

HOUSE OF ASSEMBLY

Wednesday, February 15, 1978

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

PETITION: PORNOGRAPHY

The **Hon. J. D. CORCORAN** presented a petition signed by 78 residents of South Australia, praying that the House would take all necessary steps as a matter of extreme urgency to prohibit the sale of pornographic literature of any sort in South Australia in the interests and welfare of the children of this State.

Petition received.

PETITIONS: POLICE COMMISSIONER'S DISMISSAL

Mr. MILLHOUSE presented a petition signed by 106 residents of South Australia, praying that the House resolve that it lacked confidence in the Premier's handling of the dismissal of the former Commissioner of Police and that a full and proper inquiry of the matter be commissioned.

Mr. TONKIN presented a similar petition signed by 202 residents of South Australia.

Mr. MILLHOUSE presented a petition signed by 36 residents of South Australia, praying that the House would resolve that the Government appoint a Royal Commission to inquire into the circumstances of Mr. Salisbury's dismissal and matters of principle concerning the keeping by the police of secret files on individuals.

Petitions received.

PETITION: SUCCESSION DUTIES

Mr. HARRISON presented a petition signed by 22 residents of South Australia, praying that the House would urge the Government to amend the Succession Duties Act so that the position of blood relations sharing a family property enjoy at least the same benefits as those available to other recognised relationships.

Petition received.

MINISTERIAL STATEMENT: WILDLIFE SERVICE

The **Hon. J. D. CORCORAN (Minister for the Environment)**: I seek leave to make a statement.

Leave granted.

The **Hon. J. D. CORCORAN**: This statement concerns allegations made in last weekend's *Sunday Mail* and repeated last evening in this House by the member for Murray. The major thrust of Mr. Wordley's article, and the honourable member's statement last evening, is that a large number of senior officers of the National Parks and Wildlife Service resigned recently and that they all resigned for the same reason.

Let me assure the House that that is a baseless charge calculated to damage the morale of the service. The member for Murray pretends to be concerned about the National Parks and Wildlife Service when, in fact, his very statement was potentially damaging. His charges are baseless, and I am saddened to think that a member of this House would reflect on the integrity of officers of the service without checking his facts.

Four officers are named in the article by Mr. Wordley as

resigning. In fact, two of the officers named have not resigned at all. One of them was promoted from the service into another Government department. This is normal within the South Australian Public Service. Is the honourable member going to claim that public servants should not seek promotion? Moreover, the officer concerned was nominated to the higher office last September. The second officer named in the article, who also has not resigned, is in fact in the process of negotiating his future employment with a teaching institution. It is possible that the article by Mr. Wordley and the shameful statement by the honourable member may have disadvantaged that man's career.

Mr. Wotton interjecting:

The **Hon. J. D. CORCORAN**: The member for Murray can laugh about it but what I am saying is quite serious. The statements made may have disadvantaged that man's career. The honourable member said:

It is no secret that half of the top echelon of senior officers have submitted their resignations recently.

That leaves two officers, one of whom resigned and took up a new appointment last October. He is a forester, and he has gone to Tasmania to continue forestry work. There is no suggestion that he left because he was disenchanted. In fact, his letter of resignation stated:

My reasons for resignation are personal and are in no way critical of the running of the National Parks and Wildlife Division, for whose staff I have nothing but admiration and good wishes.

This leaves us with one more officer, and I do not hesitate to say that he has resigned because he is disenchanted. There is no argument about that. What is interesting to note is that his resignation statement contains allegations which somehow or other both Mr. Wordley, with slight variation, and the member for Murray have repeated, without checking the facts. It is alleged by Mr. Wordley and stated by the honourable member, for example, that a ranger who has resigned because he is disenchanted is directly responsible for six national parks and 155 conservation and recreation parks. The facts are that the region under that ranger's supervision contains 52 conservation parks, one—

Mr. Wotton: That's not what I was told.

The **Hon. J. D. CORCORAN**: I do not care what you were told: you can check the facts. The region also contains one recreation park and six national parks. It is also stated, again without the facts having been checked, that there has been a 25 per cent increase in visitors. In fact, the visits people pay to the parks have been increasing annually by about 16 per cent. The honourable member says that there has been an increase of less than 3 per cent in staff and that therefore it is impossible for officers to carry out the work load. Since 1972 the increase in national parks personnel has averaged almost 12 per cent annually.

Mr. Wotton: And they still cannot carry out their work load.

The **Hon. J. D. CORCORAN**: I do not want the honourable member to get his hair ruffled. Let me say that every time—

Mr. CHAPMAN: On a point of order, Mr. Speaker, the Minister sought leave to make a Ministerial statement. Among other things, in the course of making that Ministerial statement, he has cast a personal reflection on a member on this side of the House. I ask you in all fairness to ask the Minister to withdraw that personal slur against a member on this side.

The **SPEAKER**: There is no point of order.

The **Hon. J. D. CORCORAN**: I never cease to be amazed. The Opposition can do anything it likes and yet

take offence at something like this. What hypocrites!

The SPEAKER: Order! I hope the Minister will continue with his Ministerial statement.

The Hon. J. D. CORCORAN: I will continue, Sir. Perhaps Opposition members will tell us now whether there are too many departmental officers. How many times have we heard in this House criticism from them about the great build-up in the Public Service of this State, and condemning the Government for that increase? Now, an Opposition member is saying that we are not doing enough. On this occasion I do not know whether the Opposition is complaining about not enough or too much. Next, it is alleged that \$700 000 a year has been lost because of failure adequately to police hunting regulations. I have obtained departmental estimates of the loss, and it is about \$70 000 a year.

Mr. Wotton: When did you check that?

The SPEAKER: Order! The honourable member is out of order.

The Hon. J. D. CORCORAN: That is one-tenth of the figure stated by the honourable member. This is a departmental estimate obtained this morning.

Mr. Wotton: And they checked it this morning?

The Hon. J. D. CORCORAN: If I got it this morning, it is reasonable to assume that they checked it this morning. Is the honourable member arguing for an increase in staff to police the Road Traffic Act and all other Acts that require licences and permits, so that this State can be so heavily policed that it loses not one cent in potential revenue? I think not.

Other aspersions have been cast by the honourable member, but I do not want to take up the time of the House refuting every one of them. The honourable member could not even get the name of the new division in the Environment Department correct, even though advertisements have appeared in the newspapers. It is a disgraceful performance for a member of this House to repeat allegations made in a newspaper without first checking his facts. These matters are now on public record. The statements made affect the careers of good officers; they should never have been made; and they effect the morale of the whole service.

The honourable member stated that half the top echelon of senior officers had submitted resignations recently: this is false. The facts are that one officer has submitted his resignation recently. The Government is very proud of the National Parks and Wildlife Service. We have done a great job in acquiring land for national parks and reserves, so that we are well in front of all the other mainland States as regards areas covered by national parks.

Mr. Wotton: What about management?

The Hon. J. D. CORCORAN: That is another question. This is a record that other States envy. The honourable member thinks that this is a joke, but it is a serious matter. I will have more to say about this later, and the honourable member will cop more then.

Mr. Wotton: I asked a serious question but you won't answer it.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: The staff of the parks services has been increasing by an average of about 12 per cent a year. More staff will be needed in the future, particularly for the management of parks and the upgrading of visitors' facilities. The Government is examining these things. The department has under review policies and priorities with regard to national parks. I am confident that the dedicated officers in the National Parks and Wildlife Service will continue to carry out their excellent work, despite the attempts of the honourable member to incite them not to.

If anyone in this service is disenchanted, let him take the proper course and resign, because the opportunity is there. The Government is proud of its achievement in this area, and in that I can go back to my association in this area when I was Minister of Lands in the Walsh-Dunstan Government. I am proud of the efforts made then and proud to be associated with this area again, and I will see to it that this service gets all that is due to it. I do not need from the honourable member any of the sort of help that he has just tried to give.

QUESTIONS

STATE'S FINANCES

Mr. TONKIN: Can the Premier say what is his present estimate of the likely State Budget deficit for this financial year, and why there is such an increase in the predicted deficit when the inflation rate has fallen from the figure used in his 1977 Budget speech of 12 per cent and risen to a present figure of 9.2 per cent? In his Budget speech last year, the Premier said:

These two facts—

partial wage indexation and higher price increases—

imply an inflation prediction of around about, let us say, 12 per cent . . . it is agreed by almost everybody that in the short term things will get worse before they get better.

Later, he said he had allowed for inflation in prices and wages, and added:

The forecast of payments comprises detailed provisions for normal running expenses of \$1 107 400 000 at salary and wage rates as at June 30, 1977, and at price levels with an allowance for inflation, a round sum allowance of \$43 000 000 for the possible cost of new salary and wage rate approvals which may become effective during the course of the year, a round sum allowance of \$5 000 000 for the possible cost of further increases during the year in prices of supplies and services . . .

The State's finances are worsening, despite the marked improvement in the rate of inflation. The Auditor-General's annual reports continually draw attention to wasteful Government expenditure and lack of proper budgetary controls. The disclosure of an increased Budget deficit in the face of a lower rate of inflation than was expected by the Government indicates gross financial mismanagement.

The Hon. D. A. DUNSTAN: Last year, I noticed that the Leader said that I was guilty of some gross financial mismanagement because the revenues of the State were above estimate. This year, when the revenues of the State are below estimate, he says that I am also guilty of gross financial mismanagement, since the events have turned out in a different way. The reason why we can anticipate a deficit of a larger order than has been forecast by the Government is precisely the same reason that that situation is happening in the Federal Liberal Budget as well. Of course, the Federal Budget deficit will be larger than is the case in this State, but it will be of somewhat similar proportions, and that is because the economic policy of the Federal Liberal Government has led to an effective decline in business activity. With the decline in business activity, there is a decline in forecast revenues. That is the plain fact. We are facing a return in revenues below that which could have been anticipated on all previous forecasts and from previous experience of turnover within the State.

The State Government has tried to stimulate the economy locally, and we have done our best in pumping out money to that effect. The Leader, however, has been

part of the policy (and has supported it vigorously) of refusing any stimulus to the economy in Australia. The result is that, with less business activity and turnover, there is less revenue. I have pointed out to the Federal Treasurer and the Federal Prime Minister at previous Premiers' Conferences that, if they took action to reduce Government activity, they would not reduce the gap between revenue and expenditure but would simply move it down the scale, and that is what is happening. Unfortunately, the Federal Government inevitably affects the returns within the State. Although the Leader does not like this fact, I suggest he should take account of it.

SPECIAL BRANCH

Mr. GOLDSWORTHY: Will the Premier say what action the Government intends to take to provide adequate protection to the public of South Australia in security matters, and whether the staff of two remaining in Special Branch is considered adequate? The tragic and senseless violence of the bombing in Sydney has highlighted the vital role that all security services—of which the South Australian Special Branch has been a part—play in Australia. I quote from today's *Australian*, as follows:

The Federal and State Governments are also to hold a conference on national security. The New South Wales Premier, Mr. Wran, disclosed the plan yesterday. He said the conference would centre on continued co-operation between State and Federal security forces.

The warnings of escalating terrorism made by Professor Wilson, of Queensland University, last year stressed the necessity for the continued work of Special Branches and security services, including the keeping of records and files, and this has been recognised both in the Hope Report and the White Report. It is apparent that Australia is no longer insulated from political violence and that security will become more and more important to the preservation of our way of life. The two remaining Special Branch officers will be busy destroying files. The regulations to commence this activity were gazetted the day after Mr. Salisbury was sacked. Mr. Acting Justice White says—

The SPEAKER: Order! A very similar question was asked on this matter recently by the member for Torrens. I shall let the Deputy Leader go on a little longer, but as his question is very similar I may have to rule him out of order.

Mr. GOLDSWORTHY: My memory of the question asked by the member for Torrens was that it took a different slant from the question I have posed. In fact, I saw the question asked by the member for Torrens on that occasion. Mr. Acting Justice White, in his report, quite contrary to the Government's actions, urges caution and further discussion with the police before any culling is started. Mr. Acting Justice White says:

I would prefer to give Special Branch an opportunity to consider this report and to be heard further upon classes of material which it considers essential for security purposes.

The SPEAKER: Order! I am afraid I will have to rule the question out of order, because it is very similar to the earlier one. It is about the White Report.

Mr. GOLDSWORTHY: The previous question referred to how many staff were employed in Special Branch. I have the question here.

The SPEAKER: I have the question here, and that is not the question. There is nothing about staff in the question I have here.

Mr. GOLDSWORTHY: Perhaps we are talking about

different questions. At page 1459 of *Hansard* the member for Torrens is reported as asking:

Will the Chief Secretary say what is the number of staff at present in the Special Branch of the South Australian Police Force?

My question is different from that. I am asking whether the Government intends to revise, in effect, its decision that the staff will be adequate, and what action it intends to take to provide adequate security services.

Mr. Venning: A different slant altogether.

The SPEAKER: Order! The honourable member is out of order. I will not stand for such comments in future.

Mr. GOLDSWORTHY: I shall conclude by quoting the Chief Secretary in reply to a question in the House, as follows:

Apart from the two most senior present officers working in Special Branch, all others shall be transferred to other duties within the Police Force immediately. I expect confidently that the five people who were in Special Branch have now been reduced to two in accordance with those directions.

The SPEAKER: As more was added to this question, does the Premier wish to reply?

The Hon. D. A. DUNSTAN: Yes, I do. One of the two senior officers in Special Branch has resigned because of health reasons. He had a serious health problem, and indeed I believe he was under hospital treatment at the time the decision was taken by the Government in relation to Special Branch. That leaves one senior officer in the original Special Branch. I told the House previously that the Government would be consulting with the Commissioner of Police concerning this, and we have consulted with him. His view is that the Special Branch operation, as it previously existed, was a decidedly inefficient operation to deal with terrorism and politically motivated violence, and that there was not sufficient expertise provided in that area to enable it to provide back-up information to the operational arms of the Police Force. He has already tentatively discussed with us proposals for seeing to it that there is an efficient operation within the force, and we expect a formal minute from him about it shortly. He believes that this particular operation should be overseen by a commissioned officer, a man of considerable capability.

Mr. Goldsworthy: Salisbury said that.

The SPEAKER: Order! Interjections are out of order.

The Hon. D. A. DUNSTAN: That had not been done. He believes that this should be overseen by a commissioned officer who is given the necessary background information in terrorism of an international kind by other Police Forces experienced in this area, and that appropriate activity by the Police Force then be undertaken on the recommendations that come from that briefing.

Mr. Goldsworthy: You won't stick to the two.

The SPEAKER: Order! The honourable member has asked his question.

The Hon. D. A. DUNSTAN: The reduction to two at this moment is purely temporary in relation to the work that was previously being done by Special Branch. At the time, I said that action would be taken to ensure that the Police Force was able to collect and deal with appropriate material in relation to politically motivated violence, and that in fact has happened.

Members interjecting:

The Hon. D. A. DUNSTAN: It is not a change of direction. The attitude of the Government constantly in this matter has been that the appropriate work of the Police Force in South Australia in this area is to have the necessary information to counter politically motivated violence. That is what we were told Special Branch was

supposed to be doing. In fact, it is quite clear that its operation was only in the minority concerned with such matters and then, it appears, very inefficiently. Discussions with the Commissioner of Police have been designed to see to it that the work is done effectively and efficiently.

PRE-SCHOOL CHILDREN

Mr. DRURY: Can the Minister of Education say whether pre-school children in the three years to four years age group are eligible for admission to kindergartens if vacancies are available? Recently, I had a constituent contact me about her 3½-year-old son. She tried to enrol him at a kindergarten near her home. The two kindergartens near where she lives both have waiting lists. When she tried in another suburb, she was told that, although there were vacancies in the kindergartens, the Government's policy was to exclude children under the age of four years. I therefore seek clarification from the Minister.

The Hon. D. J. HOPGOOD: There is no Government policy to exclude children under the age of four years from entry to kindergartens, either the parent-child centres run by the Education Department or those centres run by the Kindergarten Union (of course, it would not be possible to make such policy effective in relation to the Kindergarten Union, because it is not under Government instruction). However, I think I should explain to the House exactly what is happening with the Kindergarten Union at present in view of the honourable member's interest in the matter and the fact that this matter has been mentioned in the press on, I think, two occasions recently. In 1975, before the State election, the Premier made a commitment to the people of South Australia that this Government would provide to the Kindergarten Union and the Education Department sufficient resources to enable them together to provide for all children in the age group from four years to five years to have a year of pre-school by the end of the decade.

Of course, we are well in advance of that time table; in fact, present indications are that there are sufficient places in pre-schools for about 90 per cent of children in the age group indicated to be able to attend. The problem is that the positions are not always where the kiddies are. Typically, there are declining enrolments in the inner suburban areas, and waiting lists in the outer suburban areas and possibly in some of the provincial towns, particularly Whyalla.

The Kindergarten Union has carefully considered this matter and agrees with the Government's priority that the four years to five years age group should be catered for before getting into the three-year-old age group. What was happening was that some kindergartens were boosting their rolls by enrolling kiddies who were only three years of age. Just before Christmas, as I understand it, the Director of the Kindergarten Union instructed the directors of the kindergartens that, for the New Year, no three-year-olds were to be enrolled until the end of February.

This action would enable the Kindergarten Union to enrol all four-year-olds whose parents desired that they should be so enrolled, and would then allow the Kindergarten Union to consider the total situation and determine what rationalisation should occur—whether there should be transfers of staff from a kindergarten that was obviously overstaffed or under-enrolled, if I can use that term, to other areas where it might be possible to set up a new kindergarten if capital facilities were available.

I understand that already two new kindergartens have

been staffed as a result of this rationalisation. The honourable member's constituent should inquire of the local kindergarten at the end of February because, at that point, the rationalisation will have finished. However, kindergartens in certain areas will still have vacancies, and they will be prepared to accept three-year-olds. I was interested to note that, in the most recent press announcement on this topic, one of the ladies who was complaining about this matter had a child who was not yet three years old.

The SPEAKER: As I inadvertently earlier called on Opposition members for two straight questions, I now intend to call for another question on the Government side.

SURREY DOWNS HIGH SCHOOL

Mr. KLUNDER: Can the Minister of Education give a time table for the construction of the Surrey Downs High School? The area in which Surrey Downs High School is to be built is now catered for by two schools, Banksia Park High School and the Heights High School. Banksia Park High School now has a projected enrolment of about 1 500 by 1980, and the Heights High School and Pedare Primary School complex has a projected enrolment of 2 000 by 1980. Those enrolments are based merely on normal growth for the area and do not take into account the possibility of development in the Modbury and Golden Grove area. As the creation of a third high school in the area is urgent, I would appreciate any information the Minister can give about this matter.

The Hon. D. J. HOPGOOD: Current plans are for the first stage of the Surrey Downs High School to be available for an intake at the beginning of the 1980 school year. I have asked the Director of Research and Planning to continue to refine demographic information from the area to determine whether the need will exist. It seems almost certain that there will be a need, in which case that is our time table and we will try to adhere to it. Population build-up in the outlying suburbs of Adelaide has been rather less in the past couple of years than was predicted a few years ago. I know this from my own district and the area that was formerly in my district. Possibly, the same factor could be operating in the honourable member's area. We are carefully considering demographic information because we certainly do not want to begin the project earlier than we have to, given the general constraints that the States are facing in Loan finance. However, if the position is as seems to be the case, as indicated by the honourable member, we will adhere to the prediction for a 1980 opening.

PERSONAL FILES

Mr. DEAN BROWN: Can the Premier say whether files or records of any kind are kept in the Premier's Department on individuals or organisations and, if they are, how many such files and records are kept; what is their nature; is any of the information of a political nature; what are the criteria for establishing such files and records; for what purpose are they maintained; and who has access to them? It is a well-known and accepted fact that records on individuals are kept by many organisations, both Government and private, in relation to business, financial or statistical matters. However, concern has been expressed that records kept in the Premier's Department have been maintained and in some instances used for political purposes, and this is done at the expense of the State.

