. Clause 117 provides that the Central Inspection Authority is under an obligation (it presently has a discretion in the matter) to refuse to issue an inspection certificate where it has any doubts as to the safety of a vehicle. Clause 118 deletes a penalty.

Clause 119 inserts two new sections. The Central Inspection Authority is given the power to recognise interstate certificates of inspection. Immunity from civil or criminal liability is given to persons who act in good faith and with reasonable care under Part IVA of the Act; that is, the inspection provisions. Clause 120 provides that a person who contravenes a provision of the Act or a condition of a permit granted under the Act is guilty of an offence. Where no other penalty is specifically provided in the Act a person is liable to a penalty not exceeding $300. Clauses 121, 122 and 123 effect consequential amendments. Clause 124 gives the court power to postpone disqualification for a period. This power presently exists in the Act in relation to disqualification under some sections but not under others. This new section makes it clear that a court whether it is acting under this Act or any other Act may postpone the disqualification where, for example, the convicted person needs to drive his car away from the court.

Clause 125 repeals a section of the Act that presently gives the Commissioner of Police and the Registrar of Motor Vehicles power to lay a complaint if either of them is satisfied that a person is likely to cause danger to the public by reason of "intemperance in the consumption of alcoholic liquor". This power is never used and in any event there are adequate similar powers under the Motor Vehicles Act. Clause 126 effects consequential amendments.

Clause 127 effects consequential amendments and also deletes a provision which provides for the making of regulations for the purpose of prescribing a lower maximum mass in relation to motor vehicles. It is felt that if at any time a lower maximum should be provided then a direct amendment to section 147 of the Act should be effected. The penalty for a breach of the regulations is increased from $50 to $100.

Mr. RUSSACK secured the adjournment of the debate.

## POLICE OFFENCES ACT AMENDMENT BILL

Second reading.

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

*That this Bill be now read a second time.*

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

Leave granted.

EXPLANATION OF BILL

This short Bill is designed to overcome a possible weakness in the Police Offences Act. The Act at present provides that it is an offence for a person to have in his possession property that is reasonably suspected of having been stolen or unlawfully obtained. A number of cases decided in New South Wales on the basis of a similar provision suggest that money or other property obtained, for example, by a drug trafficker in pursuance of illegal drug trafficking would not come within the terms of this section. This restrictive interpretation that has been accorded the phrase "unlawfully obtained" may cause considerable problems in dealing adequately with drug offences.

It is sometimes possible to prove that moneys or other property are the proceeds of a drug offence but difficult or impossible to establish the commission of the offence itself. The purpose of the amendment is to make it clear that the offence applies to property obtained by any unlawful means whatsoever. Clause 1 is formal. Clause 2 amends section 41 of the principal Act so that it will apply to property reasonably suspected of having been obtained by any unlawful means whatsoever.

Mr. GOLDSWORTHY secured the adjournment of the debate.

## CITY OF ADELAIDE DEVELOPMENT CONTROL BILL

Adjourned debate on second reading.

(Continued from October 21. Page 1755.)

Mr. ARNOLD (Chaffey): This Bill provides for development control within the city of Adelaide based on principles that have been adopted by the Council of the Corporation of the City of Adelaide and the South Australian Government. While no-one disputes the need for orderly development within the city of Adelaide, I believe everyone in South Australia has an interest in this matter since it is for the purpose of determining future development of the capital city of South Australia. However, we in this place have a responsibility to see that those who will be directly affected by this legislation are justly treated and have the due protection of the law, which is a vital part of the Australian way of life. To me, that is important above all else.

This Bill, as currently drafted, could well place the control of development within the city of Adelaide squarely in the hands of the Government of the day. When I refer to the Government of the day, I mean not necessarily the present Government but any future Government. The matter will be placed fairly in any Government's hands. This is contrary to the view of the Opposition, which believes that local government in this State should be encouraged to accept a more meaningful role in the overall process of Government, as has been the case in Western Australia. Earlier this year, I was fortunate enough to go to Western Australia and to spend a week in Perth for the express purpose of examining the way in which planning and development is carried out there. I was interested to note that in Western Australia the Minister of Local Government is also the Minister of Planning, and that local government in that State plays an extremely important role in planning—to a far greater degree than does local government in this State.

The way in which this Bill is drafted tends to lessen the local government influence in the field of planning, particularly in relation to the planning and development of Adelaide. Since it is not within Parliament's scope to amend the principles on which development control within the city of Adelaide shall be based, I believe that the Bill and the principles should be referred to a Select Committee

following the second reading of the Bill. That is the only way that we can determine in detail what will be the effect of the principles on the city of Adelaide and the businesses and companies operating therein. This can be ascertained only after the Bill has been referred to a Select Committee.

I assure the Minister that the Opposition will co-operate in every way to enable this to happen as expeditiously as possible. We recognise that interim development control officially ends on December 31. However, I believe that, no matter what, interim development control continues until this legislation comes into force. This would clear the air for many people who operate businesses in the metropolitan area and those who live in the metropolitan area or within the precincts of the city of Adelaide and come under the control of the Adelaide City Council. I hope that when we reach the appropriate stage the Government will seriously consider allowing this Bill and principles to go before a Select Committee. It is then that we will get to the bottom of the whole matter. The Minister's second reading explanation gave virtually no information, other than an explanation of the clauses. His preamble was short, and the Opposition was not able to gain much information from his second reading explanation. With such far-reaching legislation, I believe that the proper course is for it to be referred to a Select Committee. The Bill would seem to limit the Minister's control to questions of appeals from refusals of applications for development, but in fact this is not quite so.

The Minister can require the council to refer all applications to the commission where he is satisfied that the Government has a substantial interest in the result of the application. The Government has a real influence over what is to take place: that is, the Minister has. The commission is appointed by the Government and its members hold office at the pleasure of the Government, as the Bill stands at present. The Government appoints four members of the commission, and three are appointed by the Adelaide City Council. Therefore, the commission is effectively an arm of the Government, and can delegate all its powers to an officer or employee of the commission.

Appeals from the council and the commission go directly to the Minister, who may take advice if he so desires and who need not give reasons for his final decision. It is a final decision, and the Opposition does not agree with that provision. The Bill provides for principles for development which the council and the commission shall have regard to in determining an application for development. However, these principles may be amended from time to time either at the council's volition or at the request of the Minister. There is little effective public involvement: the amendments can be commenced by the Minister and all amendments are to be approved by him. It is a tight circle in which the area of alteration to the principles revolves.

The principles to be approved by this legislation involve major changes and upheavals in several areas of the city, and they are heavily weighted against commercial and industrial interests in the west and central areas of the city. The Act provides for regulations which are necessary or expedient for the purposes of the Act and which give effect to the implementing of the principles. Such regulations may be restrictive or prohibitive or regulate any development or aspect of development within the city of Adelaide. Only the council shall have the opportunity to make representations to the Minister on any proposed regulation. Landowners within the city will not be able to comment on any of them.

The only opportunity for landholders or persons within the city of Adelaide will be to make representation to Parliament when the regulations come before the House. The landowner adjoining any proposed development will have no right to object to it, and indeed is unlikely to be aware of any application for development, as the Bill stands at present. However, we must speak to the Bill as it is, and that is the situation. There is no right for the council to appeal against a decision of the commission, or to be involved in those decisions. The Bill is a substantial departure from previous legislation, which included safeguards against the abuse of public power in matters that could affect individual rights.

It seems that this type of measure has been proposed because of the extremely controversial nature of the City of Adelaide Plan (and it is controversial in several ways), and the difficulties of introducing the proposed changes to the city, if refusal of commercial and industrial development were subject to a rational and independent appeals system, as exists under the Planning and Development Act. Whilst I am referring to the appeal system, I indicate that I fully support the initial principle concerning appeals in which it is necessary for a compulsory conference to be held between the appellant and the commission, in an endeavour to solve the problem. This will reduce the number of appeals that finally are made to the Minister, or, as I should like to see, made to the Planning Appeal Board.

That in itself is a good principle and, if it were carried into other areas in the operation of the Planning and Development Act, it would reduce the load considerably on the Planning Appeal Board under that Act. I believe this is a worthwhile provision that the Minister should consider putting into effect in other legislation. I raised this matter on October 5 during the debate on the Appropriation Bill (No. 3), and asked how many appeals were pending before the Planning Appeal Board. The Premier replied on October 18, as follows:

There are presently 213 appeals or other matters part heard or awaiting hearing before the Planning Appeal Board. The average delay in hearing of appeals is four months from the date of lodgement to the date of hearing.

I am confident that, if the initial principles involved in this Bill were included in the Planning and Development Act, that figure would be reduced dramatically. The principles set out districts and within them precincts, which act as zones within the city. The boundaries of the precincts are supposed to be flexible, but some control standards are absolute within certain areas. For instance, the density development is measured by plot ratio, that is, the proportion of floor space to site area. Principles 11 to 13 set out the maximum and minimum plot ratios for various areas in the city. These are generally low and less than many existing buildings enjoy. However, those ratios are fixed.

The principles use the word "shall" and not "may", and this use of words is repeated in reference to the minimum proportion of landscape space and the requirement for off-street parking. The mechanical standards of development are far more rigid than the introductory statement of the principles would imply. There are some rigid areas laid down within the principles. This is important to landowners in those areas which were previously set aside for industry and commerce but which are now to become predominantly residential. The rights of expansion or replacement are hedged around with the need to comply with these performance standards. On land which is now fully built on, expansion may not be possible.