In addition I know that a transcript of television interviews involving politicians is typed and filed. If the Premier wants any proof of that I can tell him that a member of his media monitoring unit complained to me that an interview which I had given the previous evening and which had to be typed up for the files was too long, and he asked me to keep my interviews short in future.

Members interjecting:

Mr. DEAN BROWN: It was the fault of the Government for making such a bungle that could be attacked.

The SPEAKER: Order! The honourable member asked for leave to explain his question briefly. I hope he will not continue in that manner.

Mr. DEAN BROWN: Will the Premier say whether individuals can have access to these files to check their accuracy?

The Hon. D. A. DUNSTAN: The Government does not have files on individuals. Unlike the Lord High Executioner, I do not keep a little list, whatever might happen from the media monitoring activities down at Liberal Party headquarters.

Members interjecting:

The Hon. D. A. DUNSTAN: Oh yes, they have those; in fact, they have three lots of them.

Mr. Mathwin: Are you saying you don't have a dossier on each member on this side of the House?

The Hon. D. A. DUNSTAN: Quite frankly, the honourable member gives himself too much importance. I see absolutely no reason to keep a file on the honourable member. He is an open book. The media monitoring unit, as the honourable member for Davenport knows, types up summaries of what happens on radio and television each day. These may at times refer to things which are said by the honourable member.

Mr. Dean Brown: This was a full transcript.

The Hon. D. A. DUNSTAN: No, it is not a full transcript; it is a summary.

Mr. Dean Brown: This person complained because it was a full transcript.

The Hon. D. A. DUNSTAN: I do not get full transcripts at all. Only rarely is a full transcript ever typed up and that only happens if there is a query about what has actually occurred, and that is no different from our asking for a newspaper clipping to see what was said. There is nothing more than that done, and I can assure the honourable member that he is not on an index.

The Hon. Hugh Hudson: If he were, he would be under "B".

The Hon. D. A. DUNSTAN: That might well be true.

COMMUNITY COUNCILS

Mr. MAX BROWN: Can the Minister of Community Welfare say whether Community Councils for Social Development have within their charter the right to involve themselves publicly in community problems emanating from grave unemployment situations within a community? Recently, the Upper Eyre Peninsula Community Council saw fit to launch a petition in the city of Whyalla to be sent to the Federal Government petitioning that Government to support the establishment of a national railway rolling stock industry in Whyalla.

Mr. Gunn: Why didn't the South Australian Government let the contracts to—

Mr. MAX BROWN: The honourable member might be answerable in relation to this matter; I am not quite sure. Also, the same council has convened a public meeting to publicise the problems of unemployment within the Whyalla community. Unfortunately, it has come under

criticism from certain Whyalla city councillors who are suggesting that community councils are acting outside their charter by being involved in this type of thing. I would appreciate advice from the Minister as to the correctness or otherwise of this complaint.

The Hon. R. G. PAYNE: Certainly, community councils are allowed to involve themselves in these matters. As a matter of interest, the Upper Eyre Community Council would be only one of many such councils throughout the State of the 26 now formed that have taken an interest in this matter in their community. For example, it is not uncommon for community councils to set up a subcommittee of the council to deal with this topic. I suggest to the honourable member that something strange is happening in this situation if, as I understand him to say, there has been criticism from councillors who are members of the local council. Reference to the Act and to the pamphlet put out by my department clearly shows that liaison with local government bodies in the area is a function of the community council, and, in order to ensure there is a reasonable chance of this liaison and co-operation occurring, local government bodies are able to nominate members to the community council in their areas. I am surprised that this kind of situation has occurred.

I know of community councils in which the degree of co-operation is very great, and at times if one attended the meetings it would be difficult to tell who was a community council member and who was a member from the local government body sitting in at the meeting, so keen is the interest displayed and the general desire for all to work together for the benefit of the community in that area, whether these people are working as representatives of local government or as representatives of the community. It is interesting to note that this area of operation of community councils has been included in the terms of reference that have been provided for the committee set up by the Premier some time ago under the chairmanship of Professor David Corbett. If my memory is correct, a report from that committee is almost due.

One term of reference of that committee was to consider the operation of community councils and to make recommendations with respect to that operation and also with respect to community development, community funding, and so on. When that report is available, I am sure it will vindicate to a great degree the operation of community councils so far. Perhaps I can reinforce what I have said if, for the benefit of the honourable member, I quote one of the several functions listed in the Act, which provides:

To inquire into any matters affecting the welfare of the local community and to report to the Minister or any regional or local body on matters that justify in the opinion of council their consideration.

By way of historical reference, let me say that from the beginning the Government intended in originating community councils in this State that a major attempt be made in the legislation to ensure that the operations of community councils would not be fettered by too strict a wording that may have been inserted in the legislation. I think that members who were present at the time would recall that there was no great argument about what went into the Act, and that we all agreed with it. As far as I can see, without pre-empting the report of Professor Corbett, there has been considerable success in the operation of community councils, so I can only say that some kind of misunderstanding seems to have arisen in Whyalla in relation to this matter.

Recently, I had a visit from the Chairman of the Upper Eyre Community Council, Rev. Gordon Hewitson, and,

from what I could see of his operation as Chairman of the council and his genuine concern for the plight of people in that area served by the community council because of unemployment that applies in that area, the council could only be commended. I would not hesitate to say this to the honourable member.

SPECIAL BRANCH FILES

Mr. MATHWIN: Can the Premier say when it is expected that the review of Special Branch/ASIO relationships proposed in the Hope report will be conducted in South Australia and whether the dismantling of Special Branch and the destruction of files and records will be deferred until the results of that review are known?

The Hon. D. A. DUNSTAN: The arrangements for formalising relationships between ASIO and the South Australian Police Force are being undertaken by a Premiers' Conference. The Prime Minister himself (and this telex has been published) has requested the formalisation of arrangements on the basis of the Hope report by discussion between Premiers and the Prime Minister. I expect that that will be formalised shortly, after discussions have taken place between officers. The culling of files from Special Branch will proceed once the Royal Commission has completed its work. The culling of files of Special Branch is only the culling of irrelevant and improper material that does not bear on politically-motivated violence.

Mr. Mathwin: Who is to say that?

The Hon. D. A. DUNSTAN: The judge will say that. The honourable member is apparently unaware that Justice Woodward is already doing it in ASIO under the Federal Government's instructions.

Mr. Mathwin: You—

The SPEAKER: Order! The honourable member is out of order.

ELIZABETH SOCIAL SECURITY OFFICE

Mr. HEMMINGS: Will the Minister of Community Welfare make urgent representations to the Federal Minister for Social Security (Senator Guilfoyle) that the extra staff acquired by the Social Security Office, in Elizabeth, to carry out investigations into the eligibility of those people claiming unemployment benefits be used instead to assist in clearing the enormous backlog of claims that the Elizabeth office has been experiencing for some considerable time? Unemployment figures to the end of January, 1978, recently released, show a total for Elizabeth of 2 718, an increase of 166 on the December figure, which is perhaps the highest in the State, apart from Whyalla. The Social Security Office in Elizabeth, apart from processing the claims for this large number of unemployed, also services claims from as far afield as Gawler, Tanunda, Nuriootpa, Angaston, Kapunda, Eudunda, Mallala, Hamley Bridge, Balaklava, and Port Wakefield, which takes in the Light and Kavel Districts. I spoke at a public meeting on unemployment in Elizabeth on Friday, February 10, at which many claims were made that personal inquiries to the Department of Social Security were taking up to three hours and that cheques were, in most cases, arriving three to six weeks late. The manager and his staff are doing all they can to relieve the problem.

Mr. Mathwin: He's very young, isn't he?

The SPEAKER: Order!

Mr. HEMMINGS: That shows how the Opposition treats unemployment in this State. I understand that those

staff who usually work on age, invalid, widows and supporting mothers pensions have been transferred temporarily to assist the Unemployment and Sickness Benefits Section, and this is also causing problems.

On Monday, February 13, 15 additional officers turned up at the Elizabeth Social Security Office and, on inquiring, my electoral staff were told that they were to be working on "the blitz". When my electoral secretary reported that to me, I was surprised, because I did not realise that any blitz was going on at the time. On reading the *Advertiser* on Monday, February 13, under the heading "Dole blitz ordered by Fraser—Senator", I read the following:

A blitz had been ordered on people getting the dole, the Opposition spokesman on social security, Senator Grimes, said yesterday. Senator Grimes said Social Security Department investigating officers had been ordered to drop all other tasks from today so a "nationwide raid" could be made on the jobless.

The Director-General of the Social Security Department (Mr. P. J. Lanigan) confirmed that officers would step up visits to the homes of dole recipients.

Later the Minister for Social Security (Senator Guilfoyle) denied that the Government or the Cabinet had initiated any "blitz" on the unemployed. She said field officers of the department would be undertaking their normal activities and this was a regular departmental decision.

I must add that, on inquiry, I was informed by the Elizabeth office that at no time had numbers up to 15 ever come to carry out checks.

The SPEAKER: Order! I think the honourable member has explained his question quite adequately.

The Hon. R. G. PAYNE: One way of answering the question would be to read to the House the telex I sent to Senator Guilfoyle on this topic. I think certainly that will answer part of the matter raised by the honourable member in asking me to make urgent representations to Senator Guilfoyle.

Mr. Mathwin: You just happen to have it with you.

The Hon. R. G. PAYNE: The honourable member who just interjected would know that I am usually prepared when I am in this House. The telex was addressed to Senator Guilfoyle at Parliament House, Canberra, and reads as follows:

My attention has been drawn to the press reports of increased activity by your department in checking the *bona fides* of people receiving unemployment benefits. I realise that some checking is necessary, but would ask that you ensure that the emphasis on this examination does not affect the ability of your department to speedily provide benefits to those who are in urgent need of help. Undue emphasis is frequently given to the fact that a small percentage of people dishonestly claim unemployment benefits. This, and the publicity given to your department's latest investigation, does a great deal to foster the very unhelpful "dole bludger" label which is being attached indiscriminately to the unemployed. This in turn persuades a growing number of people that the unemployed are not worth helping—

and honourable members opposite should ponder that sentiment and consider the way in which they sometimes approach this problem—

at a time when there is an urgent need for total community support to help alleviate the plight of record numbers of genuinely unemployed.

The point raised could not have been better emphasised than by the horrific figures given by the honourable member regarding the number of unemployed in that area who would need services from the office. There would be no need for me to tell the honourable member, because it is clear from his genuine concern in this matter, that he is

functioning very well as a member and is maintaining a great liaison with the people in his area, looking after their needs and looking at the services provided for them by State and Commonwealth in trying to ensure that the services are what they should be.

I know that he would be aware that the Elizabeth office of the Community Welfare Department is encountering a great many applications for financial assistance. I can inform the House—and the Premier knows, as do other members of the Cabinet—that I have had to go to Cabinet and ask for increased assistance in terms of finance to be made available to pick up the Federal Government's baby in this area; that is, to try to assist citizens of this State in their present hardship. It is for a number of reasons, all of which can be laid at the door of the Federal Government. I will not be so bold as to blame Senator Guilfoyle. I suspect that some of the instigation regarding the change in the payment of unemployment benefits from what previously applied to an arrears payment, despite the recommendation by the Myer committee, set up by the Federal Government to examine this area and report on it, and its recommendation that arrears should not be resorted to, came from the Federal Government. I suspect that it was probably against the wishes of Senator Guilfoyle.

I have had constant contact with the Senator; I was with her at a Ministers' meeting all day last Friday, and I raised many matters germane to the question raised by the honourable member. My feeling is that she is not in accord with some of the very harsh and unconscionable decisions that have been taken by the present Federal Government in this area and that she in turn is also stuck, just as we are in this State, with trying to make up the income of people, an area proudly proclaimed in Liberal policy speeches as belonging to the Commonwealth Government.

There is no argument about it; the Senator knows it, Mr. Fraser knows it, and the whole Government has stated it—that they are in the game of income maintenance, yet they are causing problems with income rightly due to people by way of unemployment benefits. The people who are in this position are genuine citizens who are unemployed through no fault of their own, not dole bludgers but people that honourable members know and I know, yet the Commonwealth in one voice says that this is its responsibility and in the other voice says it will do everything it can to make it hard for people to collect. That is what is going on, and this includes the degree of checking that is now being instituted.

I hope members opposite will note that I accept that there does need to be some checking, and I put that sentiment in the telex to the Senator. However, I urge any member opposite who has any influence with the Federal Government to use it and try to get home to it what hardship is now occurring, not only in our State but throughout Australia, because of the problems associated with this department. Let me hasten to add that I have had a long association with this as an ordinary member and as a Minister with the local Deputy Director who is responsible for the whole area of unemployment payments. I know him well and I know that he is struggling to do the best he can in this area, but the problem is exacerbated by the large numbers, which continue to increase despite assurances to the public by the Commonwealth that unemployment will fall.

Mr. Venning: Now you're politicking.

The Hon. R. G. PAYNE: I may be, but it is honest politicking concerned with the welfare of the people. At the same time it is concerned with genuine welfare away from politics. Is the honourable member suggesting there is no-one in his area who is unemployed and needs help? I am sure he is not, and I am sure no other member would

take that attitude. That sort of cheap interjection on this sort of topic is right out of order, irrespective of any ruling that might be given by the Speaker.

The SPEAKER: Order;

The Hon. R. G. PAYNE: It is a matter of propriety: it is not proper for it to be raised in that way. If the honourable member interjected on a matter of fact I would not take exception, but I think, on reflection, he will realise that is not what Parliamentarians ought to be engaged in when considering a topic such as this. I conclude by asking members opposite, who in some cases (and I can name members, but I will not, because I would be drawing invidious comparisons) would be aware of this problem in the community, to use their good offices with the Commonwealth Government to try to get recognition that something needs to be done now to make sure that people are not suffering the tremendous degree of hardship that is now occurring.

DROUGHT LOAN APPLICATIONS

Mr. BLACKER: Can the Minister of Works, representing the Minister of Agriculture in another place, inform the House of the present situation relating to drought loan applications, and can he also say whether it is possible to have the processing of these claims speeded up? A number of farmers have expressed concern about the delay that has occurred before approved funds become available. One farmer was notified that his application was approved in December, but he has not yet received any funds.

On further inquiry, I have been told that the average time for departmental consideration is about four to six weeks from the time the application was lodged. In addition, there is in excess of one month's delay in the documentation of securities. When the drought scheme was first mooted it was intended to process applications in three to four weeks. I raise this matter because many creditors are being inconvenienced, as farmers have informed them that their applications have been approved yet funds are slow in coming.

The Hon. J. D. CORCORAN: I will obtain that information for the honourable member from the Minister of Agriculture and bring down a report as soon as possible.

GAS DISCOVERIES

Mr. SLATER: I direct my question to the Minister of Mines and Energy. Two recent announcements about gas discoveries in the Cooper Basin have been made. The discoveries were made as a result of exploration financed by the South Australian Government, which, I understand, is the only Government in Australia that is directly financing this type of exploration. Some of the press announcements in relation to the Stock Exchange have been of a technical nature and, as the people of South Australia are, in a real sense—

The SPEAKER: Order! The honourable member will resume his seat. The honourable member has not sought leave of the House to explain his question. I should like the honourable member to start his question from the beginning.

Mr. SLATER: The question I am directing to the Minister of Mines and Energy relates to the announcements of gas discoveries in the Cooper Basin.

The SPEAKER: Order! I must inform the honourable member that that is not a question. What is the question?

Mr. SLATER: I want to know, Mr. Speaker, whether the Minister can provide information about the recent announcements of discoveries of gasfields in the Cooper Basin. The announcements of the discoveries have been to

me, and I think to the public generally, of a somewhat technical nature. Because the South Australian Government is financing the exploration for this discovery, I believe the Minister may have further information for the House and the public. This discovery is significant to the people of South Australia.

The Hon. HUGH HUDSON: The honourable member was good enough to inform me that he wanted additional information on this matter, and I am pleased to be able to give it to him. The Munkarie No. 1 well has produced gas from both what is known as the Epsilon Formation and the Patchawarra Formation. The initial flow of 6 000 000 cubic feet of gas a day was from the Epsilon Formation. A further flow, announced a few days ago, of 6 000 000 cubic feet a day was from the Patchawarra Formation.

This morning, Delhi International, the operating company, informed me that it has today had a further flow of 7 000 000 cubic feet of gas a day from the Patchawarra Formation. Until the well is cased and properly assessed, it is not possible to say precisely how much gas is in the field. However, it is possible to say the Munkarie No. 1 well has demonstrated the existence of a commercial gasfield and that the volume of gas there is certainly well in excess of 100 billion cubic feet and could easily be as much as 200 billion cubic feet.

The volume could be assessed in order of magnitude if we recognise that the known proven and probable reserves in the Cooper Basin are about 3 500 billion cubic feet. That enables us to suggest that the new discovery represents an expansion in reserves of the Cooper Basin of up to 6 per cent, perhaps a little more. Of course, it is absolutely vital to the proper long-term energy and industrial planning for South Australia that we know the extent of the natural gas resources in this State and that those resources are established as accurately and as completely as possible.

The discovery at Munkarie No. 1 well is in the licence area in which Delhi, Santos, Vamgas and the South Australian Oil and Gas International Corporation are the interest holders. As I have already said, Delhi International acts as the operator. The South Australian Oil and Gas Corporation is the company that was formed by the Pipelines Authority of the South Australian Gas Company to hold the Commonwealth interest in the Cooper Basin, an interest that was recently purchased by the State.

Munkarie No. 1 well is the first well in the 1978 exploration programme and is part of the exploration programme that has been financed by the State Government. The sum of \$5 000 000 was allocated for that programme. Under the programme, three more wells will be drilled and over 1 000 line kilometres of seismic survey will be carried out. The expenditure of \$5 000 000 is in addition to an expanded programme of exploration being funded by the producers themselves, so there has been a significant expansion overall in exploration that is taking place in 1978 in the Cooper Basin.

I should like to put on record my appreciation of the degree of co-operation from the producers in the development of this exploration programme. This co-operation is occurring not only at General Manager level but also at the technical officer level within the companies concerned and within the Government. People associated with the planning of the Government's attitude to exploration, under Dr. Devine, and the people who are doing the technical work for Delhi and Santos have established a good relationship. As a consequence, there has been most effective co-operation.

It would not be inappropriate in future if the exploration programme that is carried out, whether funded by the

Government or by the producers, was regarded as one programme and an effective integration of all aspects of the programme took place. No doubt, without the complete co-operation of geologists and others involved in determining the exploration programme, the results could not be anywhere near as effective as they are.

JOURNALIST RESIGNATIONS

Mr. GUNN: Did the Premier or anyone acting on his behalf make representations directly or indirectly to members of the Board of Management of Macquarie Broadcasters that led to the news editor and another journalist leaving SDN recently and, if so, what was the nature of those representations and for what reason were they made?

The Hon. D. A. DUNSTAN: No.

NORTH HAVEN BOAT RAMP

Mr. OLSON: Can the Minister of Marine inform me whether any consideration has been given to a reduction in launching fees for regular users of the boat ramp at North Haven? Regular users of the ramp, including retired persons and pensioners, have complained that the \$2 launching fee is too expensive, particularly for those people who use the ramp several times a week. Will the Minister issue an annual permit so that people can use the ramp freely for a specified amount?

The Hon. J. D. CORCORAN: The Government has considered the matter raised by the honourable member. That is to say, we have devised a method that I consider to be a concession to regular ramp users. In many cases regular users are pensioners and, although no specific concession is given for pensioners, the scheme is that regular users can obtain a permit from the Marine and Harbors Department for one year for the total sum of \$40. That permit will enable the user to launch his boat as often as he wishes in that period. In other words, instead of paying \$2 each time a user launches his vessel, he will pay \$40 and be able to launch the vessel as often as he wishes.

The system commenced operation on January 1 this year. From that time each permit will naturally be valid from, I think, the date of issue. From memory, I think only 15 of these permits have been issued. I would have thought that regular users would grasp the opportunity to take advantage of this system which, on examination, can be seen to represent a considerable concession. I hope it will be used particularly by pensioners, to whom the honourable member has alluded.

SPECIAL BRANCH

Mr. MILLHOUSE: I would like to ask a question of the Premier.

The Hon. Hugh Hudson: I'm surprised!

Mr. MILLHOUSE: Surprise, surprise!

The SPEAKER: Order! There are too many interjections. The number of questions asked during Question Time is getting fewer.

Mr. MILLHOUSE: I was sorely provoked by that one.

The SPEAKER: Order!

Mr. MILLHOUSE: I cannot hear for the murmuring that is going on.

The SPEAKER: The honourable member for Mitcham has the floor. I hope he will ask his question.

Mr. MILLHOUSE: Will the Government reconsider the appointment of Mr. Acting Justice White to oversee the files kept by Special Branch, with a view to appointing someone other than a member of the Judiciary? My question is prompted by two things. First, yesterday I read the paper presented by Professor Gordon Reid, of the University of Western Australia, to the Institute of Political Science summer school in Canberra last month, in which he described as "executive imperialism" the practice of all Governments of using judicial officers, judges, for non-judicial tasks. He pointed out that in Australia the Judiciary still has a place of respect in the community because, by and large, its members have kept, and still keep, themselves above Party politics. He said that, if the present practice of using judges for such purposes goes on, even that section of the community will be worn out and the general standing of the judges will decline.

When I read the paper I realised how much good sense there was in it and I wondered why I had not thought of this myself. Having been prompted to that, I see the good sense in it. I know the Premier has already made some public comments on this matter. In a letter in the *Advertiser* this morning, Senior Judge Ligertwood complained that Mr. Acting Justice White (whose permanent appointment in the Local and District Criminal Court means that, in that capacity, he is subject to Senior Judge Ligertwood's oversight) had been appointed to carry out a task which was of a non-judicial nature; in fact, it is a classic example of the sort of thing Professor Reid has complained about. I know the Premier has complained that the Senior Judge should not have written what he wrote, before going to the Minister. I thought that was cheap on the part of the Premier, because the judges are entirely independent of the Government and, subject to their own good sense, they can say what they like. I would have hoped that the Premier would be the first to acknowledge that principle, but apparently in his petulance this morning—

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

Mr. MILLHOUSE: Yes, I suppose I am; I beg your pardon. In the light of the general principles to which I have referred, and in view of the specific complaints from Senior Judge Ligertwood, and bearing in mind, as the Senior Judge said this morning, that his judges are appointed to do a job which is a full-time job, which they cannot do if they are to be interfered with all the time by other tasks put upon them, I ask the Premier the question I have formulated.

The Hon. D. A. DUNSTAN: In the first place, I disagree with Dr. Reid's contention in this matter.

Mr. Dean Brown: You've got to in this—

The Hon. D. A. DUNSTAN: I would have thought the Liberal Party would, too, because the Liberal Party's practice in Government, both Federally and in this State, has run contrary to what Dr. Reid had to say. Indeed, as an example of that, I point out that Judge Ligertwood's father was appointed to Royal Commissions both by Federal Liberal Governments and Liberal Governments of this State and that that precedent was widely followed under Liberal Governments. In fact, Sir George Ligertwood was a member of the Petrov Royal Commission.

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

The SPEAKER: Call on the business of the day.

ROAD TRAFFIC ACT REGULATIONS

Mr. MILLHOUSE (Mitcham): I move:

That the regulations under the Road Traffic Act relating to traffic prohibition (Unley), made on October 27, 1977, and laid on the table of this House on November 1, 1977, be disallowed.

As you, Mr. Speaker, no doubt will have realised, these regulations concern the Unley road closures. These road closures have for several years caused a furore, because whenever even one road is closed it distorts the traffic pattern; it benefits some people and it annoys and inconveniences other people. That has happened in Unley. By and large, the furore in the Unley area, and Malvern particularly, where these road closures were first introduced, seems to me to have died down. It also seems to me, although I may be wrong in this, that the best job has now been made of closures.

Certainly the complaints that I have had from people living in my own area, part of which is covered by the closures, have died down, and therefore I say that I do not move this motion with much enthusiasm. I have told Dr. McCarthy, who asked me to move for the disallowance, of that, and I will quote my letters to him in due course. I do not move it with much enthusiasm, especially as during the election campaign a most unscrupulous campaign was waged by members of the Liberal Party and the Liberal candidate in particular, who is a member of the Unley council, to the effect that, if I were re-elected to this place, all the Unley road closures would go. In one way that was paying me a compliment, implying that I should have so much influence in these matters. It was an implied compliment with the idea of robbing me of support from people. A Mr. Marks from the university told me afterwards, when I reproached him about this, that he had voted Liberal for the first time in his life because he had been assured by members of the Liberal Party that this is what would happen. Not only did he vote Liberal for the first time in his life but he actually rang people up and urged them to do the same thing, so that the road closures would remain.

Be that as it may, the fact is that the Leader of the Opposition seconded my notice of motion on this matter, and I expect that he will second the motion itself in due course. I am not certain what my opponents on this matter in the election campaign will make of that, but that is the fact. I have been approached by some residents in the area affected, who are my constituents, to move for the disallowance. In view of the enormous controversy which was generated, their experience of the closures, which they say have prejudiced them, and the fact that they are constituents who are entitled to have their voices heard through me if that can possibly be done, I have given this notice of motion and moved accordingly.

I intend to read by no means all of the submission that Dr. McCarthy made to the Subordinate Legislation Committee, which decided to take no action, but the part of it that sets out in his words his case, supported no doubt by others in the area, for the disallowance of these regulations. He said:

In seeking a disallowance of this regulation I wish to assure the committee that I am most conscious of the prime object of the pilot study, that of increasing safety. The members of the committee must address themselves to the question "If this regulation is disallowed, can an effective safe plan be devised to maintain safety?" There are five important aspects which I believe bear strongly on the affirmative answer to this question:

- (a) Priority roads, which did not exist in 1969 or 1973, could be used effectively in the Unley pilot study area to help effect safety; especially for Duthy Street.
- (b) The stop sign, which was very weak in 1969 and 1973, now has (in Act 31 of 1975) a different interpretation—"stop, and go only when the road is clear", which essentially means the priority may be and should be designated at every intersection.
- (c) It is quite wrong that the speed of 60 km/h should be allowed in residential streets such as Fisher Street and Winchester Street, the same as on such divided roads as Anzac Highway or Port Road. It is quite within the power of the council (and the Minister of Transport) to drop the speed limit on any street to, say, 40 km/h.
- (d) If roundabouts are to be regarded as acceptable solutions to the safety problem at, say, the Fisher Street and Cambridge Terrace intersection, why can't they be used for example in Duthy Street, at Marlborough Street and Cheltenham Street and Clifton Street, and thereby relieve Fisher Street and Wattle Street of traffic which does not need to load these two streets?
- (e) The use of reduced maximum speeds, roundabouts, etc., and priority roads, and stop signs to designate the priority at all intersections in the area, would enable a safe plan to be developed for Unley in which all residents could have an increase of safety and a reduction of noise. The present system is most inequitable, transforming danger and noise to Fisher and Wattle Streets, making our safety and environment worse for the benefit of others.

I have spoken about these ideas to the Chairman of the Road Traffic Board and he gave me to understand that these ideas could form the basis for a satisfactory traffic control plan. The announcement in the press of allocation of funds for making Duthy Street a priority road indicates that such a contingency had been anticipated.

The international authority on traffic flow, Professor Haight, who visited Adelaide this year, has commented that, although he had not had time to study Adelaide conditions closely, stop signs, road humps or widened footpaths could possibly be used to reduce traffic speed instead of completely closing roads. He is founder and editor of the United States magazine *Accident Analysis and Prevention*. Problems of traffic management and control are not peculiar to Adelaide.

The O.E.C.D. has recently published a volume entitled *On Evaluation of Traffic Management Measures*. I would like to quote some very short sentences from this report:

"In the United Kingdom Central Government has the responsibility for . . . the provision of technical and policy advice" (page 3) and "But of course policy makers also need feedback . . . for an important issue for central government is whether lessons learned can be applicable elsewhere" (page 3) and "It should be noted here that traffic management schemes have often been subject to monitoring but not to rigorous evaluation".

These three points have relevance as much in Adelaide as elsewhere. We do need technical and policy advice from central rather than local government.

The Unley pilot study has been a pilot study, and it has been monitored but not monitored adequately. The authorities have admitted to me when requested that they could not supply detailed before and after traffic flow figures when the changes have been made.

There has not been a rigorous evaluation. A pilot study should aim not only to reduce accidents but to reduce accidents by the best factor available, and to increase safety for all residents. A pilot study should compare the benefits of systems, the prior analysis of which would indicate high probability of safety. I expect that in comparable areas of cities in North America with grid street patterns, but with

lower traffic speeds and more general use of stop signs, analysis will show that the accident rate is lower than in Australia.

The O.E.C.D. report contains the following passage, "Both central and local government must be alive to measures that add to efficiency without prejudicing the right of individuals to be heard whenever their interests are affected". There is a need in this State for a mechanism to defend the rights of individuals whose environment is threatened by an excess of traffic transferred from other streets by traffic control measures. I am pleased that this committee exists—

that is, the Subordinate Legislation Committee, and I do not know whether he is quite as pleased now as he was when he wrote this submission—

but it seems to me that an appeals body might be set up as a safeguard against drastic changes to the traffic flow. Perhaps a section of the environmental impact legislation could be made to apply as some safeguard in this respect.

With regard to feedback, I would at least hope that policy makers of central government have learned the lesson that street closures are particularly distressing to the residents of "sacrificed" streets (those left open), and that other safe traffic control measures which do not drastically redistribute traffic should be used.

I draw this committee's attention to another recent document "Guidelines for Public Consultation prepared for the Director-General of Transport". In this document it is recognised that "the traditional method of democratic control, the ballot-box is too crude a method to reflect the needs of people faced with a specific issue which affects them directly", and also, "Therefore public involvement is needed at a constructive level".

It is my opinion that, because every member of the Unley council (except one) voted in April, 1977, against the plan which the present changes of regulations implements, the ballot-box is indeed too crude a method to reflect the needs of the people. I urge you strongly to reject this change of regulation, so that the Unley pilot study will go back to the Unley council to devise an even safer traffic management scheme, fair to all residents.

That was his submission, and it contains the gist of his case. He approached all the local members concerned. I guess he approached you, Mr. Speaker, as one perhaps more concerned than any other person. He approached the Leader of the Opposition, whose District of Bragg covers part of this area, and approached me, seeking a motion for disallowance. This is what the Leader of the Opposition wrote to Dr. McCarthy on September 27:

Dear Dr. McCarthy, Last month you sent me a good deal of documentation concerning the controversial road closures in Unley. I had intended to write to you earlier, but the elections intervened and of course there is little a Parliamentarian could do to help you while the Parliament is prorogued.

In the recent controversy over road closures in the Toorak Gardens, Rose Park and Dulwich area, I took the attitude that as member of Parliament for the district my role should be limited to putting on notice a motion for disallowance of the regulations, effectively causing a stay of proceedings while the various residents groups and the Burnside City Council sorted things out. I believe that the sequence of events there justified my approach.

I would be prepared to do as much, but no more, in your case.

The next bit is a good bit of buck passing. He may have put your name, Mr. Speaker, instead of mine, but he did not. The letter continues:

However, it seems to me that the area most affected is within the electorate of Mitcham and that it would therefore

be most appropriate for Robin Millhouse to put the motion for disallowance on notice.

His own Party people had been using this issue against me only 10 days before in the election saying that if I were re-elected all the road closures would go, but he is suggesting to Dr. McCarthy that he should get me to do it.

The Hon. G. T. Virgo: What did Harold Steele say about a lot of talk and not much action?

Mr. MILLHOUSE: I think the Minister is correct in this.

The SPEAKER: Order! Interjections are out of order.

Mr. MILLHOUSE: Yes, but it was a good interjection.

The SPEAKER: It has nothing to do with this motion.

Mr. MILLHOUSE: Not a thing.

The SPEAKER: I hope the honourable member will stick to the motion.

Mr. MILLHOUSE: Very well, Sir. The letter continues:

If for any reason he is unable to help you in this way, I will of course be happy to do so. You may contact me or my Secretary, Mr. David Ayling, by telephone at Parliament House.

I am looking to the Leader of the Opposition to second the motion, as he signed the notice of motion as my seconder. I wrote to him on December 6, having been supplied with a copy of that letter, saying the following:

My dear David,

Dr. Lance McCarthy has been in touch with me about the road closures in Unley. He has asked me to give notice of motion of disallowance as they have been told that the Subordinate Legislation Committee does not propose to do so. The last day for disallowance is next Thursday. I have seen your letter to Dr. McCarthy of September 27, 1977, in which you undertake to give notice of motion for disallowance. As you suggest I should, I am prepared to do this myself but, of course, need a seconder. I enclose herewith the notice of motion and ask that you sign it immediately as seconder so that I can give it before the end of this week.

The Leader of the Opposition was obedient enough to do that. I then wrote to Dr. McCarthy, on December 10, as follows:

Dear Lance,

David Tonkin was prepared to second my notice of motion. I gave it last Wednesday, December 7, and it is down for debate on February 15. I have to tell you, though, that I am not myself convinced that, on balance, the regulations should be disallowed. I am quite sure that I would not get support either from the Liberals or from Labor at the present time.

What the position is two months later, I cannot say. The letter continues:

It will be up to you and others who want the disallowance to convince us! However, by giving the notice, the opportunity for disallowance is preserved.

Since then, I have received a letter from Dr. McCarthy, setting out again (and I believe that I should give this to the House) his arguments in favour of the disallowance. His letter, dated February 2, to me states:

Dear Robin,

Thank you for your letter of December 10 informing us that you have given the notice of motion on the Unley traffic regulation issue, and that it is down for debate on February 15. We believe that the regulations should be disallowed because two residential streets have been selected as ones to be forced to take a significant increase in traffic, thereby increasing the danger of injury or death by traffic accident for residents of these streets.

The principle of transferring substantial danger from some residential streets to other roughly equivalent residential streets is unacceptable to us when there are other viable

alternatives to improve the safety for all. We hope that our representatives in State Parliament also find this unfairness unacceptable. Such a method of traffic control as the Unley pilot study would not be unacceptable if other alternatives for improving safety did not exist. The Australian Bureau of Statistics has supplied the following figures on road traffic accidents involving casualties:

Following that part of his letter is a short table and, because it is statistical in nature, I seek leave to have it incorporated in *Hansard* without my reading it.

Leave granted.

TRAFFIC ACCIDENTS

	Deaths 100 000 people	Deaths 10 000 motor vehicles	Injuries 100 000 people
South Australia . . (1976)	24	5.3 (approx.)	878
Australia (1976)	26	6	631
United Kingdom . (1975)	11.2	3.6	
United States . . . (1974)	21.9	3.4	
New Zealand . . . (1974)	21.8	4.9	

Mr. MILLHOUSE: The letter continues:

These statistics seem to us to indicate a major problem of death and injury in South Australia; a problem which is more severe than in some other comparable regions of the world, even though good visibility and the relative absence of such hazards as snow, ice and fog might lead one to hope for a significantly better accident record. Moreover, we believe that the authorities have diverted their attention to microscopic portions of South Australia's accident problem, such as the Unley pilot study area, and neglected to put into effect basic measures to control the accident problem on a broader scale. The outstanding features of these statistics are:

(1) That South Australia has a significantly worse record than that for the whole of Australia for the injuries sustained in traffic accidents. (It is difficult to compare statistics on injuries between different countries because of uncertainties in the definitions of "serious" and "slight" injuries.)

Dr. McCarthy is a scientist. He is a senior man in his profession, and is well used to using and evaluating statistics. He relies on the statistical method, and he is competent to do that. The letter continues:

(2) While South Australia can claim a marginally better accident death rate than the Australian average, the accident death rate for Australia and South Australia is significantly worse than for the other countries whose statistics are quoted, both in relation to the population and to the number of vehicles. We believe that the South Australian Governments, both Labor and Liberal, have neglected the real issues of road safety. The people of this State have the right to better driving conditions than at present. We call on you to ask in Parliament that the Minister of Transport have an urgent review of traffic safety in this State, with particular regard to the following areas likely to improve safety:

- (1) Reduction of speed limits on non-priority suburban streets to 40 km/h.
- (2) More widespread use of "stop" signs at intersections and junctions.
- (3) Investigation and implementation of driver education programmes (in high schools, if necessary)—Australians tend to sneer at courses on driver education in high schools, but they certainly contribute to better driving.

And finally, we ask you to press for the disallowance of the regulations which, if not disallowed, will strengthen the Government's hand in foisting unfair street closure systems on suburbs and in the process sacrifice the peace of mind of residents of "open" streets.

That is all I desire to say in support of my motion, except that, while I said to Dr. McCarthy and to his wife that I was not convinced, and I said earlier in my speech that I was unenthusiastic about moving my motion, I believe that, in all fairness to them and to others who desire that there should be a consideration by Parliament of this matter, my motion ought to be taken seriously and debated seriously so that everyone may be satisfied that an opportunity has been given for what is, I think, a minority voice in the area concerned to be heard. I therefore hope that Liberal Party members, particularly the Leader of the Opposition, whose own district is involved in this matter and who has seconded the motion, the Minister of Transport (I know that you cannot speak in the debate, Mr. Speaker, and for that you are probably thankful) and other Government members will also speak, and that all members will give my motion serious consideration.

Mr. EVANS (Fisher): I second the motion on behalf of the Leader. I do not wish to comment on it at length, because it is not related directly to my own area. Unfortunately, the Leader had to go home, because of an illness in his family, and is unable to make the comments that perhaps the member for Mitcham was hoping to hear. I am not sure that my Leader would have appreciated the letter from the honourable member saying, "My dear David", because I noticed that he did not write to "My dear Lance" when he wrote to Dr. McCarthy. When the Leader is available next week, he will speak to the motion. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

GRAPEGROWING INDUSTRY

Mr. ARNOLD (Chaffey): I move:

That this House calls on the Federal and involved State Governments to—

1. limit vineyard plantings to existing areas,
2. increase duty on imported wines and brandies,
3. reduce excise payable on Australian-produced brandy,
4. provide funds to convert surplus wine-grapes into juice concentrate and use the product to promote and establish overseas markets,

in an urgent endeavour to resolve the massive wine-grape surplus.

This House further recognises the appropriate action of the Federal Government in relation to the citrus industry and seeks similar consideration for the grapegrowing and wine and brandy producing industries of Australia.

It is imperative that my motion be debated today, as a matter of urgency, by both sides of the House, that it be put to a vote, and that the resolution coming from the House be forwarded to the Prime Minister and the Minister for Primary Industry no later than this afternoon.

At this moment South Australia, traditionally the predominant wine producing State of Australia, is faced with a surplus of more than 40 000 tonnes of wine grapes over and above the requirements of the wine and brandy producing industry. This represents a \$5 000 000 loss of income to grapegrowers in South Australia. It would be wise for us to look briefly at the reasons for this surplus in Australia, and predominantly in South Australia. For more than 100 years, South Australia has been the major wine and brandy producing State of Australia. When the previous Federal Government came to power, it cut tariffs by 25 per cent across the board, opening the way for an inflow of imported wines and brandies. In addition to cutting tariffs and creating this flow of wine and brandy into Australia, the then Federal Government substantially increased the duty on Australian-produced brandy by

some 230 per cent in a matter of only 13 months, having an enormous effect on the Australian wine producing industry.