A good example is in one of the submissions made to me, and no doubt a similar submission was made to the Minister. This is the situation in which a company such as Amscol, for instance, finds itself in Hurtle Square. The problems outlined by the Amscol organisation will need clarification by the Minister when he replies. As the company sees the situation, it has occupied its basic property since 1922, and has steadily acquired property to cater for its expansion. It has restored a substantial apartment block in Carrington Street for its head office. We know that Hurtle Square, in the main, is set aside for residential and non-industrial purposes.

The company has complied with building standards as determined by the Adelaide City Council over the years, and its factory premises are soundly constructed and functional. It has provided substantial employment, in the Adelaide area, and about 300 persons of all callings are employed. The total pay-roll for the company throughout South Australia is about 400 persons. The company has expressed concern on the future of its activities and expansion in a zone declared predominantly residential for the future. It is dismayed as to the possible restrictions on its manufacturing ability to change production of certain products to cater for its future market needs.

The company is also concerned about the future of its substantial investments in the Hurtle Square area. All members would be aware of the extent of the development of the Amscol organisation in Hurtle Square. The main factory site has no value other than land value. The company has provided an essential dairy and other food distribution throughout the metropolitan area from a central point. With the various points raised, the ultimate question is as to just what is the future of the Amscol organisation if it is required to move from its present location.

If the area is to be predominantly residential, what future does such a company have on its present site? If the present premises have land value only, the price to be obtained for the factory would in no way enable the company to establish itself on a new site. The points submitted by Amscol should be considered across the board, as they relate to all other companies and operations under the control of the City of Adelaide. Planning should be realistic to allow companies presently operating in such proposed restricted areas to expand and carry on their activities, provided that they comply with normal standards.

To what degree the provisions as laid down will be enforced or how quickly they will be enforced, no-one knows. These are the questions posed, and rightly so. It is interesting to note that the submissions made to the Government (copies of which have been made available to the Opposition) make similar points. The submissions of the Institute of Surveyors, the Master Builders Association, the Law Society, and the Royal Australian Institute of Architects bring out similar points. Major concern is evident throughout the community regarding the proposals.

If we look at the quantitative standards required, if they are to be retained, they should be increased substantially on what they are at the moment, especially in South Adelaide and parts of North Adelaide. The plot ratios and permitted heights should be increased substantially on those existing at the moment. It is contended that the quantitative standards laid down at the moment will unduly restrict the height of building. Whilst this may be desirable in relation to the aesthetics of the city, at the moment the only right of appeal is ultimately to the Minister. We believe that this should not be in the hands of the Minister who set up the commission. The finding of the commission, in my view, undoubtedly would be upheld by the Minister. I cannot see the Government of the day appointing a commission and not upholding its findings.

The likely permitted use of land can be derived from reference to the principles 1 to 10 and the desired future character of precincts. There is little change from existing uses in the core district, the western service precinct, and the residential areas of North Adelaide. Elsewhere the changes proposed range from slight to dramatic. The most disruptive changes will be in the Hurtle Square (and I have given examples of the manner in which Amscol, for instance, is concerned about the situation as it sees it) and, to a lesser degree, in the Whitmore Square areas which are expected to revert to residential use. At present, in the Hurtle Square locality to the west of the square, 96·9 per cent of the land is used for non-residential purposes. Around the square the proportion is 76·4 per cent, and to the east of the square to Frome Street the proportion is 71·3 per cent. This is substantially an industrial part of the city.

Under the proposals, that will become predominantly a residential area. The whole tenor of the principles is directed towards increasing the attractiveness of the city as a place to work, to live, and to visit. Although that is a most commendable outlook, it ignores most of the industrial base and many of the commercial activities in the city. The city is basically a base for employment. Its central location in the metropolitan area makes it naturally attractive to many distributive industries. The city's finances depend substantially on this type of industrial or commercial activity. The principles, therefore, should contain development objectives for industrial and commercial land use that support the retention of these activities in appropriate locations.

The Bill before the House raises many questions. When I first saw the legislation, prepared by the Government and supported by the Adelaide Council, I thought that few problems would be involved, but I have been amazed at the number of submissions received from the areas concerned. The Law Society has seen fit to make a submission to the Parliament as a whole, and that is an unusual step for that body to take. The points raised by other groups such as the Institute of Surveyors are indeed similar to the points raised by the society. I support the second reading and trust that, at the appropriate time, because of the concern in the community about he legislation and its far-reaching effects, the Government will see fit to allow the Bill, together with the principles, to be considered by a Select Committee.

Mr. COUMBE (Torrens): In supporting the Bill, I will say something about the various facets it contains. The member for Chaffey, who has so ably presented the Opposition's view, has covered in some detail some of the aspects, and I will not repeat them in detail. The main aim of the Bill is to impose developmental control on the municipality of Adelaide, which comprises not only the square mile of Adelaide but also two wards in North Adelaide, namely, Robe and MacDonnell. We must remember that that is the main aim of the Bill. At present, interim development control is in force within the municipality, and control is exercised by the City of Adelaide Development Committee, which was established by a special Act of this Parliament. In effect, land within the municipality will in future no longer be subject to the planning controls also under the Planning and Development Act as such, because this Bill contains special provisions to take care of those aspects.

Many powers of local government, as such, were transferred from the control of the city of Adelaide to the City of Adelaide Development Committee and, since that has happened, certain things have taken place. The committee did some good things, but certain of its other decisions were controversial. I would be the last to say that all of its decisions were popular—far from it, in some cases. However, it was necessary to have such a committee in operation while the city was under interim development control. I recall moving the amendment when that Bill was before us to make the Lord Mayor of the day the Chairman of that committee. I am not suggesting that in this case, because I would not impose that onerous duty on the Lord Mayor, whoever he might be.

Mr. Millhouse: Or she.

Mr. COUMBE: "He" embraces "she" in the Acts Interpretation Act. The Deputy Lord Mayor at present happens to be Lady Jacobs. Although some powers were taken away, we find that under this Bill some powers have been returned but, in my opinion, not enough of them. I do not believe that sufficient powers have been returned to the local government body concerned, namely, the Corporation of the Municipality of Adelaide. In fact, these powers are restricted in some areas. It is my Party's policy that local government should have the greatest possible responsibility within its own area, as a third arm of Government in this State (the Federal, State, and local government aspects of the Federal system). Under this Bill, the State Government undoubtedly will and can play a vital and significant power of control. It will exercise this power of control in many ways, as one can see from reading the Bill. I believe that this is out of proportion to the fact that we are considering not an ordinary local government area but the capital city of the State of South Australia, with all its involvement as the administrative head of a State and the fact that the Governments, of necessity, both State and Federal, are represented in one way or another in the city of Adelaide.

I have been involved in this matter for 2½ years or more and I welcome the fact that at last we have reached the stage where we are considering legislation dealing with the city of Adelaide to take it out of interim development control and to accept the plan that has been submitted to all members. What we are considering is in many ways fortunate. Colonel Light laid out the city of Adelaide and prepared a plan that is unique in Australia. I believe, that, in the main, that plan has been adhered to, but there have been several movements away from it over the years. I believe that we are extremely fortunate in South Australia and in Adelaide because we have this base on which to work. It was an outstanding piece of town planning of early last century.

Mr. Millhouse: Colonel Light made one unpardonable mistake: he did not allow for the railway. It never occurred to him that we would need a railway station or lines coming into or going out of the city. What have you to say about that?

Mr. COUMBE: I know that Colonel Light, having come from the East and the United Kingdom, laid out in his thinking what was the best means of transport, namely, a canal to be built down the Port Road to Port Adelaide in what is now called the plantation. The honourable member's comments do not detract from my praise of the original concept of Colonel Light. We are fortunate in being the only city in Australia that had such a plan. We must ensure that we plan on that basis, and in this legislation ensure that, for posterity, we are again building on that foundation and laying the good work for those who will follow.

Mr. Chapman: Didn't most learning and planning begin in the East and then spread?

Mr. COUMBE: I have been brought up in that way—a cautious manner. An extraordinary amount of discussion has taken place within the council and with interested parties outside the council. I am full of praise for the amount of work that individual councillors have done, particularly during the past year or so. This whole matter has been going on for about three years now. I know that discussions have taken place with residents, groups of organisations, traders, and ratepayers, some of which meetings I have attended and, incidentally, the present Lord Mayor has chaired several of these meetings. Credit is due to him; we are fortunate in this State to have a man of the calibre of the present Lord Mayor, who holds that office while this matter is being considered. The city planners have brought forward public displays of the plan. Objections have been invited, received, and reviewed. Not all of them have been accepted, but the plan has been amended from time to time after it has been publicly displayed and after objections have been received. Public participation has been invited and, indeed, encouraged.

What we have before us to consider with the Bill as a cognate measure is the principles, and I will say more about them later. The city planning consultants chosen for this work were Urban Systems Corporation and George Clarke. If one cares to look at what has been done, one will see that they have divided the principles themselves, which are a part of this Bill, after all, and which are contained in clause 7. They have set up districts and precincts. For instance, there is the core district, the frame district, the residential district, the park lands district, and the various precincts. The Bill is quite different from what I expected it to be and is possibly different from what the council expected would be presented to the House. Let me trace the history of this measure, because it has a bearing on the Bill. The council minute relating to this matter is dated Monday, September 27, and states:

2. The report of the Town Clerk . . . on September 27, 1976, indicated that the major State objections to the plan as previously adopted by council could be overcome if the policies were separated into "general" and "development control".