We have only to look at the available statistics to see what has happened during that time. For the 12 months to September, 1977, imports of brandy into this country were 852 312 litres alcohol, and the exports for the same 12-month period totalled only 123 965 litres alcohol, giving a net import of 728 347 litres alcohol, representing about 8 000 tonnes of fresh grapes. On the wine side, for the 12-month period to September, 1977, imports of still and sparkling wines amounted to 8 455 181 litres, whilst exports of Australian wines during the same period totalled 4 680 000 litres, giving a net import of 3 700 000 litres of wine, which would convert to about 6 000 tonnes of wine grapes.

Looking at the figures on a yearly basis, we find that for the wine industry in the 12 months to September, 1973, imports totalled 3 150 000 litres, whilst for the same period we exported 7 140 000 litres. However, in the 12-month period to September, 1977, total imports had risen from 3 150 000 to 8 400 000 litres, and exports had fallen from 7 140 000 litres to only 4 700 000 litres, so the effects on the industry of the Federal Government's action at that time had been dramatic.

Not only has the increased excise had a dramatic effect on brandy, but also it has encouraged consumption of imported spirits, particularly of Scotch whisky. Imports of whisky for the 12 months to September, 1970, totalled 3 900 000 litres alcohol, and for the 12 months to September, 1977, the figure had risen to 9 190 000 litres alcohol, an increase of some 5 290 000 litres during that time. The additional imports of Scotch whisky in the 12 months to September, 1977, amounted to some 5 290 000 litres or, if that was converted into the equivalent in brandy, the quantity of wine grapes required would be about 55 000 tonnes. So, the dramatic increase of imported wines and spirits during that time represents about 70 000 tonnes of wine-grape equivalent. The effects of the actions of the previous Federal Government are clearly indicated.

However, it is not only the fault of the previous Federal Government. Whilst being aware of the difficulty, the present Federal Government has not altered the arrangements made by the previous Government, and we are faced with a mammoth problem. In a press release dated February 8, 1977, the Minister for Primary Industry made the following statement:

The tariff quota arrangements for brandy entering for home consumption will continue and the existing rates of duty will apply pending a review of this temporary assistance in the light of the outcome of the 1978 vintage. Pending a Government decision on the report, tariff quotas will be allocated for a further period of six months. Quota available for allocation in that period will be at the same level as applicable in the current quota period. The present basis for entitlement to quota will not be varied.

However, this is an assurance for only a further six months. A major brandy producing company such as the Berri Co-operative Winery, the largest brandy producer in Australia, cannot proceed to process and lay down any large quantity of brandy with only a six-month assurance. From the time the grapes are taken into the winery, it is at least three years before the brandy can be marketed. In that situation, there is no way in which the large brandy producing companies in Australia can proceed to lay down large quantities of brandy when the Federal Minister can give some form of assurance of protection to the industry for only a further six months.

While the action of the State Government in South

Australia to guarantee wine grape prices has been of considerable benefit to the grapegrowing industry and has been widely supported by all those involved in that industry, the fact that a quota does not apply to that price maintenance must lead ultimately to over-production. It comes back to the terms of the motion I have put before the House: to limit vineyard plantings to the existing areas. This can be done. It has been done in other industries—the sugar industry, the rice industry, the dairying industry, and the egg industry are all on a quota basis. The growers are licensed to produce a given quantity and, as a result of the actions of Federal and State Governments, those industries have been put on a sound economic basis.

Therefore, it is not as though we are asking for something that has not been done in primary industry before. This can be achieved, and I think it is necessary, in the short term, for a moratorium to be placed on vineyard plantings until this over-production problem has been resolved. The increased duty on imported wines and brandies and a reduction of the excise payable on Australian-produced brandies are two points in the motion that can be tied together. I have explained, using the figures I have given, what I believe has happened to the wine and brandy producing industry in Australia as a result of the lowering of tariffs and the massive increase in excise on Australian-produced brandy.

The fourth item of the motion, requesting the provision of funds to convert surplus wine grapes into juice concentrate, using the product to promote and establish overseas markets, is realistic. The Overseas Trade Department has people available overseas to promote new markets. Here is an opportunity for the Federal Government, in co-operation with the State Governments, to process the surplus 40 000 or 50 000 tonnes of wine grapes in Australia and to convert them into juice concentrate. This is not a difficult process. The machinery is available in this country to enable this work to be undertaken. The products can then be used to promote a market in overseas countries such as the Arab countries, South-East Asia and Japan where many different religious groups do not drink alcohol, and fruit juice is widely consumed.

I believe that, if this motion is unanimously supported today and the resolution forwarded to the Prime Minister and the Minister for Primary Industry as quickly as possible, we stand a chance of alleviating the enormous financial problem facing hundreds of wine grape producers, particularly in South Australia. It is imperative that the motion be debated fully today and, if it is carried, that the resolution be forwarded to Canberra to the appropriate Minister as an expression of the concern of this House. I ask every member to support the motion, in the interests of the many wine grape growers in South Australia. I trust that the motion will be carried unanimously today.

Mr. GOLDSWORTHY (Kavel): As another member in this place who, like the member for Chaffey, represents one of the main grapegrowing areas (in my case, the Barossa Valley), I second this motion with pleasure, realising the urgency of the matter. I do not believe it is unrealistic or unreasonable for the member for Chaffey to hope (and indeed expect) that debate on this motion will be concluded today, because there is much urgency, as all members should know. In fact, the grape harvest is well under way and the problem is immediate.

Mr. Arnold: Some growers haven't placed their grapes.

Mr. GOLDSWORTHY: True, so the matter is of extreme urgency. I do not think the Government can

complain that the Opposition is being unrealistic with this request, because the Government presented two Bills yesterday, one to be debated tonight about fuel distribution and the other, which is a major Bill in connection with the Mining Act, is set down for debate tomorrow. The Opposition has had little time in which to consider those measures. The member for Chaffey gave notice of this motion last week and the Government knows the terms of that motion. If the Government is not happy about some minor aspect of this motion, it is a simple task to move minor amendments to the Government's liking. I am sure that the member for Chaffey, and I as seconder, would not object to minor amendments in the wording if the motion were not to the complete satisfaction of the Government.

To delay this measure until next Wednesday would be a most unsatisfactory situation. I hope that, if the Government has made any decision in that direction, it will reconsider it. I make the point strongly that politics is not involved in this motion, but the matter certainly is urgent. Many primary producers in this State are in a most serious situation at the moment.

Mr. Wotton: Do you think the Government realises how desperate the situation is?

Mr. GOLDSWORTHY: I do not want to stir up the Government. I hope it will see the wisdom of passing the motion, which will then be immediately transmitted to the Federal Government. There is more than a chance, in my view, that, with the unanimous support of this House, the Federal Government will realise the urgency of the situation and be compelled to take action. I stress this point at the outset of my remarks because, in effect, we are trying to put pressure on the Federal Government. The Government often accuses the Opposition of not taking such action. We are urged frequently by Ministers of the Government to take up a matter with our Federal colleagues, and to try to exert pressure on them in some way or another. We are now suggesting that an urgent communication be sent to the Federal Government by way of this motion to try to do something about this urgent matter.

The member for Chaffey has canvassed in some detail each of the points raised in this motion. I will confine my remarks to the situation as it was conveyed to me, in relation to the Barossa Valley. I understand that the crops being harvested there (some are not being harvested because there is nowhere to place them) are a good average yield and in irrigated areas there seems to be an above-average crop, so there is nothing extraordinary in that regard in relation to the Barossa Valley.

I have some information about the Barossa Co-operative Winery, which is a large co-operative winery serving the Barossa Valley, and it takes some grapes from the Riverland. In the Barossa Valley there is at present an estimated total surplus of about 2 000 tonnes. In the Waikerie and Nildottie areas, from which shareholders send grapes to the Barossa Co-operative Winery, there are about 2 500 tonnes of unplaced grapes. From the Barossa and Waikerie areas there is a surplus of 3 800 tonnes, making a total surplus for the growers associated with the Barossa Co-operative Winery of 8 300 tonnes at present.

The liaison officer to whom I spoke this morning said that that figure seems to be increasing daily. That is simply the figure for one of the wineries in the Barossa Valley. This morning I was given an estimate, which I do not claim to be precise, that the total surplus for the Barossa Valley is likely to be 5 000 tonnes. As has been pointed out, the Riverland surplus will be far in excess of that. It has been stated that for Angle Vale about half the 6 000 tonne crop will be surplus. Growers in the area that I represent, and

in adjacent areas, are facing major problems.

The member for Chaffey has canvassed the position in some detail in relation to brandy imports and the disastrous effect the reduction of differential tariffs has had in that area. In short, what that means is that the normal outlet for our brandy product has been cut off. The question of plantings is to my mind a controversial issue. We know perfectly well that some wineries have planted fairly extensively in recent years and are continuing to do so. It would be tragic if we reached the situation in this State where small independent growers were forced out of production. I make no bones about saying that they are the backbone of the rural community in the Barossa Valley. If they are forced out of business the whole of that community will suffer. For that reason I consider this motion to be of utmost urgency. The planting problem must be tackled at the national level as, indeed, must a number of problems associated with this industry. It seems rather odd to me that South Australia, a major wine-producing State, has a price-fixing mechanism (and I will not argue the merits or otherwise of price fixing) that does not exist elsewhere and we now have an anomaly that can affect the industry to a considerable degree. Planting is a national problem that should be tackled at the national level, as the motion envisages, in co-operation with the States concerned. It has been put to me regarding plantings that it would be more helpful if statistics were available earlier in relation to planting and grubbing of vines, replacement and so on. If that information were available by the end of May in relation to the previous year's plantings and grubbing, more reasonable recommendations for plantings could be made.

About four years ago I briefly visited and examined the situation in South Africa where plantings are controlled strictly in the wine industry. It could be called a closed industry or, in industrial terms, a closed shop. Plantings are not permitted in South Africa without the sanction of the large co-operative which, in effect, controls the wine industry there. Therefore, there is precedent for this kind of motion. This is a controversial subject and may need further research; nevertheless, it is appropriate in my view that this matter should be included in the motion.

I believe that every member of the House should, from what the member for Chaffey and I have said, realise the enormity of the problem. It is probably the most critical stage that the wine and grapegrowing industries have faced since I have been a member of this House. I repeat that this motion does not involve politics so far as we are concerned. We hope the Government will not try to introduce (and I am using the word "politics" in its poorest sense) Party politics into the debate or motion to seek to score political points in some way or another from us or the Federal Government. As I have pointed out, we are trying to galvanise the Federal Minister and the Government at that level into action because the matter is urgent. In seconding the motion, I repeat that it is essential that it be forwarded at the earliest possible moment and that the debate be concluded today.

Mr. HEMMINGS secured the adjournment of the debate.

HISTORIC BUILDINGS

Mr. WOTTON (Murray): I move:

That in the opinion of this House a Bill to preserve buildings of historical and architectural merit whilst adequately recognising the needs of owners of properties should be introduced to Parliament without delay.

I have moved the motion as a matter of urgency. I believe

that the Minister for Planning would recognise the need for something to be done as soon as practicable regarding this matter. Naturally, I am concerned about areas in my own district, particularly Hahndorf, that will be affected by any legislation that may be introduced. I am also concerned about the State generally.

Late last year the residents of Hahndorf called a public meeting to discuss future development in that town. Concern has been expressed in Hahndorf for some time about possible future development, but this matter was brought to a head recently when the possibility arose of building a shopping complex in the main street of Hahndorf. Much objection to that project has been made on behalf of the residents of Hahndorf. This is a complex matter. Some people are very much against development in a town such as Hahndorf, while others want more facilities to be made available for people who live in the area. On the night of the residents' meeting a telegram was read that had been sent to the meeting by the Premier in which he informed the meeting that legislation was in the pipeline regarding the preservation of historic buildings.

I have moved this motion today to make sure that the Government is treating this matter urgently and is progressing with legislation in this regard. I believe it is vitally important for the Government to take immediate action because if it does not do so it will be far too late to preserve much of our own heritage in this State. We do not have many historic buildings of which we can be proud and I believe we should protect the ones we do have. In introducing such legislation, I hope the Government will consider recognising adequately the needs of the owners of such properties because that, too, is an important factor.

Earlier this year whilst visiting Victoria I had the opportunity of speaking with the Victorian Minister for Planning about legislation introduced in Victoria towards the end of 1974 regarding the preservation of historic buildings. The Historic Buildings Act in that State provides for the preservation of buildings, works and objects of historical or architectural importance or interest. One of the sections in the Act deals with the register of historic buildings. Under the Act, the Minister for Planning is directed to establish a register of historic buildings. The buildings constituting the initial register were published in the Victorian *Government Gazette* some time ago when there were 370 such buildings. This Act provides that the Government-in-Council on the recommendation of the Minister may from time to time by notice published in the *Gazette* amend the register by adding or removing any specified building or by altering any item on the register. Amendments to this Act are already on the Notice Paper, but I have not been able to receive a copy of the proposed amendment; it seems that certain flaws have been found in the original legislation.

The Act provides for the setting up of a Historic Buildings Preservation Council comprising 10 members whose function it is to recommend to the Minister the buildings of architectural or historical importance which it considers should be added to the register. It also recommends the removal of any designated building and any alteration which it considers should be made to that register. The council has the further duty to consider applications from the owners of designated buildings to remove, demolish or alter a building. The Act provides that, subject to the provisions of the uniform buildings regulations relating especially to the pulling down of dangerous buildings, any owner of a designated building who removes, demolishes or alters that building or causes or allows it to be removed, demolished or altered shall be guilty of an offence with a penalty of up to \$1 000 or imprisonment for one year. The definition of the word

"alter" is extremely wide. It is defined as meaning to modify or change the appearance of a building whether by way of structural or other works, by painting, plastering or any other form of decoration or by any other means.

The work would not necessarily have to be structural work but could extend to altering the colour of a building or carrying out maintenance or repairs to a building.

Provision is also made in the Act for an owner of a designated building to apply to the council in the prescribed form for a permit to remove, demolish or alter the building. On receipt of an application the council is obliged to cause a copy of the application to be served on the relevant council and also the responsible authority under the Town and Country Planning Act in Victoria, to publish notice of the application in a newspaper, and to require the owner to cause a copy of the application to be displayed in a prominent position on the building. After publication of the notice an application is available for inspection and any person may lodge with the council representation with regard to such an application. The council, after considering any representations so lodged and after giving the owner concerned an opportunity of being heard, may grant or refuse to grant the permit requested, or grant the permit subject to conditions.

Notification of the register is given to the Registrar-General or Registrar of Titles, as the case may be, with each designated building. The Registrar-General or Registrar of Titles is obliged to make such entries as he thinks necessary for the purpose of bringing the notice to the attention of persons who search the title of the land to which the notice relates. The register sets out the address of the designated building, the known title information, and the name of the owner and occupier (if known), and is divided up into the municipalities within the State of Victoria. It must be remembered, too, that the word "building" is defined under the Victorian Act as including any building work or object or any part thereof and the appurtenances thereto, so that it is possible for part of a building to be designated.

I am referring to this Act because I believe that already negotiations have taken place between this Government and the Victorian Government in relation to legislation in that State. I understand that this legislation is working well, although in some areas slight amendments are foreshadowed. In regard to the applications to add or remove buildings from the register, applications may be made by private individuals to have a certain building added to or removed from the register. This is provided for, and the person who makes application must apply in the prescribed form. These applications are considered by a statutory sub-committee of the council which then makes a recommendation on such applications to the Minister.

In relation to interim preservation orders, whilst the provisions preventing the demolition, removal or alteration of a building apply only to designated buildings, the Historic Buildings Preservation Council has power to serve an interim preservation order on the owner of a building which it is investigating where, in the opinion of the council, it is necessary or desirable to do so for the purpose of achieving the objectives of the Act. This interim preservation order remains in force for a period of six months or such further period as specified by the council with the consent of the owner or the Minister and, whilst an interim preservation order remains in force, the building to which it relates shall not be removed, demolished or altered.

Provision is made in the Victorian Act also for the application for financial assistance. In the Victorian Act, where it appears to the council that the continued use of any designated building is not economically feasible and as

a result its preservation is endangered, the council may make a report to the Minister recommending that special assistance be granted. The Minister may grant special assistance in one or more of the following ways:

- (a) make a direct grant of money;
- (b) with the consent of the Treasurer remit the whole or any part of the land tax payable on the land; and
- (c) after consultation with any relevant rating authority, and with the consent of that authority, remit all or any part of the rates payable in respect of the property.

I believe that that is an important part of any legislation that may be introduced in this cause. I refer to the situation in Hahndorf, which is now a highly valued area. One of the greatest problems is that many people who would be willing to renovate old buildings and care for them as part of our heritage cannot do so because of the high cost of State charges and council rates and taxes. I suggest that there is an opportunity for us to consider a rebate of death duties and probate costs, because many old buildings have belonged to families for years and they would wish to pass them on. One of the things I would promote in any form of legislation would be for the Government, through the legislation, to provide an incentive for people to preserve old buildings rather than issue a directive, because many people, if given encouragement and an incentive will treat such a project as a hobby and will care for many buildings that need to be preserved in this area.

I have received many letters, which have also been circulated through areas of the State, from those involved in this cause in Hahndorf. I refer to one that was written by the President of the National Trust of South Australia (Hahndorf branch), as follows:

We are writing to inform you of the grave situation facing Hahndorf at the moment, and to ask for your support in our fight to preserve it for future generations. As you may be aware, Hahndorf is the oldest surviving German settlement in Australia and as such is an important part of the national heritage. Much of it is still original with most of the old buildings still occupied, making it a living community instead of just a museum. Research by the Adelaide College of Advanced Education Institute of Technology and our branch has shown that some of Hahndorf's buildings are unique to this country.

In the past there has been a complete lack of official sympathy for historic townships in South Australia. Although legislation for the protection of historic sites has been prepared and presented to the South Australian Parliament, it has constantly been deferred. We are in the process of preparing a submission to the Heritage Commission.

I point out that the Heritage Commission has received various submissions regarding Hahndorf and has made available a grant of about \$24 000 to be spent on a survey in regard to future development of the town. The letter continues:

In a recent survey conducted by the National Trust 91.6 per cent of the residents were in favour of historic buildings being preserved in Hahndorf. The South Australian National Trust is doing what it can to assist, but we are still worried that without legislation we will lose a national asset to the developers. Our only hope appears to be public opinion, which in this case could be ignored.

This is one of the groups that are particularly concerned about the future of Hahndorf. Also, I have a copy of a letter sent to the Minister of Tourism, Recreation and Sport by one of the major academies in Hahndorf, and I quote as follows:

I write with great concern regarding the town of Hahndorf and its potential as a valuable tourist attraction for the State of South Australia. Amid the current controversy surround-

ing proposed developments in Hahndorf, one thing seems to be evident, that should there not be an urgent resolution passed to enable sensitive, intelligent appraisal and planning for this town, future tourist potential could be lost.

As a former travel consultant for some years and now Secretary at the Hahndorf Academy I have observed the flow of people through the academy in the last two years, and have heard many comments. A number of overseas tourists on their second visit to Hahndorf expressed dismay at the changes which have taken place, and others on their first visit have commented about the lack of visual co-ordination and seemingly lack of concern by authorities for the genuine historic content of this town.

I could continue to quote from other letters in which people have implored the Government and Ministers to examine the dilemma caused by the unco-ordinated actions involving tourist areas in South Australia and particularly in regard to the future of Hahndorf. Today, the main road to Melbourne no longer passes along the main street of Hahndorf, because the freeway by-passes the town and residents are not constantly assailed by the roar of heavy transports.