3. The plan has now been rearranged to take account of this and policies directly related to development control have been extracted from the body of the plan and regrouped as 30 "development control principles" which together with the "statements of desired future character" now form part 4 of the plan. The objectives and policies have not been amended and are as endorsed by the General Purposes Committee and council on September 27, 1976.

4. The legislation to be introduced into Parliament will only authorise Part 4—The principles upon which development control within the City of Adelaide shall be based. The 30 principles have been grouped into "use of land", "density", "height", "usable landscaped space", "parking", and "townscape and amenity" and will afford the council discretionary control over such matters until detailed regulations are introduced.

5. Parts 1 (explanatory statement), 2 (objectives) and 3 (policies) of the plan will be the subject of separate agreement and on-going negotiation between the council and State Government and will not be legislated for.

Later it is recommended that the plan, as circulated, be adopted, and the same applies to the regulations. I turn now to the principles. The member for Chaffey referred to the need for a Select Committee to consider not only the Bill but also the principles, which are vital in relation to the Bill. Clause 7 provides:

The principles are approved.

In other words, to pass this Bill we must agree with the principles. There is no way that we can alter the principles if we disagree with them. The principles are signed by the Hon. Hugh Hudson, Minister for Planning, and Dave Roche, Esq., Right Hon. the Lord Mayor, and were adopted by council on October 18, 1976. Therefore, the Bill stands or falls on the acceptance of the principles, which cannot be amended if we find a fault now. True, they can be amended in future.

I suggest that the House should therefore ensure that the principles are corect from the beginning. For that reason, I suggest that a Select Committee should be set up to consider the Bill and the principles. The Bill could still be passed by the appointed date. Set out in the principles are the districts to which I referred, and there is reference to the use of land, density (plot ratios), the height of buildings, the usable landscape, parking (an important matter), townscape and amenity. Informative maps are also included. Towards the end of the report these matters are dealt with in detail as, too, are the precincts. I would invite members who have not already done so to look at the report, because it represents years of work involving many man-hours by councillors and responsible officers.

A moment ago I said that the Bill was not in the form that some of us believed that it would be. The member for Chaffey referred to the appeal provision which, as it stands, is repugnant to me and is against the best legislative practice, because appeals will go from Caesar to Caesar. I also refer members to the City of Adelaide Plan, which was adopted by resolution of council on June 23, 1975, and which referred to the implementation structure. It is interesting to note that, in part, it states:

The Council of the Corporation of the City of Adelaide shall be the development control authority, charged with the primary responsibility for implementing the City of Adelaide Plan and for administering the planning, development and conservation processes. A joint Council-State Crown Committee—

I suppose that that relates to the City of Adelaide Review Committee, which is what we are calling the committee now. It continues:

. . . should be established to co-ordinate the policies, activities and ideas of the public, the council and the State. The committee should be responsible for hearing public objections to the issuance of regulations, deciding development applications by Crown bodies, and have power to exercise discretion in authorising exceptions to regulations in specific cases. The council would be required to interpret the law in relation to any development application. The new Act should include special provisions for judicial review, on appeal, of the reasonableness of the council's exercise of its discretionary powers under the new Act.

At that time the plan expressed the opinion of council and the planners through the elected members of council. They said that the Bill should contain special provisions for judicial review, not ministerial review as is provided. I particularly draw members' attention to that point of view that was held by the Adelaide City Council that, where appeals are to be heard, they should be heard on a judicial basis and not on a Ministerial basis.

Many members have no doubt seen the famous red book "City of Adelaide Plan" that was prepared by the consultants to the Adelaide City Council. The consultants were George Clarke and Urban Systems Corporation in consultation with council officers. The plan, with its extracts, maps and pictorial material, as well as recommendations, were on public display for some time in the council office. They attracted much attention. I was privileged to attend a study workshop so far as it affected North Adelaide, which is part of the district that I represent. From that workshop several worthwhile suggestions were made to council. The North Adelaide Society, which produced the book on the value of North Adelaide, is to be commended for its participation in this exercise. The book contained a draft Bill. I am not so naive as to believe that that would have been accepted because, after all, it was not in an acceptable form; however, it did lay out the basis for a Bill. The Bill before us this evening is not in the form that many of us expected, and I am sure it is not what council, in the early stages, expected. What we are having to consider is an emasculated form of the Bill that deals only with the principles and certain questions of procedure. I mentioned that in the principles there were controversial matters which have been raised in representations to the member for Chaffey, to me and others dealing with the height of buildings, land use, plot ratios, etc., just to name a few. That is why I believe that a Select Committee into this matter is important. The Bill has a schedule that provides that, if the appointed day is not January 1, 1977, the date when existing control is due to cease, those controls will continue until the appointed day.

I do not believe that if the appointed day were delayed for some weeks or a month it would matter much, however desirable it would be. I believe that it would be better to delay slightly the appointed day and get the matter right now once and for all than to rush it through just to meet the deadline of January 1, 1977. As I have said, the schedule provides for the continuing exercise of existing powers, however much I want to get rid of interim development control.

Turning to what is a matter of philosophy, I suppose it is true that we all want to encourage repopulation of the city by residential ratepayers. I believe that that matter has received much publicity. The Housing Trust, the council and other organisations are working on this matter, and there has been some controversy over the census figures recently released. I believe we have to strike a reasonable balance between the concept of increasing the number of residential ratepayers in the area and the concept of commercial development that is necessary to serve the State as a whole, because, after all, this is a capital city besides servicing the residents who live within the boundaries of the municipality.

I turn to some of the details of the Bill. I believe that the definition of development is extremely wide and embracing. I am not sure how else one would define it, but it takes into account any building work, demolition work or the change of use of land in the city. I accept the Minister's foreshadowed amendment in that regard. I point out that what we are doing is considering on the one hand a 20-storey building that may be a major development in the city and on the other hand we may be considering the demolition or erection of a verandah on the most humble cottage, so this is the range of matters that come under this all-embracing title of "development". Provision is made in this Bill for minor matters to be conducted in a normal way by the council, just as it would be in your own council, Sir, in Port Pirie. This shows the wide, embracing nature of this definition. The Bill does not bind the Crown. Why is this? After all, the Crown occupies much land in this city. If the Crown paid rates, the City of Adelaide would be much better off, and I am referring not only to the State Government but also to the Commonwealth Government. Why does it not bind the Crown, particularly as we see some reference to this in clause 19?

I have mentioned clause 7, in which the principles are approved. We then come to clause 7 (2), which has rather interesting wording and which states:

The council may, and shall if requested by the Minister, from time to time, prepare amendments to the principles.

That means that the council may prepare amendments if it finds it necessary to do something, but the council "shall" (it has no alternative) prepare them if requested by the Minister. What, in effect, we have is direction from Government on that aspect. I believe that that wording is not good enough. Provision is made for public displays of plans, which is fair enough and as it should be, but I object to the direction by the Minister. Clauses 7, 8 and subsequent clauses deal with the control and how the principles are to be amended. Clause 10 is a rather curious provision. It provides:

The Minister shall consider the amendments . . . and the reports forwarded to him . . . together with his recommendations thereon.

The Minister recommends and forwards the recommendations to the Government. The Governor (which in effect means the Cabinet, Executive Council) can do several things: he may approve, not approve or vary. The effect of this is that nowhere is it provided that this matter of alteration to the principle, which I talked about earlier (and members can see why I am referring to that), can come back to Parliament as regulations would do in the normal way. If the Minister is exercising his right, no matter what are the wishes of the council, the Minister may come to another decision and the council has no say.

The Minister, in effect, has the last say in some cases despite the wishes of the council. I invite members to read clauses 9 and 10 in this regard. These are the amendments to the principle. The commission will be of seven members, as the Bill provides, and it will be composed of a number of commissioners, three of whom shall represent the City of Adelaide. They can be elected members, appointed members, or a mixture of both. We are talking here about a matter dealing with a local government body, yet local government is in a minority. I ask honourable members whether it is reasonable and fair that the local government body, the major one in this State, is in a minority on a major committee which is affecting applications and other matters that come before it.

Mr. Mathwin: Do you think it would be another attempt to destroy local government?

Mr. COUMBE: The honourable member has made an interesting point. It is interesting to note that, under clause 22, if the council wants to proceed with a development it has to submit its plans to the commission. Therefore, further control it being taken out of the hands of council and given to the commission or the Minister. I agree with the comments the member for Chaffey made about the compulsory conference when there is disputation. I believe this is an excellent idea, but I violently oppose the fact that the Minister is to determine an appeal, and his decision will be final and without appeal. We have the effect of appealing from Caesar to Caesar, and that is not good enough in this Parliament. I believe we must make some amendments, which I believe are being prepared. It is not good legislative practice; it is contrary to that. Clause 38 deals with existing use, but I do not think any provision is being made for expansion, which is a rather curious aspect.

I sum up by saying that I welcome the fact that we have a Bill here. It is my desire that this Bill, when it leaves this place, will, along with the principles, be in the finest possible shape. Therefore, I believe that whilst there are obvious faults in the Bill and whilst the Minister and the member for Chaffey have amendments on file, other aspects have to be considered. It is technically and procedurally impossible for us in this Bill to consider alterations to the principles, because the Bill stands or falls by them. Therefore, it needs further investigation which could lead to benefits for the city of Adelaide, its users, and its ratepayers. I support the second reading and hope that the Bill will go to a Select Committee to be considered further.

The Hon. HUGH HUDSON (Minister for Planning): I thank the two members who have made a contribution to this debate, and I should like to make one or two points that may save time later. It is worth recognising that the process of considering the principles has been extensive, indeed. The public has been involved in all stages of the City of Adelaide Planning Study since February, 1973, and that is about 3½ years. As most members would be aware, a special centre was set up at 41 Pirie Street, operated by the consultants, at which public comment and criticism was received at all three stages. The consultants' recommendations were submitted to the Adelaide City Council in June, 1974, and they were on further exhibition from October, 1974, to February, 1975.

There was a period of consideration of more than 780 written submissions, plus the council's own deliberations, resulting in the City of Adelaide Plan adopted on June 23, 1975. This plan was put on display for a further period of two months, and 287 written submissions were received and seven public hearings held at which 42 of the people who made written submissions also made further oral submissions. That resulted in a supplementary report adopted in March, 1976. The original plan and supplementary report were referred to the Government, and since then there has been further negotiations for the people involved in the Adelaide City Council with the State Government and various Government instrumentalities. The city and State liaisons resulted in the City of Adelaide Plan being adopted by council on October 18, 1976. There has been a long period in which the principles were considered.

The principles really amount to a City of Adelaide Development Plan: it does not involve the same nice colours on a map that were involved in the Metropolitan Adelaide Development Plan but basically, when the Planning and Development Act was passed, the same procedure was followed. The original plan was adopted and that had been around for about five years. The procedure for amending the principles is virtually identical with the procedure for amendments to the Metropolitan Adelaide Development Plan. Arrangements that arise in relation to the preparation of a supplementary development plan follow almost the same arrangements that apply in relation to preparing amendments to the principles, except it is not the State Planning Authority that is involved but the Adelaide City Council and its planning commission.

I make that basic point, because we have to recognise that, because of all the previous controversy over the City of Adelaide Plan and the various submissions made, the amount of flak that still exists in relation to specific aspects is small, indeed. These remaining pieces of flak have been considered, reconsidered, and reconsidered again by the Adelaide City Council. There has really been an extensive process of consideration. I point out to the member for Chaffey that in the Hurtle Square precinct it is not the case that a company like Amscol cannot expand. The position is that any expansion proposal put forward would be considered on its merits.

I refer to that part of the principles dealing with the Hurtle Square precinct. Whilst the Hurtle Square precinct

is a mixed-use area, the long-term aim is to achieve a predominantly residential use. Certain frame activities such as small-scale commercial, retail and service facilities will be allowed to develop in the precinct, provided they are compatible with the eventual residential environment design. Existing business in that precinct should be given rights to reasonable expansion, subject to the appropriate performance standards of the specific locality being met. It is entirely a question of the merit of the expansion proposal that Amscol may propose.

Dr. Eastick: They could be costed out?

The Hon. HUGH HUDSON: That may be the case. If the ultimate objective of extensive residential redevelopment in the city and extensive repopulation of the city is to be achieved, it will not and cannot be possible to give every business in the city area, south and north, basic rights of expansion, no matter what. The aim of protecting every existing interest and allowing it absolute right to expand, and the aim of residential redevelopment are not compatible. A choice has to be made. The Adelaide City Council has made the choice which in certain areas weighs heavily in favour of some residential redevelopment. The Government agrees with that choice, and I think Parliament should agree also.

After all, when we consider the cost of additional residential development on the fringes of Adelaide and the servicing costs that exist compared to residential redevelopment in the city area, which again is fundamental to the life of the city in many respects, it is clear which way the argument must go. Much as I should like to wave a magic wand and say, "It will be all right and every possible interest that exists already will be protected with regard to expansion as well as existing use provisions", I do not think it is possible to achieve that and achieve residential redevelopment.

Even so, the city council has bent over backwards to try to protect the interests of commercial firms concerned in the Hurtle Square precinct, such as Amscol, Metro Meat, Dunlop and others. A provision enables the right of expansion and a judgment being made on merit. Many of the other matters raised will be debated in Committee, so I shall not occupy further time of the House.

I report to the House that since the City of Adelaide Development Committee has operated the extent of co-operation and of agreement between the Government and the City of Adelaide on that development committee has been remarkable. I think that only once were representatives of each side split down the middle, and that was over a minor matter relating to a verandah somewhere, and not a matter of Government policy. The extent of agreement and the working relationship that has been developed has been truly remarkable. This Government has a basic responsibility that extends beyond the city and over the whole of the metropolitan area. If there is a crunch issue, where a certain development proposal has substantial consequences that go beyond the boundaries of the city itself, and the issue arises as to whose will shall prevail in the first instance, the will of the council, or the will of the Government, the Government is representative of everyone in the community, of people within the city and people outside the city, and in the first instance its view must prevail.

Mr. Gunn: Not a Socialist Government.

The Hon. HUGH HUDSON: For the benefit of the member for Eyre, the remarkable thing is that the degree of co-operation between this Government and the City of Adelaide is greater than has been the case in the past.

The Hon. J. D. Corcoran: That's true.

Mr. Gunn: Self praise.

The Hon. HUGH HUDSON: It is not a question of praise; it is very much to the credit of the people associated with the City of Adelaide and many of the officers of the State Government and their willingness to come to terms with these problems. On a crunch issue, the Government view is that we must stand up and be counted on the matter. We are subject to public pressure and consideration of the electors in any subsequent election, and ultimately a matter of great controversy may have to be determined in such a way. I thank members for their contributions.

Bill read a second time.

Mr. ARNOLD (Chaffey): I move:

That this Bill be referred to a Select Committee.

During the second reading debate, members on this side gave adequate reasons why the Bill should be so referred. Reference was made to companies, business organisations, and individuals who were vitally concerned with the procedures contained in the legislation, and it was mentioned that we are not able to discuss or amend the principles which are the key to the whole legislation. If Parliament or this Chamber is not able to amend the principles under which development control will be put into effect for Adelaide, the only possible way for all concerned persons to be able adequately to present their situation to us is through a Select Committee.

The Minister has claimed that this opportunity has been available for some time. Whilst that may be so, the principles on which the development control within the City of Adelaide will be based were adopted officially by the Government and by the Adelaide City Council only on October 18, 1976, less than a month ago. Although the draft documents and draft principles have been available, they could not have been construed as the precise principles on which the development would be based. That in itself is adequate reason why the Bill and the principles should be referred to a Select Committee.

Mr. COUMBE (Torrens): I support the motion. I have expressed my views: I support the Bill, but I think it could be improved. The principles also could be improved. Possibly they could have been put in as a schedule to the Bill, although that would have been clumsy and I do not suggest that for a moment. They are a cognate part of the Bill. Regulation-making power is provided in the Bill. The regulations will come to Parliament in the normal way, as do the present regulations from the City of Adelaide. However, when amendments are proposed and decisions are made in relation to the principles (after all, this is one of the basic things of the whole of this plan and the legislation we are considering), they do not come to Parliament for scrutiny by the Joint Committee on Subordinate Legislation or by Parliament. There is no opportunity for disallowance.

That is perhaps an administrative matter which would be easy for the council and the Minister, but the Minister's decision is final. I point out to you, Sir, as custodian of this House that we are debating a fairly solid legislative principle. Whilst I admit that it is not a hybrid Bill which of necessity would go to a Select Committee, I believe there is merit in the matter being sorted out. I am aware of the facts cited by the Minister and of the extraordinary number of representations made to the City of Adelaide. It is to the credit of the council that it has been able to sit through that huge amount of material and

come up with a plan. The people involved would be the first to admit that it is not perfect, and perhaps we can help in this regard.

There should be nothing to hide and nothing to fear in the Bill's going to a Select Committee. I am not suggesting that the whole matter should be thrown open for everyone to make representations all over again, because I know the work the city has done in this regard, and I would not want that hashed up again. I believe it would be to the benefit of the Bill and of the future administration of this State and the City of Adelaide if the Bill were to go to a Select Committee.

The Hon. HUGH HUDSON (Minister for Planning): I can understand the reasons why the member for Chaffey and the member for Torrens have put forward this point of view, and in some respects I fully sympathise with it, but the Select Committee process inevitably would be a long one. There is no way in which anyone who wanted to give evidence could be prevented from so doing, and the process may take a long time indeed, especially if meetings of the Select Committee have to be fitted in with the kind of schedule I have at present.

I emphasise again the consideration given to these principles by the City of Adelaide and the long period of time involved in considering objections and allowing for submissions and the consideration of them. One of the remarkable things about the City of Adelaide principles and the desired future character of the precincts is that there is remarkably little fuss still existing in relation to these matters. One or two people still are not satisfied, but that is the nature of the beast. The same procedure applies in relation to amending the principles as applies in amending the Metropolitan Adelaide Development Plan. Obviously, it would be impossible to adjust flexibly to changing requirements in the city of Adelaide if there was not a relatively flexible and simple way of amendment, even though it does involve publication of changes proposed and consideration of objections.