But the freeway, bringing with it easy access from Adelaide, has brought both the commuter and the tourist to Hahndorf. Generally, the commuter wants to keep the "foreign air" of Hahndorf, of which some still remains despite the ravages of time and the destruction of many irreplaceable German-type buildings. But unless some stricter Government controls are introduced immediately into South Australia, Hahndorf (and this applies to similar towns) will be slowly changed into a small rather uninteresting country town, its uniqueness killed by the very people who now seek it out, the tourists. In the rampant tourist boom which Hahndorf is now experiencing many of the real German buildings are disappearing or are being altered in an entirely artificial manner. A carefully documented historical plan of the township is required that will highlight or bring to light the important buildings of the early settlers and aim to preserve or rehabilitate them in a correct historical manner.

The importance of Hahndorf and many of the buildings and other towns that are important to our national heritage lies in the fact that this is a town and the others are towns whose histories are not only substantially different from other towns in South Australia but also from those throughout Australia, and this is the case in regard to Hahndorf. The tangible evidence of this history lies in brick, stone, and mortar. It is beholden on all who are interested in our national heritage to preserve as much of this brick and mortar in its original form as possible. The trust we have placed on us to preserve the past for future generations is, in Hahndorf (as in many other towns), in danger of being betrayed.

Whilst in Victoria I was made aware of work that had taken place in regard to architectural preservation in that State. One area I examined was the town of Maldon. I briefly refer to some progress that has taken place in that town, because I believe it is an example that this Government in proposed legislation should study closely. The community of this town has been interested in the protection of this historical gold-mining town for the past decade, and the main steps in the process of architectural preservation in that area have been as follows. In 1966 there was a declaration by the National Trust of the town as Australia's first notable town. The Maldon planning scheme was prepared by the Victorian Town and Country Planning Board in 1973, and has been considerably modified since.

This scheme introduced statutory controls aimed at protecting buildings and structures of architectural and

historical interest in the town. It is in two parts, namely, a core section that consists basically of the main streets and the major buildings, over which very stringent controls for renovation and demolition have been placed (administered by the Town and Country Planning Board), and secondly, the remainder of the town, over which there are less stringent provisions and which is administered by the local council. The Maldon Conservation Study, which was initiated in 1977 by the Victorian Government, researched the architectural history of all the important buildings in the town, and it provides a sound basis for administering future planning and architectural controls.

The Maldon Architectural Advisory Service was established in October, 1977. For some years, local residents had complained that the Government was placing stringent controls on the town without assisting the locals in their implementation. A number of submissions had been put to the Government for assistance. It was believed that one tangible way of implementing the planning scheme, which was finally approved at the time the Architectural Advisory Service was established, would be to provide the services of a skilled architect at Government expense, free to local residents. This is one of the incentives that could be introduced in our own situation. The architect who had conducted the conservation study was appointed to work two days a week in the town, and hand-outs, prepared by the Ministry and the local council, explaining the operation of the service were made available to the residents of the town.

In addition to the service, the Government established an Architectural Restoration Fund available to residents who wished to restore buildings in certain circumstances. These funds are provided in the form of repayable loans, administered through a committee comprising representatives of the Government, the council, the local historical society, and the National Trust. During the initial period of the operation of the Architectural Advisory Service and the restoration fund, \$10 000 was set aside for the architectural service and \$40 000 for the fund; this will be augmented in the 1978-79 financial year. The concept of the Architectural Advisory Service and the fund has certainly resulted in a smooth passage for the introduction of this innovative but previously controversial planning scheme.

I have brought to the notice of members some of the practical measures that have been taken in preserving historic buildings in Victoria. It is vitally important that action be taken immediately to introduce similar legislation in this State. The Premier has said that legislation was already in the pipeline. I know that we all appreciate that, when we are told that, it can mean anything from the legislation being introduced in the House within the next couple of weeks to its being introduced at any time in the distant future. I ask that particularly the Minister for Planning and Cabinet consider this matter and try to understand the situation that is occurring in Hahndorf where, if action is not taken soon, it will be too late, because the town will be destroyed, and our heritage will be destroyed along with it. For that reason, I ask that the Government give this matter due consideration and take immediate action to introduce the necessary legislation. That is why I have moved my motion.

Mr. EVANS (Fisher): I second the motion, by which my colleague is seeking to have a Bill introduced giving the opportunity to preserve buildings of historical or architectural merit, whilst adequately recognising the needs of property owners. I had Hahndorf as a town to represent before my colleague took it over. We need to

remember that much of the damage that has been caused to some of the old buildings in the way of destroying some of the architecture, and the total destruction of some of the buildings, have been created by the demand for tourism. In supporting the motion, I believe that we must be conscious of a property owner's equity in his property. Simply because a person may own a property worth \$100 000, in real terms he may not own any more than, say, \$10 000 worth of it. He may have a \$90 000 mortgage running on the property at fairly high interest rates. An authority could move in and totally disadvantage the owner, unless an Act of Parliament compelled the State Government to drop certain charges on the property, because of its historical or architectural merit. At the same time, local government could be placed in the same position as was the State Government. If the Commonwealth Government was able to charge, it would be involved, too, and we would be imposing a burden on some sections of the community which it should not be obliged to carry and which it never believed that it would carry when the property was bought or inherited from the original owners who had been born in the area. That would be a real danger.

The other matter of which we need to be conscious is that, if we make some towns tourist attractions, and if we provide local or State Government (and sometimes Federal Government) benefits, those persons with a business interest there could show a much higher profit, because they would have what could be called a closed shop. If that were to occur, there would be limited facilities in the area for those who wished to dine or wine or to take part in recreational pursuits, so there could be a shortage of such facilities. Those persons who had the benefit or the luck (not always foresight) of having these facilities would be able to charge higher prices to tourists, therefore benefiting considerably.

If that were the case, we, as a Parliament, would need to be conscious of that. Perhaps we should think in terms of the Director-General of Public and Consumer Affairs examining the prices charged in an area that was preserved for historical or architectural purposes, the property owners having been given benefits. If the business happened to be profitable, the owner should not be able to exploit a position that had been created for him by an Act of Parliament, and that could happen.

Putting that aside, other people could be totally disadvantaged, and such property owners should be considered. I believe that the member for Murray made that point well. I do not want to go back over all of the arguments he used. Undoubtedly, throughout Australia and the rest of the world there is a need to preserve some of these properties that are old, unusual, or different in their architecture.

Of course, we know that many properties being built today will be standing in 100 years from now and will become historic, simply through the passage of time. History starts the minute after an event occurs. The historical value of any building can be judged only by its uniqueness or its difference from other properties or by the era in which it was built. In Zurich, I saw a four-storey building, built more than 300 years ago, which had been bought by a bank for demolition. The Zurich council and community said that the building should be preserved. The bank wanted the land, so the city council, financed by donations from the community and from other European countries, built a concrete foundation for the building, which was then jacked up, put on two rails, taken across the street to a park and resited, after which it was filled with the furniture of the period in which it was established. It was almost unbelievable to see that a stone building

could be transported across the street, although originally it had not been built on a fixed foundation. That is an example of how far other countries have gone to preserve buildings of historical or architectural significance.

I do not believe there is any need to comment further, except to say that I support the general principles of what the member for Murray is arguing in relation to Hahndorf and other areas. He is quite right in the arguments he is using, but I stress that we need to guard against the exploitation of a tourist town, if we create one, or of the tourists visiting the town. At the same time, we must give to anyone who may be genuinely disadvantaged the opportunity not to be disadvantaged to the extent that they cannot survive while others gain the benefit of the burden placed upon them. If there is to be a benefit to society in preserving and upgrading such properties, there should not be a burden on the minority who own them. It must be a burden on the whole of society, and not on the local council area. Every member of the South Australian community, and possibly the Australian community, has an interest. I support the motion.

The Hon. J. D. CORCORAN (Minister of Works): I do not intend to speak at length to the motion, because the Government expects to introduce during this session a Bill to deal with this matter. I assure honourable members that a great deal of effort, activity, and work has been put into the preparation of the measure. Because I have every confidence that the matter will be before the House during this session, I do not see any point in commenting on any of the points raised by the member for Murray or the member for Fisher. They will have every opportunity to debate the measure when it is introduced. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

UNEMPLOYMENT

Adjourned debate on motion of Mr. Slater:

That this House condemns the economic policies of the Federal Government in creating widespread unemployment within the Australian community, particularly affecting the young people seeking to enter the Australian work force. (Continued from December 7. Page 1282.)

Mr. BANNON (Ross Smith): I was part-way through my remarks on the motion, which I was seconding, when the matter was adjourned on December 7. I have some further facts and figures to put before the House before concluding those remarks and allowing the debate to continue. At this stage, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

FORMER COMMISSIONER OF POLICE

Consideration of the Legislative Council's resolution:

That, in the opinion of this House, the terms of reference to the Royal Commission into the facts surrounding the dismissal of Mr. Harold Salisbury, former Commissioner of Police, should be expanded to include the terms of reference intended by the Liberal Party to be referred to a Select Committee of the Legislative Council, namely:

1. The propriety of the Government's actions in summarily dismissing the Commissioner of Police on January 17, 1978.
2. The Government's failure to institute a formal inquiry into the alleged misconduct of the Commissioner of

Police before so dismissing him.

3. The terms of appointment and employment of the Commissioner of Police and any desirable changes thereto.

Mr. GOLDSWORTHY (Kavel): I move:

That the resolution be agreed to.

I think it is clear to members who have a copy of the resolution that it is in terms similar to the matters canvassed in the urgency debate in this Chamber yesterday. Therefore, I do not believe that it is appropriate to go through the whole matter again today, although I must make one or two points in moving that the resolution be agreed to.

I should like to refute the suggestion made by the Premier that the Liberal Party did not want a Royal Commission. That allegation was made here, and I understand it was repeated on a television programme last night. It is one of the most ridiculous statements the Premier has made for many a long day. From the start of this whole sorry controversy, the Liberal Party has been asserting that a Royal Commission is necessary.

I also wish to refer to a comment which was attributed to the Leader and which gained some prominence in this morning's press that there was an immense feeling of relief in the community when the Royal Commission was set up. That became a secondary headline in this morning's newspaper report. It was immediately qualified and modified by the Leader's saying that the terms of reference were too narrow. This all transpired on Saturday last. We had no inkling that the Government would change its mind about a Royal Commission until last Saturday. The immediate comment of the Leader was that no doubt there would be a feeling of immense relief in the community following the setting up of a Royal Commission, but he did say that he had grave doubts about the terms of reference. I heard that newscast on my car radio. It is unfortunate if the emphasis has been put in the wrong place. It was pointed out yesterday that the terms of reference, as announced, could be interpreted narrowly. The purpose of the introduction of the urgency motion in this House, and indeed of the motion which has passed the Upper House and which we are now debating, was that there should be additional terms of reference to make sure that the whole compass of the matter would be considered.

The Premier said in the House yesterday and again on television last night that he did not intend them to be interpreted narrowly. I think that was a welcome statement. He also said any request by the Commission would be considered. One would assume from that unequivocal statement by the Premier that the Government would not only consider any amendments to the terms of reference sought by the Commissioner but also act upon that very matter. I see in the press this afternoon that the Commissioner's first task will be to examine the terms of reference. It is only logical to conclude that, if the Commissioner finds those terms are narrow, a suitable recommendation will be made to the Government, and that will be acted upon. That is the whole import of the statement that the Premier made in the House yesterday that the Government intends that there be wide consideration of all the matters in the public mind at the present time.

I believe that the Liberal Party can take much credit for the fact that this Royal Commission has been set up. The Liberal Party has for some three weeks been pressing for a Royal Commission, and it has now come to pass. I do not intend to canvass this matter any further at present because, as the Whip pointed out, the Leader is

unfortunately out of the Chamber because of the illness of one of the members of his family. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from December 7. Page 1279.)

Mr. KENEALLY (Stuart): This Bill provides for a separate, additional licence (a limited restaurant licence) that will enable customers to take their own liquor to a restaurant rather than purchasing it on the premises, which is now the case. This Bill has my support and, whilst I cannot speak for all members on this side of the Chamber, I suspect that they share my support. This is a matter that is sometimes referred to as a social issue and as such the Government does not have a policy, but the members of the back bench, while supporting the Government, will determine their own points of view on the Bill.

I believe that the Bill has been improved by an amendment moved in another place by the Hon. C. J. Sumner, and in its present form will meet with the support of all members here. The "bring your own" or b.y.o. type restaurant will provide a wider choice of facilities for patrons in South Australia. I do not believe that b.y.o. restaurants will necessarily run counter to the restaurant service that we already have. In fact, there is much evidence to suggest that they will complement the established restaurants. There is also an argument that the b.y.o. establishments will be able to provide a cheaper form of restaurant entertainment by way of meals, particularly to the patron. This is an argument that helps me to support the Bill.

I have not always been in the fortunate position in which I now find myself of being able to afford to go out dining with my wife and family. If I was still in the situation that I was in before I was elected to Parliament, I would find it difficult to pay the charges involved in dining and dining. There is a variety of reasons for these quite considerable charges, and one of them, of course, is the mark-up on wines. If we have b.y.o. licences, people will be able to purchase wine at a hotel or elsewhere and take it along to the restaurant, pay a corkage charge, which would be subject to the control of the Director-General of Public and Consumer Affairs, and be able to enjoy a meal at a much lower cost than now prevails.

I said earlier that this would not necessarily be a severe form of competition to those restaurants already in existence, because they cater for a different type of patron. The b.y.o. restaurants will not be providing the range of services that are already available elsewhere. I think it is appropriate to quote from a statement made by the Hon. C. J. Sumner in another place when he said:

I do not believe that it will really affect restaurants with good food, good service, good wine and good atmosphere. I believe that to be absolutely correct. People enjoying the facilities that already exist will continue to enjoy those facilities. I think it is reasonable in a society such as we have today that there be the widest possible range of restaurant facilities available, and b.y.o. falls into this wider category. South Australia is the only State in Australia that does not have this facility, and I think it is about time that we caught up with the field.

I have been told that the standard of food provided in some b.y.o. restaurants in Sydney, and particularly in Melbourne, is of an extremely high quality. I can

understand that, because people would wish to go to this form of restaurant only if the food was of high quality. That would be the argument that would convince me. I am not an expert on wines, but there are one or two white wines which I enjoy but which are not always available at restaurants. I have been encouraged to name some of those wines, but I would not wish to do that, because my remarks would be used for advertising purposes, and I can imagine the run on white wines in South Australia if a person of my expertise were prepared to come out in this place and mention those that I fancy.

It has been argued that this new type of licence will lower the standard of restaurants in South Australia. Of course this will not happen, because, as the Bill indicates, the facilities provided in b.y.o. restaurants will be subject to the Licensing Court, which will insist that these facilities are comparable to those that already exist in licensed restaurants. I refer to things such as toilet facilities and wash rooms. There will not be the requirement to have bar facilities, but they will have to have cool storage space.

There has also been an argument that South Australia has hotels of such a standard that b.y.o. licences are not required. I accept that the hotel facilities here probably are the best in Australia, but that is not necessarily a good argument against b.y.o. restaurants, which provide a facility in their own right that the community is much richer for having. I have said that the corkage fee will be controlled by the Director-General of the Public and Consumer Affairs Department. I know that members are anxious to vote on the matter, and the lack of speakers does not indicate a lack of interest in the Bill. It has been examined closely by members on this side and, I suspect, by members opposite. I venture to suggest that it has the overwhelming support of members of this Parliament and, that being so, it seems unnecessary to debate it at length. I support the Bill and look forward to being joined by other members.

Mr. EVANS (Fisher): Some members on this side still wish to speak on the matter, because it is a conscience issue. Perhaps I can say that I support the principle of the Bill, but I see some problems in the initial stages that probably would concern some people in the industry. First, many people hold large stocks of wine in their homes. They may have bought them just to support a charity organisation, school committee, or other group. In the initial stages when these licences come in, much of that wine will be consumed in the b.y.o. licensed premises, and this will tend to decrease the demand for new sales on the market. I admit that, because the wine will be cheaper for those consuming it, there could be an increase in the sale of wine in the long term. I know that the wine industry is in a serious situation and that this has been caused partly by an attitude of anti-alcohol that is developing. That is a reversal of past attitudes.

As much as many of us may consume alcohol, many people in the later stages of secondary schooling have a different opinion from that which their forebears had. I give them credit for being able to assess that there is not a great deal of merit in imbibing the various fluids. That is another reason why the alcoholic beverage industry is feeling the pinch.

Another thing that concerns me is that a person with a licence now pays a high percentage, 8 per cent, in charges to the Government by way of fees, and under the Bill the b.y.o. licensee will not have that burden. He will have a set fee that the Government decides, and that will not be as high a percentage as licensees of the ordinary licensed premises are paying now. I visualise that there is merit in having both, in allowing some restaurants to have a full

licence and a b.y.o. licence. We should allow both types of licence. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ELECTORAL BOUNDARIES

Adjourned debate on motion of Mr. Gunn:

That in the opinion of the House the provisions of paragraph (c) of section 83 of the Constitution Act unduly inhibit the Electoral Commission in making an electoral distribution and accordingly these provisions should be repealed.

(Continued from February 8. Page 1429.)

The Hon. HUGH HUDSON (Minister of Mines and Energy): This motion suggests that the House should take the view that paragraph (c) of section 83 of the Constitution Act should be repealed because it leads to unfair or improper decisions in some sense about the kinds of boundary drawn up by the Electoral Districts Boundaries Commission. That paragraph, read in the context of the whole section, requires the commission to take into account the desirability of leaving undisturbed as far as practicable, and consistent with the principles on which the redistribution is to be made, the boundaries of existing electoral districts.

I think the member for Eyre was almost inclined to suggest it was part of a Government plot that this provision should be in the Constitution Act. I am not sure on that point, but he should be aware that a provision of that kind has been in virtually every piece of legislation providing for redistribution of boundaries, regardless of whether the legislation has been introduced by the present Government, the Hall Government, or the Playford Government. That is the first general point that I wish to make, namely, that this is a standard provision in legislation dealing with electoral redistributions.

I believe that there are good reasons why it should be a standard provision. First, it indicated to the new commission that previous commissions have determined existing boundaries, and they have had to consider questions of community of interest, topography, population, and so on, and that fact alone suggests that they had good reason for determining particular boundaries; and the fact that previous commissions have had good reason for determining particular boundaries is something to be taken into account by any new commission. That point is relevant. It was made before the present Electoral Commission and I think the commission accepted it. I cannot quote exactly from the transcript offhand, but I recall that the Chairman (Mr. Justice Bright) agreed, in effect, that, because existing boundaries represented a determination made by previous commissions of the factors that previous commissions had been required to take into account, therefore some weight was to be given to those boundaries by the new commission. That does not mean that the boundaries had to be given greater weight than any other factor the commission had to take into account. Clearly, that is not the case.

My second general point is that in my opinion the point made by the member for Eyre that the present boundaries of the District of Eyre and the District of Mallee are a consequence of paragraph (c) of section 83 is completely fallacious and utterly without foundation. I was present during the hearings by the commission of the entire argument, with respect to the Districts of Eyre and Mallee. As the member for Eyre knows, the arguments that I presented to the commission regarding those two districts were not in support of the current boundaries

established by the commission. I put the view strongly that a district such as the existing District of Eyre would be difficult to represent. It interfered excessively with existing electoral boundaries, and it interfered with existing electoral boundaries to a greater extent than either of the propositions advanced by the Liberal and Labor Parties. There cannot be any argument about that.

The fact is that the commission determined the boundaries for the District of Eyre, not because of paragraph (c) but because of the community of interest. The commission held that there was a community of interest between people living in outback areas, even though they might not be in direct contact with one another.

Mr. Chapman: Do you believe that the criteria of the community of interest was more important in the mind of the commission than the criteria referring to interference with existing boundaries?

The Hon. HUGH HUDSON: Regarding the determination of the boundaries of Eyre and Mallee, that was certainly the position. Regarding the boundaries of Eyre, the issue before the commission was that there was a greater community of interest between the people living in the northern part of the old Frome District and the people living in the outback areas of the old Eyre District than there was between the people living in the outback districts of the old District of Eyre and anyone from Port Augusta and the division of Whyalla. That was the point made by the commissioners when they suggested that the parties who were arguing the case before them should consider this alternative of the great northern seat. We were asked specifically by the Chairman to present views on the possibility of creating a seat rather like the seat that was ultimately created, the District of Eyre.

Mr. Chapman: Wouldn't that have set a dangerous precedent, because in future, on that basis, the commissioners would have to have greater regard to community of interest?

The SPEAKER: Order! Question Time was held earlier in the day.

The Hon. HUGH HUDSON: It does not follow from that at all. I suggest that the honourable member spends more time listening so that he can appreciate the argument. There are many factors to be taken into account before the commission can determine a boundary, including topography, community of interest and the like.

Mr. Gunn: You've overlooked the point.

The Hon. HUGH HUDSON: I was there continually before the commission. I am aware of what the Chairman put to the parties who were making submissions to the commission about the possibility of creating one northern seat. That issue was raised specifically with the representatives who were arguing the case before the commission. It was suggested that there may be a case for arguing that there was a community of interest between people who have lived in the outback, even though they were not in direct contact with one another; that there was a community of interest, say, between the pastoralists who lived in the North-East of the State as against those who lived in the North-West of the State.

Mr. Chapman: I tend to agree on rural matters, but not on others.

The Hon. HUGH HUDSON: I am pointing out to members that they may hold that the existing District of Eyre was created because of the weight the commission gave to the fact of community of interest, but it is a nonsense proposition, as the member for Eyre tried to argue, that it was existing electoral boundaries that resulted in the district being created.

Mr. Wotton: What community of interest can be found

between Murray Bridge and the Adelaide Hills?

The Hon. HUGH HUDSON: Very little. Obviously, one cannot use the criterion of community of interest to determine all electoral boundaries. The problem is like a jigsaw puzzle. The commission could create a jigsaw in any way that it liked, and its job is to create a jigsaw that produces the best result in terms of the factors that have to be taken into account. That is the problem that faced the commission.

I turn to the question of the District of Mallee. Regarding the broad division (not the detailed division) between that district and the District of Victoria, both Liberal and Labor Parties were in agreement in their submissions. The commission received extensive submissions from the Tatiara District Council, and from Bordertown in particular, suggesting that there was a greater community of interest between Bordertown and the area to the south (Bordertown and Naracoorte) than there was between Bordertown and the previous Mallee District, and even between Bordertown and Keith.

When the commission asked for representations from the people of Keith, they did not seem to be too disturbed about the point made by Bordertown people. Both the Liberal and Labor Parties suggested that, in their view, it was wrong to separate Bordertown and Keith, and that the more appropriate Mallee District would have contained both of those towns and would have excluded as much of the old Millicent District as possible. The commission did not find that way but produced the result that it did, even though it was one that both Parties disagreed with, not on the basis of existing electoral boundaries, not because of paragraph (c) of section 83, but because of community of interest, because the commission found that there was a substantial community of interest between Bordertown and the area to the south, that should not be disturbed. Again, the result in respect of the Mallee District, was not produced because of paragraph (c) of section 83, and again the arguments advanced by the member for Eyre are fallacious.

Mr. Gunn: Only in your opinion.

The Hon. HUGH HUDSON: No. The commission itself found that way. I suggest to the honourable member that, instead of continuing to display his ignorance, he read the commission's report.

Mr. Gunn: I have, but that comment, coming from you, is a compliment.

The Hon. HUGH HUDSON: One great advantage when lecturing in a university or teaching in a school is that, when one is confronted with such idiotic arguments as that advanced by the honourable member, one can fail the candidate and make him do the subject again. Unfortunately, there is no Standing Order in this House that will ever make the honourable do a subject again. That is a pity, because he keeps on failing in the way in which he presents arguments and continues to present fallacious arguments. I suggest that the member for Eyre listen to what I am saying. I know that he has a dense mind, but he might learn something for once in his life.

Regarding the hearing before the commission, and this was dealt with before the commission, as the honourable member can see in the transcript, at an early stage the Chairman told the parties that the commission could well regard the community of interest between Bordertown and the area to the south—Bordertown and Naracoorte—as a significant community of interest and, therefore, the commission wanted to hear argument on that point.

Early it was clear to representatives of the Liberal Party and to me, representing the Labor Party, that the division of Bordertown from Keith was a distinct possibility on

community of interest grounds: it had nothing to do with existing electoral boundaries. I have said enough to demonstrate that paragraph (c) of section 83, whatever else it may have produced and whatever influence it may have had, did not have any impact on the way in which the Districts of Mallee or Eyre were determined by the commission.

Mr. Gunn: Nonsense!

The Hon. HUGH HUDSON: The honourable member is a fool; he does not know what he is talking about.

Mr. GUNN: I rise on a point of order, Mr. Speaker. I ask the Minister to withdraw that word, because it is unparliamentary and completely uncalled for. It is obvious that the Minister does not have an answer to advance and that he must resort—

The SPEAKER: Order! What is the honourable member asking the honourable Minister to withdraw?

Mr. GUNN: That I am a fool.

The SPEAKER: Will the honourable Minister withdraw the word "fool"?

The Hon. HUGH HUDSON: I will withdraw it and say that the member for Eyre has adopted a completely and utterly foolish argument. How he has come to that position and what method of ratiocination he has used to reach that conclusion I will not comment on, because it might lead me to reflect on the honourable member, and that would be unparliamentary.

The SPEAKER: It would be out of order.

The Hon. HUGH HUDSON: I realise that. It is a foolish argument when there are pages of evidence in the transcript to demonstrate that community of interests was the principal factor leading to the kind of district that Eyre now is and the conclusion reached regarding Mallee. I am sure that, with respect to the boundary of Flinders, which is part of the reason for Eyre's being as it is (and the member for Flinders will confirm this), the argument was again on community of interest grounds.

The representations made by the member for Flinders that the commission found persuasive were community of interest arguments, and were the arguments that led to Ceduna and that area being excluded from the District of Flinders and put in the new District of Eyre. Again, it was a community of interest argument. Nothing occurred before the commission to suggest that paragraph (c) of section 83 had a significant impact on the commission's decision regarding the District of Eyre, and the same applies to the District of Mallee.

In the metropolitan area, a number of Liberal and Labor seats were left untouched. The member for Torrens represents an area that the Labor Party has been trying to cut up for years. Back in 1969 I had a beaut scheme to put half of Torrens in with Brompton, and the other half in with Kilburn, that would have fixed the member for Torrens and the previous member for Torrens, too. The commission never agreed to that scheme. If in future the commission was not required to pay attention to existing electoral boundaries, perhaps the member for Torrens would disappear. Now that the honourable member is here (and I am certain that I express this opinion on behalf of my colleagues) we are glad to have him here. He is an adornment to the House. Certainly both he and the member for Coles have improved the standard of the Opposition both in terms of intellectual quality and, in the case of one of the two members, in terms of pulchritude, but I will not say which one.

I know that the member for Eyre wants to get at the member for Mitcham because the member for Mitcham's district was left unchanged by the commission. It was possible for the commission to do that without offending other criteria, and it did it. The area of the member for

Fisher, to the extent that it could be left unchanged, because it had to lose something because it was over-quota, was largely unchanged. Only minor changes were made to the district of the Leader of the Opposition, and minimal changes were made in certain Labor districts. Nothing in what the commission did suggests any bias in that respect.

I conclude by dealing with the argument put forward by Mr. DeGaris, that great supporter of democracy, that expert on democracy and fair play, the man who for years and years has supported basic democratic principles in this State! He knows about it in terms of the permanent will of the people. Before the recent Federal election I challenged Mr. DeGaris to take up with me what would happen if the Federal figures were applied to the State boundaries, and I made a certain contention that when the Federal figures were applied to the State electorates the mean Party vote and the medium Party vote would be within 1 per cent of one another—in other words, that the test that Mr. DeGaris was using to demonstrate whether a distribution was fair would show that the State distribution was fair when the Federal voting figures were applied to State electorates. It comes well within 1 per cent. The argument that Mr. DeGaris has noised abroad falls down completely when the Federal figures are applied to State boundaries; in fact, the medium and mean figures are almost identical, almost within .1 of 1 per cent of each other. That demonstrates, as I have contended all along, that State members built up personal votes and that, to some extent, the strength of members in State constituencies is that they can build up a personal following.

It is no accident that, because of the greater stability of State politics, few State seats ever change hands. No sitting member of the Labor Party has been beaten in the metropolitan area of Adelaide since 1947, when I think we lost Norwood. We lost Prospect, but I think that was earlier. We lost Norwood, winning it again when Mr. Dunstan defeated Mr. Moir. In State elections the Labor Party has not lost a single metropolitan seat for 30 years. I have not assessed it, but it is also a difficult job to beat a sitting Liberal member in the country areas of the State.

The member for Eyre, whatever other foolishness he occasionally indulges in, is a fairly competent Liberal member in building up a personal following. The Labor vote in Eyre is greater at Federal elections than it is at State elections. I do not know what the voters see in the member for Eyre. He is not very good looking or persuasive. Perhaps they are worrying about the reincarnation of a former member for Eyre; I do not know.

Whatever it is, in one way or another he has a personal vote. Undoubtedly the new member for Murray will have a big personal vote in the future, because he is much more charming now. He will rival the member for Eyre as regards ability to gain personal support. It is also clear, when we compare State and Federal figures, that in some of the State seats that the Liberal Party would have to win to defeat the Dunstan Government the State sitting members have strong personal votes. In this connection I refer to the member for Todd and the current Minister of Education, apart from you, Mr. Speaker, the Premier, or anyone else.

Mr. Gunn: Or the member for Brighton.

The Hon. HUGH HUDSON: That member has a little bit of a personal vote. Those things, when Federal elections occur, disappear. When one applies Federal figures to State boundaries one discovers that the distribution is completely and utterly fair according to the test that the Hon. Mr. DeGaris wants to use. So he ought to pay up to

me and stop grizzling and whingeing. His argument is fallacious. In the words of Sir Thomas Playford, it is "crook". The Hon. Mr. DeGaris ought to realise that he has no standing in this community as a defender of democratic systems or democratic institutions, because he was the Leader of the Legislative Council when any moves toward democracy were resisted. The Liberal Party ought to get a new spokesman on these matters if it wants to carry weight in the community, but the Liberal Party ought not to get the member for Eyre, because we would get only further fallacious reasoning from that member. The Government believes that the honourable member's argument is completely fallacious and that the motion ought to be defeated. There is no basis for the argument. The criterion relating to electoral boundaries is one of those criteria that have always been in legislation on all commissions in this State under Liberal or Labor Governments. In other States it is a matter to be considered by any Federal boundaries commission. The basis on which the honourable member tried to develop his argument does not exist.

Mr. WILSON secured the adjournment of the debate.

ELECTORAL DISTRIBUTION

Adjourned debate on motion of Mr. Gunn:

That in the opinion of the House the South Australian Constitution Act should be amended to allow people who wish to appeal against the findings of the Electoral Commissioners to lodge an appeal with the commissioners and that the commissioners shall take into consideration any such appeals before making their final judgment in relation to redistribution of electoral boundaries.

(Continued from February 8. Page 1429.)

Mr. BANNON (Ross Smith): In explaining his motion the member for Eyre said:

Indeed, for too long political Parties have looked at electoral matters having only one thing in mind—what advantage they will gain from the action they take. They have not considered how their decisions will affect individual groups of electors or the people generally in this State.

That is a fair and democratic comment, but it comes oddly from the lips of the member for Eyre when one considers some of his other statements. It is a comment with which Government members and, I imagine, members on his side would agree. One of the prime areas of the sort of manipulation that he suggests has been going on for too long is the area of fixing electoral boundaries. While I agree completely with the statement that it has gone on for too long, I point out that we are fortunate that in this State, and in this State alone, since the 1975 amendment to the Constitution Act, that procedure and that manipulation are no longer possible, for various reasons. It was after referring to what happens in other States and at the Federal level, in support of his motion concerning appeals to the commissioners, that the member for Eyre made his comment that:

For too long political Parties have looked at electoral matters having only one thing in mind—what advantage they will gain from the action they take.

Those two things do not go together. We ought to feel pleased with and proud of the Act that we have here, which will be a model for others when they finally move to a proper, uncontroversial, neutral, unbiased fixing of electoral boundaries, because that is what we have under our system. That touches squarely on the motion. The member for Eyre said that, as it stands, the ordinary voter does not have a right to appeal to the commissioners and,

therefore, the ordinary voter in some way is being denied his rights; in some way, part of the manipulation, which is being decried, continues to go on because of this. That is not borne out by the facts or by an examination of the Constitution Act itself. On the contrary, the average citizen's rights are protected thoroughly.

Let us consider the procedures. First, in electoral redistributions the most blatant manipulation, the type of manipulation most subject to political influence, is that which can occur when, on Party lines in the Parliament, the redistribution has to be approved. Under the old system here and in all other States and the Commonwealth, this was done, in some Australian States, by amending a schedule to the Act by the Parliament itself. Obviously partisan considerations immediately come into it. We cannot help ourselves in that situation. We on this side are equally as prone to looking to our electoral advantage in that situation as are members opposite.

Any redistribution which is subject to the imprimatur of Parliament, where Parliament makes it or breaks it, is subject clearly to political manipulation. It has happened federally. It can happen through deferring the redistribution, as has happened many times federally. The Country Party has used its numbers and influence in a coalition Government to prevent a redistribution going through. Or, it can occur by the dominant Party, the Government of the day, in Parliament changing the report and recommendations in some way. Under section 82 of our Constitution Act that can no longer happen. There is no need to change the Act or the schedule. The commission is required to commence proceedings on a regular basis. A regular review of the boundaries as set out in the Act is required. When the commission has made its redistribution, the redistribution is immediately brought into effect by the workings of the entrenched Act; there is an entrenchment section providing that the provisions must remain in force unless there is a referendum. That procedure therefore takes it right out of the hands of Parliament. So there is protection at that stage against political manipulation.

We saw that kind of manipulation taking place under the famous Playford proposal in the early 1960's which hived off the pockets of Labor support in country industrial towns into special industrial districts, thereby preserving many country seats with very small numbers—the Playmander. Sir Thomas Playford, a far-sighted man, while in Government could see that allowing the system as it then existed to drift on would eventually see the Labor Party in power. His proposal was defeated, but it was clearly Parliamentary manipulation of the process.

Recently the Liberal Party members of the Queensland coalition made an extremely vigorous protest, which was widely publicised, against what they claimed was the trickery of Mr. Bjelke-Petersen and his Country Party colleagues in forcing through a redistribution that clearly disadvantaged not only the Labor Party Opposition but also the Liberal Party itself. In Queensland, it is notorious that the National Party, as it is now called, receives more seats to votes than any other Party, and that is maintained by this direct political interference with the fixing of boundaries.

The second stage at which the rights of the ordinary citizen can be abrogated involves the powers and criteria the commission uses in fixing the boundaries. If we tell the commission, as the Commonwealth Act has done in the past, that it can allow a 20 per cent differential in the numbers in an electorate, the commission can tinker and provide advantages in country areas that it need not in city areas. That is unfair. It is unfair to lay down for the commission criteria which make it impossible for the

commission to have any room for manoeuvre; or, alternatively, which allow the manipulation that I am talking about not so much by Parliament but by pressure groups to take place. In section 83 of our Constitution Act, there are six clear matters listed that should be taken into account, and the commission is also able to take other matters into account when it thinks them relevant. One of those criteria is the subject of another motion before this House which has just been discussed.

It is quite clear that the people in each electorate are protected by that provision because it requires the commission to look at the existing situation and desirability of having some kind of community of interest; and that protects the individual person. That means that the gerrymander, the odd drawing of boundaries to take in odd sides of streets or to cross rivers or to do whatever will help the political advantage of one or other of the Parties, cannot take place. Community of interest is the rule. The population, the existing electorates, the topography of the area, the feasibility of communication, and the nature of any likely changes are good criteria and they aid the rights of individual citizens.

The third stage at which manipulation can occur bears directly on the point of what rights the ordinary citizen has in relation to making his voice heard before the commission, and this touches on the motion of the member for Eyre. Section 85 provides, first, that the commission shall advertise, inviting representations to it, throughout the State, giving a date on which they must be made so that every citizen, every elector, is advised that he has a right to make representations, and he is told when, where, and how to do so; and that is a requirement of the Act. If he desires to make such representation, he can do so in writing, either delivering it personally or posting it to the secretary, as provided for under the Act. Under section 85 (3) it goes even further:

The commission shall consider all representations made in accordance with this section.

That is a clear direction to the commission. Anybody, including the individual private citizen, has a right to have his representation considered; it must be considered and, if there is any evidence that it was not considered, that the commission did not look at it in the course of its determination, he has a right of action against the commission under this section. The commission also has a discretionary power, which it would exercise, I imagine, leaning in the direction of the citizen's rights, to consider any evidence or arguments presented in support of those representations by the person himself or on his behalf. So there is a right of appearance before the commission.

The Hon. Hugh Hudson: Which does not happen federally.

Mr. BANNON: Which certainly does not happen federally, as the Minister remarks, and which gives a further place and opportunity for the individual citizen to make his views known to the commission. That is an important power. It was not referred to by the member for Eyre in moving his motion, but he should have referred to it, because that comes to the crux of his final point, that there should be some appeal by these individuals. The appeal provisions are contained in section 86 of the Constitution Act, not section 80, as the honourable member says and certainly as it appears in *Hansard*; it is a mistake that should be corrected. Section 86 is the appeal provision, and here we have reached the fourth stage where the citizen's rights should be protected. If there is an appeal on a provisional report to the commission itself, then all sorts of pressure groups and problems can arise, and manipulation can occur at yet another stage. It is undesirable that this should happen.

A recent example would be the current Federal redistribution, the one on which the 1977 Federal election took place. The commissioners published their provisional report and all sorts of lobbying and wheeling and dealing went on about devising appeals, making appearances and requesting changes. It was interesting to see that the member for Lowe in the Federal Parliament, former Prime Minister McMahon, was severely disadvantaged in the original redistribution and no doubt used his status and what persuasiveness he could muster in his arguments to get that redistribution altered, and that seat became once again relatively safe, and he was returned. Otherwise, he would not have been returned. That is an example of what can happen, where one can appeal to the commission itself.

Therefore, we come to the crux of the honourable member's motion. The individual average citizen has, under this new Constitution Act, all sorts of protections built in at each stage. He is protected from Parliamentary partisan manipulation, from being denied a right of hearing or appearance before the commission; he is protected by the criteria on which the commission makes its decision. Therefore, I cannot see why this further stage of appeal should be written in—the appeal to the commissioners. The important thing about the way in which these new boundaries operate is that, the commission having made a decision, it comes into effect. That is an important difference: it is a safeguard and protection from the kind of political manipulation that can occur. There is, of course, a right of appeal. The honourable member's gripe is that that right of appeal is to the Supreme Court, and therefore is costly and limited, but section 86 appeal procedures are the proper appeal procedures. That means that, if there is any grave injustice, if these various safeguards at each of the stages I have mentioned have failed to work, the citizen has a right of seeking a higher audience and, if an average ordinary citizen is severely disadvantaged by what has been decided by the commissioners, then many other groups—local government, I hope not political Parties, but perhaps so—would be willing to take up the cudgels on his behalf; so he is protected at all levels.

Rather than saying that the honourable member's motion will in some way improve the Constitution Act as we have it and the method of fixing the electoral boundaries, we should positively further recognise that we are way ahead of other States in our method of deciding this, and that the Act provides that political Parties are not able to manipulate and take political advantage; and, by doing so, the rights of the ordinary citizen are protected.

Mr. EVANS secured the adjournment of the debate.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.
(Continued from February 8. Page 1430.)