We would be in the greatest difficulty with the Metropolitan Adelaide Development Plan if we did not have the arrangements that exist for supplementary development plans to be approved and recommended by local government, adopted in Executive Council, and proclaimed. Already, the various local agencies have had to make a series of amendments. Development requirements of the city will change over time. The principles must be an organic piece of legislation and capable of changing over a period with greater ease than is the case with the ordinary legislation of this State. That is something we must recognise if the city is to be a place where development can take place properly planned, but with some degree of ease without excessive costs being placed on development. We must recognise that some of the provisions that exist with regard to the Planning and Development Act in relation to our ordinary zoning arrangements and the requirements spelt out in many regulations make development a costly and difficult problem in many cases. We cannot afford that sort of thing in the central focus point of Adelaide.

It is possible for a well-estabished residential area to be stable and a difficult area in which to produce change. The city is well established, but it is not a situation where we can tolerate great difficulty in bringing about change. Having considered the processes the council itself has gone through in relation to these principles, I do not believe that we would be well served by a Select Committee process. We would still be in the same situation. Unless the council and the Government were willing to make adjustments in the principles, we would be back to the House on the basis of accepting it at that stage, or not accepting it. That is the choice available to us. I argue strongly for acceptance of the Bill on the grounds of the lengthy process that has taken place, extending for almost four years (four years next February), and the very effective and competent way in which the City of Adelaide has been able to meet the multitude of objections there were to the original proposals.

Members will recall when these original proposals were first published and open for consideration, and the kerfuffle that occurred in relation to company after company in the entire city council area. However, the situation is different now, because I believe that the evidence that could be presented by the city council is that these principles have been well considered, and they have been adopted effectively by the vast majority of ratepayers in the city and their representatives in the council.

Mr. Arnold: Why are so many people concerned?

The Hon. HUGH HUDSON: Has the honourable member received 780 submissions, which was the original number? In the second case, when the matter was reconsidered by the council, it received about 280 separate submissions. How many submissions from firms in relation to the principles has the honourable member received?

Mr. Arnold: Are they quite happy now?

The Hon. HUGH HUDSON: How many company representations has the honourable member received? Indirectly, there would have been the lawyers, Metro, Dunlop and Amscol—the Hurtle Square problem to which I have alluded. Apart from that, there is broad agreement, and it is very much to the credit of the city council that, in such a complicated and difficult matter, this much has been achieved. I believe that we can have a greater degree of confidence in accepting the principles than perhaps the member for Chaffey and the member for Torrens would be willing to indicate at this time. I do not believe there is a need for a Select Committee. Regarding the matters members want to argue about relating to the nature of the Bill itself, we can argue them in Committee, and I am sure that the Opposition can do that effectively.

Dr. TONKIN (Leader of the Opposition): I support the motion, although I realise the difficulties associated with this step. The Minister has outlined these very well. In this Bill, there is reference to interim planning provisions. We will have to ensure that the Select Committee, when it meets, concludes its deliberations in good time for the Bill to come back to the House and to be referred to another place before we rise on December 9. The Minister has pointed out that that could be a difficult process, but I am not convinced that it is because, by his own summation, the Adelaide City Council has already done much of the work involved and has sorted out most of the problems. It is to the great credit of the council that it has been able to do this. If that is the present situation and there are only a few outstanding problems, I believe that those people should have every right and facility to put their propositions to a Select Committee. If, as the Minister has said, most of the problems have been sorted out, why do we not try to sort out all of the problems?

The Hon. Hugh Hudson: Some of the problems are, in principle, insoluble.

Dr. TONKIN: I take that point. If that is so, let us find out whether they are insoluble by having one last chance at it. The member for Unley may snort and splutter.

Mr. Langley: Why pick on me? I am paying attention to what I am doing.

The SPEAKER: Order!

Dr. TONKIN: Well he was. I believe the principle in which we are involved is that it is difficult to amend the way in which, as the member for Chaffey has said, planning development control will be put into effect. I do not know that anything would be lost by going to a Select Committee on these matters. I add my tribute to the City of Adelaide people and to the departmental officers who have done so much to get the whole business straightened out. I see no reason in anything the Minister has said for not referring the Bill to a Select Committee. The proceedings should not take very long, and we might achieve an even better result than he is proud of now and it might help the legislation.

Dr. EASTICK (Light): One comment made often by the Minister was, "I do not think". I accept the situation in which he openly told the House that he believed that the course of action taken over a period had been sufficient, and I accept the lengths to which the organisation concerned and the city council have gone in ensuring that opportunities were available to the people who were to be involved. The fact that the Minister frequently said, "I do not think" suggests to me that there is still doubt in his mind, and this proposal is one area in which that area of doubt could be dispersed. More particularly, not only must justice be done, it must be seen to be done. I believe that, with the opportunity given to people to appear before a Select Committee, justice could be seen to be done.

The Minister then indicated that he believed that most of the matters (and I will not hold him to a number) had been resolved, and that about 700 original queries had been progressively reduced. How many of those people that he believes are now satisfied are sitting back waiting for the opportunity for these matters to be surveyed in the people's House, namely, this House? How many of those people are not raising the matter with the city council because they believe that the Parliament and what it stands for will give them an opportunity to air their viewpoint before a final decision is reached? The member for Torrens has indicated that perhaps not many people will wish to appear before a Select Committee. If even only one person or two people wish to be heard, I believe that they should be given that opportunity that is afforded by this motion. It is essential that the matter be referred to a Select Committee. It would not be difficult on the last day on which this Parliament sits in December to introduce, by leave, a Bill to extend interim development control for the city of Adelaide. It is not a feature that is contained in the Bill *per se*, but it is an indication of what takes place if action cannot proceed by January 1.

Personally, I assure the Minister that, if it were necessary to obtain additional time for later consideration or for the city council to have an extension of interim control, assistance would be given to pass the Bill. We owe it to the people of this State, more particularly to those in the area of involvement, that they should have a chance to put their point of view. I therefore strongly urge the Minister to reconsider the stand he has taken, in the interest of justice and so that justice may be seen to be done.

Mr. GOLDSWORTHY (Kavel): I support the motion. The Minister has said that he understands the reasons advanced by the member for Chaffey and the member for Torrens. The Opposition can understand them as probably every member of the House can understand them. What I cannot really understand is the argument advanced by the Minister that he intends to oppose the motion. The Minister's first point was that he had a busy schedule. We all have busy schedules, but that has not inhibited the House from referring several other Bills to Select Committees. Recently, we have had Select Committees on the State Opera Bill and the Mental Health Bill. The Select Committee dealing with the Health Commission Bill met for a considerable time and suggested substantial amendments to the Bill. We have had a Select Committee on the Local Government Bill. In fact, we had two chops at that Bill, because the committee's first report was unsatisfactory.

It is not good enough for the Minister to say that he has a busy schedule and therefore that he thinks the Bill is all right and that we should think likewise. A Select Committee is useful for two pertinent reasons: first, because it gives the public an opportunity to put its viewpoint when decisions are being made and, secondly, it gives members, particularly those of the Opposition, an opportunity to hear first hand some of the thinking that has gone into the Bill and some of the thinking that may cause us to make changes to the Bill. Select Committees do the House and the public a great service.

The Minister has made the point that there are few objections to the Bill. I understand that one of these objections involves hundreds of companies and that another objection is from the Master Builders Association. Much legislation passes this House in ignorance and by default. Some members (and I will not be too personal—members who are not on this side) are not terribly concerned about being well informed on legislation that is before the House. They believe that, if the Bill has been considered by Labor Party Caucus and has been accepted by Caucus, it is all right for South Australia. Largely, the Opposition is kept in the dark through this process. I could count on one hand the number of times the Liberal Party has been consulted by the Government about legislation that the Government intends to put before Parliament.

The Opposition is not privy to the counsels to which the Labor Party is privy. In fact, the Labor Party is quite secretive about its legislation. It is not good enough for the Minister to say, "I think that it is O.K." We do not know that that is so. A Select Committee would assist this Parliament to decide whether the legislation should pass unamended. In most cases Select Committees suggest that amendments be made to Bills. I am not suggesting that a Select Committee on this matter would result in the plan being amended, but it could result in the Bill's being amended. The Minister said that we could discuss that matter in Committee, but it would be largely an uninformed discussion. It it for that reason that I make a strong plea to the Minister to reconsider his stand. He must admit that this is a most important Bill and that he owes it to Parliament and the South Australian public to ensure that the debate on this measure is informed and that Parliament is informed. That is the great value of a Select Committee. A Select Committee on this measure is far more warranted than it has been on some of the other measures to which I have referred, although I am not for a moment suggesting that Select Committees on those measures have not been useful. It is for those reasons that I do not believe that the Minister has put forward a valid case for rejecting the motion.

Mr. MATHWIN (Glenelg): I support the motion, which has been well explained by the member for Chaffey and the member for Torrens.

Mr. Keneally: Why are you talking, then?

Mr. MATHWIN: Because the honourable member was not here when those members spoke.

Mr. Keneally: I was here all the time.

Mr. MATHWIN: Then he must have been asleep.

Mr. Keneally: I was awake. Had you been here, you would have known that.

Mr. MATHWIN: The honourable member was asleep, as he normally is, with his eyes open.

The SPEAKER: Order!

Mr. MATHWIN: I am sorry, Sir, but the member for Stuart rubs me up the wrong way. The Minister has been assured by the member for Chaffey that asking that the Bill be referred to a Select Committee is not an attempt to stall the Bill. In fact, it is quite the opposite. We, as the Opposition, have given the assurance that we will not hold up the Bill and that the Government will not lose by the Bill's being sent to a Select Committee. The Government will benefit, as will all the people of the State, particularly those in the City of Adelaide. Interim development control is most important, because that sort of control is necessary and has been given to many councils. As was explained by the member for Light, interim development control can be extended. There can be no argument about it, because the Minister has that assurance from this side. However, it seems that the Minister's main objection is that he is a little short of time. I believe, however, that it is a little more than that. The Adelaide development plan involves a matter of great magnitude. The Minister, in his reply, stated that the plan had taken four years to prepare and that it was rather different from the normal development plan for an ordinary council. Compared to the ordinary local government situation, this cannot be balanced. The Minister also mentioned the number of objections received during that period, 750 or thereabouts being the number he mentioned. The Minister did not know how many were satisfied with the existing situation: he just said he thought that the majority of people had been well satisfied. I see nothing wrong with giving these people the opportunity, because they are concerned about the situation that has developed and is likely to cause much inconvenience and trouble, of submitting further evidence to a Select Committee, which is a collector of evidence. Obviously, all these people would not make submissions, but the Select Committee could open up the situation for those people vitally concerned with the matter, and it would be of benefit to all and would give satisfaction to the Minister (who would be the Chairman of that Committee and in control). It would be of benefit to the Minister to receive witnesses who are objecting to this Bill to find out what their objections are. He would be able to deal with the situation in a short time. As I said earlier, the idea of this matter going to a Select Committee is not to stall but to try to right a possible wrong, to get further evidence and to give satisfaction to all parties concerned. I believe the Minister should reconsider the situation, and I support the motion.

The House divided on the motion:

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

Noes (21)—Messrs. Abbott and Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson (teller), Keneally, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Pairs—Ayes—Messrs. Dean Brown and Wotton. Noes—Messrs. Broomhill and Jennings.

The SPEAKER: There are 21 Ayes and 21 Noes. There being an equality of votes, I give my casting vote in favour of the Noes.

Motion thus negatived.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Definitions."

The Hon. HUGH HUDSON (Minister for Planning): The honourable member for Chaffey's amendment comes first, and it is the first of a series of amendments that deal with the institution of an appeal to the Planning Appeal Board. I do not know whether the honourable member wants to argue the case out on this first amendment and canvass the case generally, but I think it would be appropriate he should be permitted to do that in order to save time in relation to the other amendments. Perhaps you may assist the honourable member for Chaffey, Mr. Chairman, if you can rule that way.

Mr. ARNOLD (Chaffey): I intended to seek your permission, Mr. Chairman, to refer to all clauses, because all clauses are consequential on the passing of the first amendment. I move:

Page 1, after line 18—Insert "'the board' means the Planning Appeal Board continued under Division 3 of Part II of the Planning and Development Act, 1966-1975:"

The object of all my amendments is to allow the final appeal to go to the Planning Apeal Board instead of to the Minister. Under the Bill, the Minister nominates most members of the commission, and ultimately he will determine any appeal. The Opposition believes that that situation is unsatisfactory. My further amendments would enable any person to object to a proposed development, but at present he does not have that opportunity. A further consequential amendment provides that a person aggrieved by a decision of the council or the commission may appeal to the board. The thrust of my amendments is on the aspect of appeals, as the Opposition believes that appeals should be made to an independent authority and not to the Minister, who we describe as having a controlling interest in the commission, as he virtually appoints four of its seven members. I commend my first amendment to the Committee, and trust that the Government and the Minister will see fit in the interests of democracy to accept it.

The Hon HUGH HUDSON: Two matters are tied in with this series of amendments: the first provides for the appeal to be to the Planning Appeal Board, and the second allows an appeal by anyone who objects. That would mean that the time to make an appeal would be as provided under the Planning and Development Act, a period, of I think, two or three months, instead of the 12 months allowed by the Bill. Further, the rights of appeal are to be extended not only for the applicant but to all objectors, and that is not appropriate. Most city developments are commercial or industrial and, if we give the rights of objector appeals, I can imagine a situation in which Myers has a development proposal and David Jones objects to the council and would thus become aggrieved and take an appeal against Myers to the Planning Appeal Board. Because of the competitive interests in that situation, that would be a bit rough on Myers.

Mr. Arnold: Do you really believe that would happen?

The Hon. HUGH HUDSON: I believe this amendment creates the possibility of such a situation, because it would allow anyone who was a competitor of an applicant for development proposals to gain objector rights of appeal to the board simply by the process of objecting to the Adelaide City Council's lodging an objection to a development. The original applicant has to give prior notice to his competitors, who could appeal and possibly delay approval for his application, and they could gear up and take a contrary action to offset a possible competitive disadvantage.

Mr. Arnold: The applicant doesn't own the city.

The Hon. HUGH HUDSON: No, but he should not be placed at a competitive disadvantage simply because he has submitted to the council a development proposal that will be considered under the principles and regulations. One of the fundamental problems in development is obtaining the necessary approvals and waiting until appeals are out of the way. The cost of such a situation is substantial and creates considerable difficulties. One object of the Bill is to cut away some of the bureaucratic rigmarole that arises by laying down strict regulations, recognising that it requires a discretionary planning system and an appeal mechanism that can result in a rapid resolution of problems.

Mr. Arnold: The aggrieved person has only a right of appeal to you.

The Hon. HUGH HUDSON: No, there is no formal right of appeal to the Minister. Under the present system operating through the City of Adelaide Development Committee, every application comes to the council and the committee, and through the exercising of interim development control there is no requirement to notify anyone of the application. However, it has been the council's policy to inform all adjoining owners of new residential development, allowing 14 days for comment. It also informs all owners of an attached group of buildings of any proposal to alter any facade. All applications and reports on them by the City Planner in terms of the planning approvals agenda are available to the public, and the press and resident societies regularly attend the State Planner's Department on the Friday after the agenda is available to inspect and comment on the plans. These matters are considered by the Planning Approvals Committee at its meetings before reaching a decision. Notification, if a legal requirement, would involve considerable delays to all applicants: that aspect relates to a further amendment. The present procedures adopted by the council to enable people who may have a grievance in relation to a specific development to make a case to the council means that costs are substantial. As a community, we cannot tolerate the problem of development becoming difficult within the city as it has become in many of our suburban areas. The delays involved in development proposals in many of our suburban areas are of such a magnitude that they substantially increase cost. These delays relate to the lack of a discretionary planning system in many cases, the lack of adequate planning staff within the council that is considering the applications, the whole appeal arrangement and the way in which that works, and the excessive legality of that appeal arrangement.

I draw members' attention to the fact that the professional staff in the City Planner's Department consists of the City Planner, the Deputy City Planner, one chief planner, two principal planners, three senior planners, four urban planners and one community development officer, a staff of 13. That substantial staff has a capability, as these officers have demonstrated throughout the period of the City of Adelaide Development Committee, of ensuring that people are notified where they should be notified of any development application, of ensuring that people get hold of the reports planners have made on the development application, and that they have an opportunity to comment on them, and have the comments considered by the council. Those are extensive arrangements already, and I fear the arrangements suggested by the honourable member. I worry a little less about substituting an appeal if it were to a single judge of the Planning Appeal Board for appeal to the Minister, but the extensions of the rights of appeal to such a broad area are really imposing considerable delays on development, and we cannot afford that.

No developer could go ahead with his proposal for developing even if it had been approved, until the requisite appeal time had taken place, and if there was an appeal, until that appeal was resolved, he could not go ahead with the development. With all the delays involved in the proper consideration of applications in the first place, and the further delays that may be involved before an appeal is finally determined, we are, I believe, running the risk of making rigid indeed the whole development potential of the city. The city in this day and age must be flexible, change rapidly, and respond to the changing needs of a modern community. Perhaps we can afford to have a fairly rigid situation in many of the suburbs, but we cannot afford that in the city itself. The kind of principles with which we might be willing to live so far as the suburban areas are concerned cannot be applied in the same kind of way to the city itself. I would have to oppose the amendment, just on the question of the extensions and the number of appeals that could take place as a consequence of the amendment.

Mr. COUMBE: The Minister shot down his own argument when he talked about the enormous quantity of information now provided by the council to neighbours and interested parties. The Minister has admitted that there is presently delay and that there will be some delay in this matter. Is a little delay not better than accepting a wrong principle? The Minister is wearing two hats. First, he is the judge and the jury, and he also is the referrer, and perhaps the executioner, too. It gets down to Caesar appealing to Caesar. In rebutting the comments made by the member for Chaffey, it was interesting to note that the Minister did not touch on the legal or philosophic aspects of independence as far as appeals are concerned, and the appellant having the right to be heard independently. The Minister spoke about a single judge, and that could be a good idea. Under the Bill, the Minister will hear the appeals, and there will be no appeal from the Minister, who would be exercising a Ministerial direction in this field. This smacks of Big Brother in this regard.

As the Minister will involve himself in several aspects, I believe it would be injudicious that he exercise this right. I believe that he would be well advised to stick to a solid and well-tried Parliamentary principle: one person must not be the judge and the jury in this regard. The Minister will be empowered to call on the State Planner and on the senior judge of the Planning Appeal Board to provide him with certain information in arriving at his decision. It becomes even more and more complicated as we go through the Bill. In simple justice, the amendment should be carried.