Mrs. ADAMSON (Coles): Before I address myself to the Bill, I should like to thank the Minister of Mines and Energy for his compliments to me and the member for Torrens and to say that, if the Minister's charm were matched by his wisdom, South Australia would be indeed fortunate. The purpose of this Bill is to require all hospitals to notify the termination of pregnancies and any complications that may arise therefrom.

It is a straightforward amendment to section 82a of the Act, and Opposition members welcome the positive response to the Bill indicated by the member for Ross Smith who led the debate for the Government. It is now

eight years since the law in South Australia became effective to provide for termination of pregnancy in certain prescribed circumstances. At no time during those years has Parliament, the public, or the medical profession had access to accurate figures as to the number of abortions performed, although there have been continuous protests about this unsatisfactory state of affairs. The most authoritative protests have come from the committee appointed to examine and report on abortions notified in South Australia and these protests have been recorded in the annual reports of that committee.

In introducing the Bill the member for Kavel quoted extensively from the relevant sections of those reports, and I do not intend to go over the same ground except to say that it is clear that the committee and its Chairman, Sir Leonard Mallen, are dissatisfied with the number of reported abortions. Their view is shared by the committee appointed to inquire into and report on the development of obstetrics and gynaecology and related services in South Australia. It is known that many abortions are described in the records as diagnostic curettes, but it is not known how many are described in this way. It is known that many physical complications occur and are not reported. There is no mention in this Bill of the psychiatric complications that occur as a result of termination of pregnancy, but many undoubtedly occur and have a profound effect on women and their families. However, that is a matter for another debate.

In speaking of complications, I refer to the example of the Queen Victoria Hospital. In 1976, out of 247 patients aborted over a six-month period, 13 per cent had to return because of complications including rising temperature, bleeding, and retained products, yet the records show a complication rate of only 3.3 per cent. The 13 per cent came to the notice of the committee as a result of a report by a social worker, as distinct from official statistics. It is wrong that the question of termination of pregnancy, which arouses such strength of feeling in some sections of the community, should be the subject of a public debate that is ill informed.

On even the simplest and most trivial matters, such as boat or hunting licences, a responsible Government insists on proper and accurate statistics. On matters that could be described as related, in statistical terms, it is clear from the *South Australian Year Book* that the Government does insist on proper statistics. I refer to page 181 of the *South Australian Year Book* for 1977, which gives details of foetal deaths, neo-natal deaths, perinatal deaths and which in the case of perinatal deaths breaks down the cause of death into considerable detail: for example, difficult labour with abnormality of forces of labour or difficult labour with other and unspecified complications. Yet when we turn to the seventh annual report of the committee appointed to examine and report on abortions notified in South Australia, we see that out of a total of 3 219 abortions, 3 114 cases were listed as having no post-operative complications.

The details supplied by the Queen Victoria Hospital indicate that that figure is inaccurate, which means that for almost a decade in South Australia, the Parliament, the medical profession, and patients and potential patients have been misinformed about the number and nature of abortions performed in South Australia. Until this situation is remedied it is impossible for there to be a realistic assessment of the situation on which a debate on the wider issues can be based. Both now and in future the medical profession depends on these statistics for research on which medical decisions will be based.

The Queen Victoria Hospital statistical discrepancies demonstrate clearly that the statistics to date are so

inaccurate as to be worthless for any scientific or sociological research. With the passing of this Bill, regulations on which proper reporting procedures can be based will be implemented. I support the Bill, and I urge members on both sides to fulfil their responsibility to the health of the community by doing the same.

Mr. WOTTON (Murray): I support the Bill. The member for Coles has adequately provided statistics that prove that this legislation is needed. When the member for Kavel introduced the Bill last year, he quoted, as have other members who have spoken in the debate, from the report of the committee chaired by Sir Leonard Mallen, a committee set up to report annually on abortion in South Australia. He also quoted from the Nicholson report, and I need go no further into those reports. They both recommended in the strongest terms that changes be made in regard to abortion reporting in this State, and such are the recommended changes that we have in this Bill. I have spoken to hospital officials concerned with administration and practical medicine, and have been told that there will be no difficulties in regard to keeping such records following the introduction of this legislation. I hope that the Government will support it.

Concern has been expressed for some time, particularly in regard to complications following abortion procedures, that such conditions are not being reported in full and are not being reported accurately. The authorities have clearly indicated that better administration and more reliable statistics would result if all hospitals reported all abortions performed to the Director-General. The member for Ross Smith referred to the need for details of notifications and said that they should adequately protect the confidentiality of individuals, and that is fair enough. That is necessary, and I support it. Much recognition has been given by many persons to the reports of the Mallen committee and Nicholson committee, and the community generally recognises the benefits to be gained from this Bill. I urge the Government to take into account the recommendations of those committees, and I hope that it will support this legislation, as I have much pleasure in doing.

The Hon. R. G. PAYNE secured the adjournment of the debate.

[Sitting suspended from 5.59 to 7.30 p.m.]

BUS AND TRAMWAYS ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Bus and Tramways Act, 1935-1975. 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

This short Bill has two objects, first, to repeal section 43 of the principal Act and, secondly, to effect metric conversion amendments to that Act. The repeal of section 43 is consequent upon the enactment of the State Transport Authority Act Amendment Act, 1978. That Act provides a general borrowing power for the authority which will apply also to the Bus and Tramways Act, and therefore section 43 is no longer necessary.

Clause 1 is formal. Clause 2 repeals section 43 of the

principal Act. Clause 3 provides that five provisions of the principal Act are amended as set out in the schedule. The schedule sets out the proposed conversions, which are either exact or only very slightly different from the present provisions.

The amendment to section 49(b) of the Act provides an exact conversion, since this relates to the distance between tramways that are in existence. The amendment to section 49(c) reduces by less than one centimetre the width of roadway on each side of rails which must be maintained by the State Transport Authority. The amendment to section 54 effects an exact conversion.

The amendment to section 55 reduces by 19 millimetres (less than one inch) the height of fences that must be provided on bridges constructed by the authority. The amendment to section 79 reduces by 48 millimetres the width of the strip of land over which there is a right of public passage (on foot) alongside tramways that are not laid on a road.

Mr. GUNN secured the adjournment of the debate.

COMMERCIAL MOTOR VEHICLES (HOURS OF DRIVING) ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Commercial Motor Vehicles (Hours of Driving) Act, 1973. 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

This short measure is intended to clarify the provision in the principal Act relating to the obtaining and retaining by the owner of a commercial motor vehicle of the duplicate copies of pages of log-books required to be kept by the drivers of such vehicles. The need for such clarification arose when, following investigations into the records of certain companies that operate commercial motor vehicles, it was proposed to lay complaints against the owners for failing to keep duplicate copies of pages of the drivers' log-books. When the question of drafting the complaints was discussed with the Law Department, an opinion was given that it would not be possible to launch a successful prosecution under the present wording of section 7 of the Act. Accordingly, this amendment clarifies the intent of that section.

Clause 1 is formal. Clause 2 amends section 7 of the Act requiring the owner of a commercial motor vehicle to obtain at least once in each week and to retain for at least three months the duplicate pages of the log-books required to be kept by the driver of that vehicle. Where the owner is also the driver, he must keep all duplicate pages in chronological order for a period of not less than three months after the time when each page has been or should have been completed.

Mr. CHAPMAN secured the adjournment of the debate.

STATE TRANSPORT AUTHORITY ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the State Transport Authority Act, 1974-1977. 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

This is a simple measure designed to overcome an apparent deficiency in the State Transport Authority Act. At present, the authority has not, unlike many other statutory bodies, a power to borrow money under a Treasury guarantee. The only comparable borrowing power which the State Transport Authority can use is a specific power contained in section 14 of the Bus and Tramways Act, which is restricted to the purposes of that Act. It seems appropriate, therefore, to include in the State Transport Authority Act a power similar to that provided for many other statutory authorities to borrow money for the purposes of the authority under Treasury guarantee.

Clause 1 is formal. Clause 2 provides that the Act shall come into operation on a day to be fixed by proclamation. Clause 3 enacts a new section (section 14a) of the State Transport Authority Act to give the authority a general power to borrow under Treasury guarantee for the purposes of the State Transport Authority Act or any other Act.

Mr. CHAPMAN secured the adjournment of the debate.

POLICE OFFENCES ACT AMENDMENT BILL

The Hon. D. W. SIMMONS (Chief Secretary) obtained leave and introduced a Bill for an Act to amend the Police Offences Act, 1953-1976. Read a first time.

The Hon. D. W. SIMMONS: I move:

That this Bill be now read a second time.

This Bill deals with powers of arrest and detention under the Police Offences Act. For some years, police forces in Australia have expressed concern at the inadequacy of legal machinery available in the various States and Territories to detain in one State an offender reasonably suspected of having committed a serious criminal offence in another State without first obtaining original and provisional warrants authorising the offender's arrest. The procedures associated with securing these warrants from another State take considerable time and, in the meantime, police are confronted with the problem of detaining the alleged offender until the necessary legal machinery becomes operative. If no legal grounds can be found for holding him until the provisional warrant is issued and executed, the suspect must be released.

The problem has been discussed at annual conferences of Commissioners of Police on a number of occasions in recent years and agreement reached that all States should seek the introduction of legislation to provide police with powers of detention in circumstances of this kind. The Bill provides that a person reasonably suspected of having committed a serious offence outside this State may be apprehended and detained for a reasonable time until a warrant for his arrest has been issued in the State or Territory concerned. The Bill contains safeguards for the alleged offender in that he must be taken before a court of summary jurisdiction as soon as practicable after apprehension and must be released if a warrant is not issued without undue delay.

Clause 1 is formal. Clause 2 enacts new section 78a of

the principal Act. New subsection (1) describes offences to which the new section will apply. A person may be apprehended only in pursuance of the new provision if his conduct has been such that, if committed in South Australia, it would have constituted an indictable offence or an offence punishable by two years imprisonment or more. New subsection (2) confers the power of apprehension. New subsection (3) provides that the person apprehended must be brought as soon as practicable before a court of summary jurisdiction, and sets out the powers of the court. New subsection (4) provides for the release of a person detained, when a warrant is not issued within a reasonable time. New subsection (5) provides that the relevant provisions of the Justices Act will apply to proceedings under the new provisions.

Mr. GOLDSWORTHY secured the adjournment of the debate.

MOTOR FUEL RATIONING BILL

Adjourned debate on second reading.
(Continued from February 14. Page 1503.)

Mr. DEAN BROWN (Davenport): The Bill will allow the Government, in emergency situations, to move in and ration the supply of motor fuel. The Liberal Party will support the Bill, which has been introduced by the Government. It is essential for the Government to hold the power to control the distribution and sale of motor fuel during any emergency. In five of the past six years, the supply of petrol to Adelaide has been threatened. Twice, in 1972 and 1973, petrol was even rationed.

In such a crisis, Governments must be willing to act to protect the community and to avoid widespread chaos. If we think back to the 1972 petrol strike, we can see the extent to which a city such as Adelaide can be dragged virtually to a standstill by the lack of petrol. For these reasons, the Liberal Party will attempt to obtain even greater powers for the Government to ensure that that chaos does not occur. It is proposed to try to amend the Bill to allow the Government to direct persons to manufacture and transport petrol during a rationing period. An employee of an oil refinery, or a person who is actually transporting—

The Hon. J. D. WRIGHT: On a point of order, Mr. Speaker, is it permissible for the member to speak about amendments at this stage of the second reading debate?

The SPEAKER: Order! As the honourable member knows only too well, he cannot canvass the amendments. He will have an opportunity in Committee to canvass the amendments. He may say that he intends to amend clauses of the Bill.

Mr. DEAN BROWN: That is all I said. I shall canvass the idea of how I believe the Bill should be amended. I believe that the powers should be further increased and, if the Minister will give me the courtesy, I should like to give my reasons why I believe these powers should be increased. I have pointed out the chaos that can be brought to a community if it runs short of motor fuel or petrol. We have seen that on several occasions when this State has had to introduce petrol rationing, and we have been fortunate that the reasons for stopping the production or distribution of petrol have been overcome before we have been dragged to a complete standstill. On one occasion, in particular, we virtually reached that point. I believe that even greater powers need to be given to the Minister, and I think history has shown this, to ensure that in all circumstances motor fuel is supplied to our State.

The SPEAKER: Order! Is this part and parcel of the honourable member's amendments? Is that the intention of the amendments?

Mr. DEAN BROWN: The amendments deal specifically with certain powers for the Minister, and I am simply canvassing the whole area of why I believe the Bill before the House is inadequate and why it should be amended. Without wanting to transgress Standing Orders, I think I have a right to point out the inadequacies of the existing legislation, without specifically talking about the amendments I intend to introduce.

I believe that the powers of the Minister must be broadened to ensure that motor fuel is supplied to Adelaide, and that may mean that people within the industry at all levels should be compelled to supply motor fuel. The Bill before us gives the Minister power to say that only persons with a permit may receive motor fuel. It gives the Minister power to prosecute any persons who sell petrol or who use petrol that has been bought on the black market if they do not hold a permit. In these circumstances, extremely wide powers are given to the Minister by the Bill.

I refer specifically to clause 13, under which the police are given the power to stop any driver of a motor vehicle and to ask that driver who is the owner of the motor vehicle, the name and place of residence of that person or the business of that person, and where the person who is driving the motor vehicle obtained the motor fuel that is then inside the vehicle. They are very wide powers, but they are essential if the permit system is to work effectively.

Other powers give the Minister the authority to stop any person who owns a service station or a bulk fuel supply from selling that fuel, and the penalty is \$1 000. There are grave omissions as to where the Minister has decided not to use his powers. Without canvassing this in detail, I believe that the Bill should be expanded to ensure that in all areas in the supply of fuel that is covered. I take as my example the Energy Authority Act introduced in 1976 by the Labor Government in New South Wales. That Act has extremely broad powers. The Minister in this House, in his second reading explanation when introducing the Bill, indicated specifically that one of the reasons why he was introducing it was that Western Australia and New South Wales had similar legislation under their specific Acts. The Western Australian Act was the Fuel Energy and Power Resources Act, 1972-1974, and in New South Wales the relevant Act was the Energy Authority Act, 1976.

I went through the New South Wales Act and found that the Government there has taken far wider powers than has the Government in South Australia. Section 32 (1) (b) (ii) and (iii) of the New South Wales Act provides that the authority has the power to direct any person, as follows:

(ii) to direct a person who extracts, provides, transports or distributes the proclaimed form of energy to extract it for or provide, transport or distribute it to a person specified in the regulation;

(iii) to specify the terms and conditions on which the proclaimed form of energy shall be extracted, provided, transported or distributed;

Under that Act, introduced by a Labor Government (by Mr. Wran, who is held up by the Premier of this State as a shining example of the sort of philosophy he would like to follow), the Government has far broader powers and tries to deal realistically with any energy crisis that might arise in that State. Therefore, I believe that the Bill before this House should be expanded to make sure that it covers those areas not covered in the Bill as presently drafted. In his second reading explanation, the Minister made the following statement:

The ever-increasing demands upon the world's energy resources and the uncertainty of future supplies of such resources, particularly crude oil, have led Governments to consider legislating to ensure the maintenance of essential services in the event of the supplies of such energy resources becoming unobtainable or in critically short supply for one reason or another.

He has implied that this Bill has been introduced because of the ever-increasing demand on the world's energy resources. What he failed to mention—and he did deal with the five occasions when the supply in this State had been threatened—was the reason why on those five occasions the supply of petrol in South Australia was threatened. He completely ignored the industrial aspects. That is why in this State we have had any threat to the supply of petrol.

In dealing with this, the Minister is trying to overcome the area of ensuring that any petrol that we have left in such a situation is handed out in the most resourceful manner possible, using permits. He has not in any way attempted to deal with the cause of any short supply that may occur, whether it be an industrial or any other sort of problem that may exist.

I think the Bill should be expanded. Therefore, it is only reasonable that the Minister should look at any amendments the Liberal Party puts forward. I hope that he will consider them in the light of what I have said to ensure not only that the existing supply of petrol is rationed out in the best possible way but also that there is a continuing source of petrol.

The other problem is Part III of the Bill, which relates to bulk fuel. The Bill is similar to that introduced in 1977. Fortunately, permits were not issued on that occasion, because the threatened dispute did not continue. Under the bulk fuel provisions of the Bill, "bulk fuel" is defined as rationed motor fuel in a container having a capacity of not less than 180 litres. That means that any container with a capacity, in the old gallons measure, of 39.8 gallons becomes bulk fuel and cannot be transported, sold, or moved around the State. When the Bill was introduced last year, this matter was debated at length, because members on this side argued reasonably that 44-gallon containers should be allowed, that many primary producers depended on such containers, and that it would be far better to fix the limit just above 44 gallons rather than below it.

Placing the limit below 44 gallons would restrict the use of such containers. I believe that that provision should be amended, and I will move an appropriate amendment. I repeat that the Liberal Party will support the second reading, but we will try to amend the measure. We believe that the amendments are reasonable and that they put into the Bill balance that is not there now. If the Minister is genuinely concerned about protecting the community from petrol shortages, he must be reasonable and accept our amendments. I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 14 passed.

Clause 15—"Definition of bulk fuel."

Mr. DEAN BROWN: I move:

Page 5, line 13—Leave out "180" and insert "220".

If that alteration was made, bulk fuel would be defined as any fuel in a container with a capacity of not less than 220 litres. That would mean that the capacity would be well over the capacity of a 44-gallon drum and that farmers could move such drums around the property or from one property to another. They could not do that under the existing provision. If the Bill is passed in its present form, it will cause considerable hardship to small independent

people who rely almost entirely on motor fuel for essential business, who will often not be able to come to the Government for permits, and who will need large quantities of fuel to be moved around.

Rural colleagues would agree that, if there was a shortage of petrol in the middle of seeding time, the consequences of not being able to move 44-gallon drums around could be dire for the rural community. After all, those drums are going out of fashion and many farmers have larger containers, but the amendment would enable the drums to be used in the field without threatening the viability of the legislation. I would oppose the amendment if I thought it affected the overall effectiveness of the Bill. It does not do that, but it removes hardship.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): The member for Davenport is way off beam, as usual in this place. He has not studied what occurred here and in Victoria and our experiences in the most recent petrol shortages and in rationing periods. Last year in Victoria, people were transporting 44-gallon drums of petrol from neighbouring States. In terms of profiteering and the like, those people can drain a State that is having difficulty in providing petrol for its own residents. People can come in and fill up a truckload of 44-gallon drums, and then take them out. That needs to be prevented.

There was much press publicity last year when that occurred, and there were complaints from people in the South-East. If we are trying to protect the State we should not make it easier for people to come into the State and take out petrol in 44-gallon containers. Such action would defeat the whole purpose of rationing retail sales. It would also encourage breaches of the Inflammable Liquids Act, which prohibits the storage of more than 25 gallons of fuel at other than registered depots. We tried to pick up those people last year and have them in a position where we could have them charged. I think I said last time the matter was before us that that part of the Bill was not trying to prevent farmers or any people who would want to transport petrol legitimately in this type of vessel. Subclause (2) of this clause provides:

The Minister may, in respect of a rationing period, by notice in writing prohibit or restrict the movement of any particular consignment of bulk fuel, or any class of consignments of bulk fuel, or of consignments of bulk fuel generally.

The provision states that I may prohibit, not that I must. I would not attempt to prohibit legitimate bulk fuel cartage. I agree that legitimacy certainly would be in the court of the farmers in this situation. There is no attempt to override or stand over farmers. The provision is there to ensure that the State has at its command the knowledge of how much petrol is in the State, where it is and where it is going.

Mr. DEAN BROWN: I cannot accept the Minister's explanation. The dangers that he has said would arise under the amendment would not arise, and he should look at other provisions. He has raised the question of people bringing fuel to this State in 44-gallon drums and selling it, thus defeating the purpose of rationing. Under clause 8, it would be an offence for a person to bring petrol to the State and sell it during a rationing period, and the person could be fined \$1 000.