Mr. MATHWIN: I support the amendment. Of the commission's seven members, four are appointees of the Minister and three are council nominees. The three

members would have the responsibilty of the planning of the city. The Minister believes that he is better able to deal with the situation, but it seems to me that he is out to grab all the power he can. He will test the situation, but no appeals will be able to go to him. There are delays at present. The Minister does not realise that the main problem in appeals at present is the number of different authorities. In the Brighton area and in the area along the coast, there are many different authorities, such as the local council, the State Planner in some cases, and the Coast Protection Board. A matter is considered by all these different authorities before it can go to the Planning Appeal Board. As far as I am concerned, the Minister is merely retaining this provision because he wants to control the situation; indeed, he wants to hold the power and the authority behind the Bill. I support the amendment.

Mr. ARNOLD: There are two aspects relating to the first amendment. The first relates to the right of an individual to appeal against an approval. That is the point on which the Minister has based most of his argument. He has not given much consideration to the aggrieved applicant. The only place to which that person can go following the rejection is to a compulsory conference between the aggrieved applicant and the council or the commission. If agreement cannot be reached at that conference the aggrieved party's only avenue of appeal is to the Minister. We are saying that that right of appeal should be to the Planning Appeal Board and not to the Minister, purely because the Minister has a vested interest in the commission. It seems, basically, that the Minister intends to oppose all the amendments because he does not agree that the third party should have a right to object to an approval.

Not much argument has been put forward as far as the aggrieved applicant is concerned. He is the person who is obviously already involved in industry and business in the city of Adelaide and whose only right of appeal is to the Minister, a Minister who set up the commission. Thereby he virtually has no right of appeal. To all intents and purposes the decision of the commission is final.

The Hon. Hugh Hudson: Virtually all private applications go to the council.

Mr. ARNOLD: Utlimately it will not get past that point because, if the commission rejects the appeal, that is where it will stand because, after all, the commission is the Minister's body. The Government has effectively taken away the rights of an aggrieved applicant to be dealt with by an independent body. For the Government to oppose the entire purpose of the intended amendments on the basis that the Minister does not like the third party to object is a weak argument.

The Committee divided on the amendment:

Ayes (20)—Messrs. Allen, Allison, Arnold (teller), Becker, Blacker, Boundy, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Nankivell, Rodda, Russack, Tonkin, Vandepeer, Venning, and Wardle.

Noes (21)—Messrs. Abbott and Max Brown, Mrs. Byrne, Messrs. Connelly, Corcoran, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson (teller), Keneally, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Pairs—Ayes—Messrs. Dean Brown and Wotton. Noes—Messrs. Broomhill and Jennings.

Majority of 1 for the Noes.

Amendment thus negatived.

The Hon. HUGH HUDSON: I move:

Page 2, line 8—Leave out "or omission".

It is a substantive amendment, because it has been put to the Government that the definition of "development" is too wide and that it should not cover omissions.

Amendment carried.

The Hon. HUGH HUDSON: I move:

Page 2, line 18—Leave out "as" second occurring in this line.

This is purely a grammatical amendment.

Amendment carried; clause as amended passed.

Clause 5—"Position of Crown."

Mr. COUMBE: This clause says that this Act does not bind the Crown. In many Acts we have that same wording, but I think this one is a little different. I would like to hear from the Minister why this clause is included, particularly as under clause 19 (2), in another area, the Crown is vitally involved. In this case the Act does not bind the Crown in any way regarding its own buildings.

The Hon. HUGH HUDSON: I think that ultimately the Crown may at some future date agree on this matter. At this stage it is only prepared to continue with the arrangement that exists under the City of Adelaide Development Committee. Certain Crown applications will be referred as a matter of custom to the Planning Commission.

Clause passed.

Clause 6 passed.

Clause 7—"Amendment of the principles."

The Hon. HUGH HUDSON: I move:

Page 2, line 34—After "any amendments" insert "shall".

This is purely a grammatical amendment.

Amendment carried; clause as amended passed.

Clauses 8 to 10 passed.

Clause 11—"The City of Adelaide Planning Commission."

The Hon. HUGH HUDSON: I move:

Page 3—Line 35—Leave out "at the pleasure of the Governor" and insert "for such term, not exceeding three years, as is specified in the instrument of his appointment.

Lines 36 to 38—Leave out all words in these lines and insert—

(5) The Governor shall remove a member of the commission, appointed on the nomination of the council, from office if the council by instrument in writing addressed to the Governor revokes the nomination of that member.

(5a) The Governor may remove a member of the commission from office on the ground of:

(*a*) mental or physical incapacity;

(*b*) dishonourable conduct; or

(*c*) neglect of duty.

(5b) The office of a member of the commission shall become vacant if—

(*a*) he dies;

(*b*) his term of office expires;

(*c*) he resigns by notice in writing addressed to the Minister

or

(*d*) he is removed from office by the Governor pursuant to subsection (5) or (5a) of this section.

These amendments are designed to impose a specific term for appointments to the commission instead of the original proposal in the Bill that the appointment would be at the Governor's pleasure.

Mr. ARNOLD: The Opposition supports the amendments.

Amendments carried; clause as amended passed.

Clauses 12 to 18 passed.

Clause 19—"Information in relation to development applications."

The Hon. HUGH HUDSON: I move:

Page 5, line 13, after the words "may request" insert "(by writing setting out the grounds upon which the request is based)".

This is to ensure that where the Minister requested the council to refer an application to the commissioner for determination that his reasons for so doing are published. Of course, if he has not got a substantial ground the writ of prohibition would automatically apply. This, I think, has been discussed previously.

Amendment carried: clause as amended passed.

Progress reported; Committee to sit again.

## POULTRY PROCESSING ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

## ADJOURNMENT

The Hon. HUGH HUDSON (Minister of Mines and Energy) moved:

That the House do now adjourn.

Mr. HARRISON (Albert Park): I wish to highlight what is being done in the Albert Park district by the Government regarding future educational demands. First, I express my appreciation to the headmasters, teachers, school committees and school councils for the tolerance they have shown over a number of years in relation to the various handicaps they have put up with. I sincerely hope that proposed plans for the near future greatly assist them in the education of schoolchildren in the Albert Park area. It is proposed that tenders will be called in October or November of this year, and the first stage completed in 1978, for building work at the Woodville Primary School. This stage will comprise an open-unit building capable of accommodating more than 210 pupils with a central resource area.

Alteration to the existing junior primary section will also be included in this stage of the work. The existing school consists of 16 prefabricated buildings, some of which are 30 years old. They are in poor condition and require continual maintenance. Because this decision was taken to consolidate and upgrade the Woodville Primary School, a total redevelopment plan had to be prepared. Stage 1 of the project is expected to cost about $700 000 to complete. Eventually, Stage 2, which will comprise a new open-plan unit for an additional 140 pupils with a speech and hearing centre, will be undertaken, and that is a commendable and worthwhile project. Stage 3, the final part of the redevelopment, will comprise a new activity building, a new administration section, conversion of the existing administration area to teaching space, and further alterations to the existing pre-school section. Stages 2 and 3 will be undertaken when finance becomes available, so we must hope that availability of finance will allow a continuance of work so that the project may be completed, as it is urgently needed.

Much concern has been expressed by constituents living in the West Lakes area about educational facilities. One primary school already operates within this area, not in the immediate vicinity of West Lakes but on its outskirts, and the present situation is causing much confusion and concern to parents, especially those with kiddies aged 5 to 6 years, as they have to be taken to school across hazardous main roads.

This school is being used, as are others on the outskirts, such as the Hendon Primary School, but other children are being sent to Glenburnie Primary School at Seaton North. The school at Semaphore Park has 450 pupils at present, but is designed to accommodate 600 pupils. Obviously, with the build-up of residents within the West Lakes area, as well as the build-up in the area of Semaphore Park, at the start of the next school year this school will probably be overcrowded, and people in that area are concerned. Three other primary school sites are being considered: West Lakes (Shore) Primary School, Delfin Island Primary School, and Seaton West Primary School.

It is hoped that West Lakes (Shore) Primary School will operate during 1978, as design work is now being undertaken, and this is welcome news to parents in this new area. Delfin Island Primary School will probably be constructed during the years 1981, 1982, and 1983, depending largely on the rate of development in this area of West Lakes, but it is possible that it will develop more quickly than is expected. The availability of finance is also another factor that must be considered. Seaton West Primary School will be constructed only if Grange Primary School becomes overcrowded, and a secondary school site has been provided adjoining West Lakes (Shore) Primary School.

Surplus secondary accommodation exists within the fringe areas of West Lakes, and it may be possible to provide enough secondary places in the surrounding schools, including Royal Park High School, Port Adelaide High School, Seaton High School, and Henley High School. This situation does not concern the parents so much, because pupils attending these schools are old enough to take care of themselves in traffic. The use of these high schools could possibly avoid the construction of a West Lakes secondary school, and parents and teachers welcome this news and sincerely hope that finance will be readily available in future at the required time to enable what has been outlined to become a fact. This is most important, because Seaton Co-educational High School, previously Seaton Technical School, had been planned for a three-stage development but, because of the lack of finance at the time, stage 1 only has been developed and the other two stages will not be developed until finance becomes available.

I appreciate the information that has been forwarded to me by the Minister of Education as the result of many letters and interviews with concerned constituents. These details have given the parents in the areas of Royal Park, West Lakes, Seaton, and Seaton North, much heart to know that at long last they have something to which they can look forward: that is, provided we do not have any difficulties regarding the provision of finance, so that these buildings can proceed, rather than a situation developing as it did at Seaton Co-educational High School, to which I have referred. I have detailed the problems in my area that may soon be overcome, and I appreciate the tolerance of the parents, school teachers, headmasters, and especially the students in that area.

Mr. EVANS (Fisher): Mr. Speaker, I draw your attention to the state of the House.

*A quorum having been formed*:

Mr. EVANS: I refer to the Land and Business Agents Act, and I am sorry that the Attorney-General is not present, because I had hoped that he would pay some attention to the matter to which I refer. Under the provisions of this Act, the vendor is first obliged to declare all encumbrances or notices that may exist in relation to the property that he wishes to sell. When it comes to applying to the Highways, the Engineering and Water

Supply, the Mines Departments and the financial institution that might have the mortgage or mortgages over the property, the problem is not difficult. That information is made available, and there are no complications. However, there is no compulsion on the local government authority to make all the information available. Some agents have actually produced a questionnaire that they forward to the council asking it to reply to all of the questions. More than 30 questions are to be answered, although in many cases the council does not bother to answer them.

This puts at risk the vendor, who could be liable to a fine for not disclosing certain information. The vendor may not be aware of some of the information and, unless the council discloses it, he is risking a fine. Even worse than that, the salesman, who obtains his living from this service industry, holds a licence issued by a statutory board appointed through the Government. The salesman's licence is at risk if there is something which the local government authority does not disclose. Subsequently, if the purchaser finds out that there is some encumbrance on the property that has not been disclosed by the authority to the vendor, the agent, or the salesman, then the salesman's licence is at risk. Equally as bad, the agent's licence is at risk. The council could have overdue rates that are supposed to be paid on the property, easements, a notice for improvement to the property or condemning it for habitation, or a notice relating to the Weeds Act or the Health Act—so many notices could be served on the property, some of which the owners may not be aware of.

The council may have directed correspondence to the owner but, in our postal system, it is not uncommon nowadays for a notice not to arrive. There have been to my knowledge three cases where the owner in all honesty declared everything he knew in two cases, and she knew in the third case, in relation to the property and, subsequently, something was found to be missing. Luckily for all involved the purchasers were reasonable people, and some understanding was reached in relation to solving the problems.

The Hon. R. G. Payne: That's the whole point: the purchaser is the key to the problem.

Mr. EVANS: It sounds wonderful to hear the Minister say that the purchaser is the key to the whole problem. We could get what I might call a difficult purchaser and everyone else has acted with good intent except local government, which has decided that, as there were too many questions to answer, it could not be bothered and it did not answer them. That is happening, and the Attorney-General is aware of that. I ask that some modification be made to the Act. If the Opposition attempts to do it, the Government answers, "We will make the changes. We don't like the Opposition proposing changes by itself." I give the Government the opportunity to make the modification. Unfortunately, if the modification is made, we will increase the cost of the service to the vendor and the purchaser, or one or the other. By that, I mean that local government will say, "If we are to provide this service and do this research on every property sold in our local government area, answer between 30 and 40 questions, and ensure that we have not made any error, we will cover ourselves completely so that we are not liable under the Act."

Local government will say that the purchaser or the vendor, or both, will have to pay for that service. The sum we are speaking of will end up being about $50. That may sound insignificant in relation to a person who is trying to acquire a property for $10 000, if an allotment of land, and there are not many cheaper than that. Even the Land Commission will be approaching that sum as from the middle of next year. It may be the purchase of a house or home unit for over $20 000. In every case, $50 may not sound very much but, when a person is scratching the bottom of the barrel to find the deposit, it is significant.

This kind of legislation sounds good when it is introduced but, when we place on local government's lap that multitude of questions it must answer, and give it the discretionary opportunity to disclose all the information, as against the compulsory obligation to disclose it, it tends in many cases not to go to the bother of researching everything to the last detail. I am not saying that all councils are guilty of this, but many of them do not research the matter thoroughly. What I am really worried about is that someone could innocently be brought before a court, even though he had attempted to do everything reasonably possible to obtain the information, but surely no member of Parliament or officer of a Government department that runs the board supports that set of circumstances. We need to look at this matter in all sincerity. Perhaps we should give the opportunity, under the Act, for the person to say that he did everything in his power and disclosed everything known to him. That may be the best method, without adding cost to the overall situation, but I believe that the purchaser and the vendor are at risk for higher cost.

If we do not do something about it, the vendor, the agent and, in particular, the salesperson is at risk, because his licence is his livelihood, and that would be too serious a situation to have hanging around his neck. Two salesmen approached me who happened to get involved in a situation and mentioned it to me. In one case, the manager of an agency has been to me and said that he, in particular, fears what could happen in present circumstances. In bringing this to the Government's notice, I hope that I do not get snide cynical remarks against an individual in the future if, after a genuine attempt, someone finds that he is contravening the Act because of someone else's inability or lack of initiative to pass on the correct information and all of the available information.

The SPEAKER: The honourable member for Whyalla. I must in duty point out to the honourable member that, as the maximum time that can be taken on this debate is 30 minutes, because of the time taken when a quorum was called, only eight minutes is left.

Mr. MAX BROWN (Whyalla): Yes, Mr. Speaker, and you have just taken up a minute of that time. I will speak up, which is unusual for me, because most members are outside the Chamber. I have an important matter to take up, and I am sure that they will hear me on the intercom system. I want to refer to the shocking record of the present Federal Government in the matter of unemployment. I shall deal, first, with the statement in the Adelaide *News* headed "Could jobless figures be a great myth?" It was made by the workers' fine friend, Mr. C. W. Branson, and the report of the statement is as follows:

Young people were too selective in seeking employment, Mr. C. W. Branson, General-Manager of the South Australian Chamber of Commerce and Industry, said today.

Leaving the statement there for the moment, let us look at my area. Whyalla has a great unemployment problem. The youth Mr. Branson talks about leave school with a certain level of education. That level has been demanded by the employers when work has been available and when it has not been available. Some years ago, when jobs were more plentiful, school leavers could obtain jobs only if they had certain school qualifications.

Dealing specifically with apprentices, when work was more readily available employers would not accept a boy to learn a trade unless he had four years of high school education. The question Mr. Branson raises purely and simply in the original situation resulted from the demands of the employers. The employer demanded a certain standard of education, but now we find that the employer does not want apprentices, and Mr. Branson's statement implies that these highly trained young boys should be put in garbage collection. Mr. Branson went on to say that the aspirations of young people were higher and that they looked only at the more glamorous jobs. The report continues:

Commenting on the August unemployment figures, which showed 18 675 people in South Australia did not have jobs, Mr. Branson said the problem of unemployment among youths was one which came with affluence.

I cannot agree with that argument at all. When the Whyalla shipyard was active and when orders were being received some years ago, it took on 50 apprentices in one year. Last year it took on none.

Mr. Becker: Blame Whitlam.

Mr. MAX BROWN: That is a brilliant interjection, if I ever heard one. We know that the Fraser Government is doing nothing about shipbuilding. The intake this year will be none, and perhaps there will be retrenchments.

Mr. Mathwin: You finished relativity.

Mr. MAX BROWN: The member for Glenelg can say what he likes. If he opens his eyes, he will see that the Fraser Government is obviously pursuing a policy of endeavouring to solve its problems of inflation by creating massive unemployment.

Mr. Venning: Oh!

Mr. MAX BROWN: It is all very well for members opposite to interject. I turn now to the Adelaide *News* of October 5, Again, I say that the Adelaide *News* is not a working-class paper. Who told the Federal Government for example, that the figure of unemployed in January could be 400 000? According to this press statement, the unemployment forecast was made by the Employment and Industrial Relations Department, not by the Australian Council of Trade Unions or by the trade union movement. I believe that that position is common to all areas, including my own. A press statement in the Whyalla *News*, my local paper, on October 15, states:

There were 923 people out of work in Whyalla at the end of September, and 226 job vacancies listed with the Commonwealth Employment Service.

The article also states:

Most placements happened in the junior brackets. Junior male unemployment registrations fell by 11 to 133, and those for junior females were down 34 to 331.

This is the point:

Some of the improvement was accounted for by the State unemployment relief scheme.

The Federal Government, of course, has knocked back that scheme. I refer finally to the classic example appearing in yesterday's *Age*. Under the heading "Lynch: curbs forced", the article states:

The Federal Government was forced to introduce monetary restrictions to prevent further inflation, the Treasurer, Mr. Lynch, said yesterday.

That is exactly what I said earlier in my remarks. The *Business Age* of November 9, under the heading "Markets shaken by cash call-ups", states:

The moves followed the Government's action on Sunday night, in which it raised interest yields on Treasury notes, foreshadowed higher yields on bonds, "froze" $170 000 000 in trading bank funds . . .

At last, the member for Glenelg has yawned and is waking up. I hope that, by Christmas time, we might have prospects for a brighter Christmas and a better 1977. From the way the Fraser Government is going, it is clear that it is trying to solve its inflationary problems by putting everyone out of work.

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

Motion carried.

At 10.27 p.m. the House adjourned until Thursday, November 11, at 2 p.m.