Mr. Bannon: He can take delivery of it here. This prevents his taking delivery of it here. Clause 8 wouldn't apply to that situation.

Mr. DEAN BROWN: He could buy it in another State and put it on his property. The other State is not the State in which the rationing is occurring; the rationing is occurring here. Although the Minister said a person would bring it into this State to sell it, thereby defeating the

purpose of the Bill, there would be no power to sell it. Under this clause the Minister will have to bring down a blanket cover and then ask people, who wish to be exempt from the provision, to apply for exemption. The Minister knows that, because that is how it has operated in the past. Why bother to bring down such a blanket cover when the Government can already control the sale of petrol under other provisions? The amendment would have little effect on the effectiveness of the legislation, but it would certainly overcome an area of potential hardship.

Mr. RODDA: As 180 litres is about 39 gallons, the Minister is making it an offence to carry the only container a farmer has. Many farmers have bulk petrol supplies and, although the Minister said he would adopt a lenient view, the effect of this provision could be far-reaching, because many young farmers without bulk supplies rely entirely upon supplies in 44-gallon drums but, under this provision, that container becomes illegal. Many primary producers not only in my district but in the Districts of Rocky River and Eyre will have many illegal containers. True, during the last petrol shortage much petrol came from Victoria, but that can be controlled under different provisions. Under this legislation, many people will be breaking the law merely by going through their normal business.

Mr. DEAN BROWN: The Minister said that this provision would mean the establishment of illegal fuel depots. Most people must be registered if they have fuel on hand. Therefore, it would not result in establishing new depots and we are talking about existing depots. I agree with the Minister if he is talking about bringing 44-gallon drums into the metropolitan area and storing them in residential areas, because there is a danger, but this amendment does not put into effect such a provision. It merely ensures that people with 44-gallon drums use them on their properties for their own purposes, as they would be committing an offence if they moved them into the metropolitan area and sold the contents. That practice can be stopped under other provisions, especially clause 8.

The Committee divided on the amendment:

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

Noes (21)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Drury, Dunstan, Groom, Groth, Harrison, Hemmings, Hudson, Klunder, Langley, Olson, Simmons, Slater, Virgo, Wells, Whitten, and Wright (teller).

Pairs—Ayes—Messrs. Evans and Tonkin. Noes—Messrs. Duncan and McRae.

Majority of 5 for the Noes.

Amendment thus negatived; clause passed.

Clauses 16 to 24 passed.

Clause 25—"Regulations."

Mr. DEAN BROWN: I move:

Page 7, after line 31 insert—

(aa) direct a person or a person of a class to do any specified matter or thing in relation to the manufacture, provision, transport or distribution of rationed motor fuel during a rationing period;

As far as the principle of this legislation is concerned, this is the critical amendment. As I said during the second reading debate, the Bill gives the Minister tremendous powers to control the sale of motor fuel, but it gives no power to the Minister to ensure that the supply of motor fuel continues. I was invited to go through other legislation by what the Minister said in his second reading explanation. It was he who brought up the example of the New South Wales Energy Authority Act. I picked out from that Act sections that a Labor Government inserted

in the Act in 1976 in New South Wales. Section 32 of the Act went through every stage of the production, manufacture, transport and sale of motor fuel or any other source of energy and made sure that the Government could control them, depending on the emergency that arose.

Because motor fuel is so important, we should adopt the same principles in South Australia. It is not outside Labor Party philosophy to adopt such principles, because a Labor Government in New South Wales was prepared to adopt them. Section 32 (1) (b) (ii) and (iii) of that Act is similar to the provision introduced in South Australia. The only difference is that the penalty here is less than that in New South Wales, and I am prepared to accept that. Under clause 25, the fine is \$500 in South Australia. If the Minister is sincere in trying to achieve the policy he set out in the second reading explanation, he will adopt this amendment because it is critical. If he rejects it, it shows that he is not really sincere and is not really prepared to tackle the problem that would exist.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): This Bill is about rationing petrol in times of emergency, not about conscripting labour. In interpreting the meaning of the amendment, one can imagine wide and sweeping powers, powers that I would not be willing to give to any Government, whether Labor or Liberal. I am surprised that people masquerading under the Liberal flag would suggest that powers of that kind be given to any Government. If this amendment were carried we would be conscripting not only labour in the industry but also employers in the industry, and that is not what this Bill is about. There is no need for that type of legislation in South Australia.

This Government is not responsible for what Labor Governments do in New South Wales, Tasmania, or anywhere else. This Government does its own thing. I do not deny that I referred to legislation in other States when I introduced this Bill. I referred to the New South Wales Act and said that in my view there was no need, so far as I could foresee, to bring in that type of provision in South Australia. I did not bring that legislation to the notice of the Chamber for members to jump on the band wagon and say that we should conscript labour and employers. I am not sure that employers in this State would be particularly pleased about this amendment; certainly no trade unionist would be pleased about it.

If this amendment were carried (and it will not be), industrial relations that are pretty good in this industry would be completely destroyed. Those relationships are fairly good because of the attitude of this Government towards industrial relations and because of its policies in containing the situation by getting people together to talk about industrial problems, and also because employers and employees in South Australia are responsible in times of crisis. No-one can prove that the trade union movement has not carried out its responsibility in times of emergency. Any hospital, ambulance and so on that has required fuel in an emergency has got it. To think in 1978 of introducing legislation to conscript labour in this State astonishes me. Instead of masquerading behind the Liberal flag, people should come out, show their true colours, and tell us where they stand on this issue.

Mr. DEAN BROWN: First, the Minister said that he did not introduce the Bill so that this sort of amendment could be included in it. In his second reading explanation, the Minister said:

From the experience gained on previous occasions it has become obvious that whenever a critical shortage of petroleum fuel exists—

The CHAIRMAN: Order! Honourable members are not

allowed to read from a second reading speech during the Committee stage.

Mr. DEAN BROWN: Then I will give the Minister the gist of what he said, Sir.

The CHAIRMAN: Provided the honourable member does not read it; I will be listening very closely to him.

Mr. DEAN BROWN: In his second reading explanation, the Minister implied that the executive Government should be armed with sufficient power to ensure that appropriate action could be taken for swift and effective measures. I am offering to give the Minister the sort of power that he will need to take swift and effective action. The Minister said that ambulances had not ground to a halt in this State because of a lack of fuel. I would hope that the Minister would have sufficient regard to the democratic rights of the people of this State to acknowledge that not only ambulances should be able to operate but that everyone should be allowed to operate: people should not be subjected to industrial blackmail.

The Minister has said that we are talking about liberal principles about which the Liberal Party should be concerned. That is exactly why we have introduced this amendment. We want to ensure that a majority of people in this State are not blackmailed into having their freedom of movement restricted. Similar powers were introduced into this Chamber, not against trade union members but against other people, under the emergency powers legislation that was introduced in 1974. However, the Government decided not to proceed with that. Nevertheless, it was willing to include these sorts of power, with the exception that no trade union member could be affected. Fuel supplies are critical, and no community should be blackmailed to the point where essential services and other services are brought to a standstill. It is for that reason that we believe this sort of power should be included in the legislation. I hope that this power will never be used; it should never be used, but it should be there to protect our community if a crisis arises. I again urge the Chamber to support the amendment.

Mr. VENNING: I am amazed at the Minister's attitude on this point. Members on this side have said that they support this legislation because it will take care of what could be a grave situation for this State. It could be said that primary producers carry fairly large supplies of fuel on hand, and it could be that the Minister could confiscate the fuel. The Minister has said that public relations in respect of the unions is excellent. He could be correct about the present situation, but public relations may not always be so good. The Minister needs to get to the basis of the problem. I support the amendment.

Mr. MATHWIN: I, too, support the amendment. The clause at present gives no power of direction. The Minister earlier reminded us of possible demands in connection with world energy, the uncertainty of future supplies of fuel, and the maintenance of essential services in the event of resources becoming unavailable. Subclause (1) provides:

The Governor may make such regulations as are necessary or expedient for the purpose of giving effect to the provisions and objects of this Act.

According to the clause as it stands, the Governor "may": he does not have to. That is the crux of the matter. The Minister said earlier that we had never been under industrial threat in this sphere of operation. At times the Minister has been reasonable, and I therefore suggest that he re-examine the matter and consult with other Ministers, his friends and masters, to get directions about this reasonable amendment.

Mr. CHAPMAN: The member for Glenelg has said that the amendment is reasonable. Whether or not it is

reasonable, we are not dealing with a reasonable or ordinary situation at the industrial level: we are dealing with an emergency situation. Where fuel is not available through ordinary channels, in those circumstances provisions are proposed for the very purpose of handling the unusual situation. The amendment in some respects could be interpreted as being quite unreasonable, but it is only in unreasonable circumstances that one would want to exercise that sort of power. Whilst I agree with the Minister that the powers may be interpreted to be extreme powers, I point out that they are designed to be extreme powers to deal with an extreme situation. I support the amendment while at the same time agreeing that it is an extreme measure which dovetails into the extreme proposal as presented by the Minister, and it ought to be incorporated in it to give extreme powers to the Minister to deal with an extreme situation.

Mr. GUNN: The Minister wants to impose stringent conditions on people who may want to transport or distribute fuel, but he is not prepared, on behalf of the people of this State, to accept the power to direct the very people who have caused the trouble, his colleagues in the unions. The Minister has again clearly demonstrated that he and the Government capitulate on every occasion they are asked to stand up and face the unions. It is a poor state of affairs when a Government of a sovereign State is not willing to accept responsibility on behalf of the people.

Why should the Minister be frightened of a provision of this nature? Is he admitting to the people that the Government is about to go out of power and he does not want this provision to be in the hands of a Liberal Government? If any Government was confident it was acting in the best interests of the people, it would accept the power. Ministers must accept that they may sometimes have to undertake unpalatable courses of action. However, on every occasion this Government is asked to take unpalatable action against trade unions in the interests of the people, it capitulates; it says, "Hands off! The people must suffer."

That one section of the community is allowed to get off scot-free. The Minister indicated that certain employers would not be happy with it. We do not apologise for the employers. We believe this amendment should be in the legislation in the genuine interests of all people in this State. I hope the Minister will reconsider the situation.

The Committee divided on the amendment:

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

Noes (20)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Drury, Dunstan, Groom, Groth, Harrison, Hemmings, Hudson, Klunder, Olson, Simmons, Slater, Virgo, Wells, Whitten, and Wright (teller).

Pairs—Ayes—Messrs. Evans and Tonkin. Noes—Messrs. Duncan and McRae.

Majority of 4 for the Noes.

Amendment thus negated; clause passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

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

That the House do now adjourn.

Mr. KLUNDER (Newland): I wish to use this time to

speaking about the nature of political power in a democracy. A democracy differs from all other political systems, in that the source of all political power and the legitimacy of the use of that political power is seen to reside in and originate from the people. I hope that definition is taken to heart on the opposite side of the House. There is a whole range of words that indicate where political power resides. There is theocracy, where the power is held by the priesthood; there is the monarchy, where the hereditary ruler has the legitimate power; there is the plutocracy (I hope the member for Rocky River is listening) where the power resides in wealth and its exercise is the prerogative of the wealthy—and I presume they all drive Mercedes. In an autocracy, power is held by a single man. In a democracy, such political power is deemed to be held by the people. In a large and complex State, it is held by the representatives of the people.

Members interjecting:

The SPEAKER: Order! The member for Newland has the floor!

Mr. KLUNDER: I was starting to wonder. In a representative democracy, the people elect representatives and give them power for a limited time; the group that is elected is elected as representatives rather than delegates: they use their own judgment regarding matters coming before them rather than being forced to go back to their electors for instructions on each and every matter that arises. The power so given to representatives is in theory unlimited. It includes the power to declare war, to condemn a citizen to death, to take his property, and so on. This is the populist or Rousseauian theory of democracy and contains within it the seeds of totalitarianism. In practice, it is realised that such unlimited power is undesirable, and safeguards are built into the system.

In England and Australia, for instance, such safeguards come from the common law, and in the United States of America they are coded into the Constitution, especially the Amendments to the Constitution. A democracy in which the rights of minorities are guarded is called a Madisonian representative democracy.

Mr. Goldsworthy: What was that again?

Mr. KLUNDER: I did not think the honourable member would understand that. It is named after Madison, who had much to do with the construction of these clauses.

As early as during the reign of Charles II, the one after the one that lost his head, Party systems developed, and the notion of a Cabinet took form. In the nineteenth century the idea of a loyal Opposition took final shape (and in the twentieth century I take it that it is the idea of a noisy Opposition) and that system is still with us. Basically, in South Australia we have a two-Party system, and out of deference to the member for Mitcham and the member for Flinders, I will call the present state of Parliament a modified two-Party, bicameral, Cabinet-type, Madisonian, representative democracy.

I should ask Opposition members to repeat that after me, but it would be a waste of time. Do not let the adjectives detract from the central point, which is, regardless of any modifications, the power that is seen to reside in the people is exercised on their behalf by the Party in control of this House. The execution of that power over the centuries has become largely vested in the group that makes up Cabinet. Cabinet Ministers have public servants to carry out and administer the decisions of the Government.

To avoid the situation in the United States, where even the local dog catcher can be a political appointee and so lose his job when his political boss loses office, and to retain the expertise developed by public servants, our

system has effectively neutralised the Public Service. That is, the Public Service uses its expertise to implement the policies of whatever Government exercises power on behalf of the people. Within the twenty-first century it is likely to do that on behalf of the present Opposition. It does so at the direction of the Minister, because the Minister is the person who embodies that power at that time. We have a peculiar situation here in that we have a monarchy theoretically in charge and, as a polite fiction, it retains all power, and the conventions of a constitutional monarchy place the Minister as a Minister of the Crown, in theory responsible to the Crown but in practice responsible to the people. Either way, whether we regard the Crown as the fount of all power or the people as the fount of all power, the current legitimate holder of political power is the Minister. The importance of this cannot be overstressed, and can perhaps be best illustrated by an example. The last Liberal Premier of this State back in 1970 ceased to have the power to direct the Public Service from the moment of his political defeat.

The public servant who sees the power to direct him go from the outgoing to the incoming Administration may by that act realise that it is his Minister rather than himself who holds power. He must realise that his Act defines his duties but his Minister gives him his directions. He must realise also that his Minister can only consider the directions to be taken by his department when he knows all the information relevant to that department. Therefore, misdirections by the public servant strike at the very basis of democracy by removing from the holder of political power the information by which to choose the right direction. Since the power of the Minister is delegated to the public servant by the Minister, it is axiomatic that no public servant, no matter how highly placed, can either exercise power which exceeds those of his Minister or fail to be responsible to his Minister for the exercise of the power delegated to him.

This is a matter that I would expect Her Majesty's loyal Opposition to understand, because the democratic traditions that insist that servants to the public take orders from those who hold power on behalf of the public are the same as the traditions that permitted the development of the concept of a loyal Opposition in the first place. The Opposition should know that during the past three or four centuries the Commons in Britain has always held steadfast to the belief that Parliament was the supreme law-giver and policy-maker. I shall give a few quotes, including one rather ridiculous one. In 1565, Sir Thomas Smith said:

The most high and absolute power of the realm of England consists in the Parliament.

The declaration of the Rump Parliament in 1649 stated:

... the people under God, are the original of all just power—

and later on:

... the Commons of England, in Parliament assembled, being chosen by and representing the people, has the supreme power of this nation.

Going from the sublime to the ridiculous, I refer to a statement made on December 6, 1977, in this House, as follows:

The supremacy of Parliament is a proper principle indeed. Its author: the Leader of the Opposition.

Mr. Allison: Which one?

Mr. KLUNDER: Not the putative one—at least not yet. Yet, there have been times when this important principle has been ignored, or its breaking condoned, not out of regard for a higher principle, but for short-term political gain. The writings of people like Locke, Madison and Mill are considered too important to be discarded for short-

term tactical advantage. The lives of people like Coke, Lenthall and Burke are too important to be sacrificed to short-term expediency.

I should hope that all members of this House would support this basic principle of the interplay of power and responsibility, and that those who would neglect it will first think of the centuries of effort that slowly built it up.

Mr. CHAPMAN (Alexandra): Chapter XI of Standing Orders of this place sets out a number of provisions regarding how one might use Question Time here. Standing Order 127 provides that, unless otherwise ordered, the period allowed for asking questions without notice shall not exceed one hour, and so on. Standing Order 125 provides that, in answering any such question, a member shall not debate the matter to which the same refers. Other Standing Orders explain the procedure to be adopted during Question Time.

I have been a member of this place for nearly five years, but in that period I have not experienced another Question Time that was so abused by Ministers of the Crown as was today's. It was, in my opinion, a blatant disregard of the Standing Orders to which I have referred, as well as of the privileges and responsibilities of members of this Parliament.

Mr. Klunder: Why didn't you take a point of order then?

Mr. CHAPMAN: I did, but it was before that period during Question Time that I became so disturbed as to decide to speak on the matter in this debate. Further, I believe it was a blatant disregard of the principle of a fair go for members in this House, because the democratic process was abused. The democratic responsibilities and privileges of members here were abused, because members of the House of Assembly are elected on an individual basis, and historically that is itself the cornerstone of democracy.

Question Time is one of the few times indeed when a private member can question the Government on behalf of his constituents or, for that matter, in the interests of the State generally. For Ministers wilfully to waste time as they did today was, in my opinion, a gross prostitution of the democratic process. It was a smug, hypocritical denial of the privileges and responsibilities of members of Parliament to question the Executive Government. That denial was a blatant disregard of fairness and the worst form of insult to the officers and members of this Parliament.

Let us see what happened during Question Time today. As usual, we had a question from the Leader of the Opposition to the Premier. I might add that it was a good question, which the Premier answered curtly and somewhat briefly. The Deputy Leader then set out to ask a question, and he was stopped several times, perhaps for good reason—

The SPEAKER: Order! The Chair will make a decision on these matters. I have listened carefully to the member for Alexandra. If he has got a grievance, he is entitled to air it, but I hope he does not reflect on the Chair.

Mr. CHAPMAN: Indeed, Sir, there is no reflection on the Chair. I am simply tracing what happened today, and with the greatest respect for your decisions. The Deputy Leader's question was answered, curtly and somewhat briefly, too, as was the question from the member for Glenelg. Similarly, a question directed to the Premier by the member for Mitcham and another by the member for Davenport were somewhat curtly and briefly answered by the Premier. When we came to a question directed to the Premier by the member for Eyre, the answer was a very brief and abrupt "No". It may well have been an appropriate and truthful answer, but that is not the point.

A question was directed by the member for Flinders to the Minister of Marine and, because it was to be a question ultimately to the Minister of Agriculture, it, too, was taken up and dealt with very swiftly. Those six questions took a very short portion of the total of one hour available in this House.

What happened on the other side of the House, when the Dorothy Dixers started to flow in, such as the one from the member for Semaphore to the Minister of Marine? He had had a fair go before we commenced Question Time, delivering a scathing attack on the member for Murray. He had had more than his turn and said a hell of a lot more than he could justify. But that is also another point.

A question was directed to the Minister of Community Welfare by the member for Whyalla, and we sat here and waited and waited for the Minister to finish. He did not deal with the question. He dealt with politics, criticising Fraser, Senator Guilfoyle, and other Federal members on issues that had nothing whatever to do with the answer. It was a political exercise to waste the time of the House, denying members on this side an opportunity to ask questions.

The member for Napier asked a question of the Minister of Community Welfare, who took 13 minutes to answer. It was a parochial question dealing with the district in which the member has an interest. Fair enough. There is no criticism of a member's asking a parochial question, but it is only fair and reasonable to expect that a Minister will observe not only Standing Orders, not all the other guff and warble which is going on and about which we heard the member for Napier talking about democracy, but give a fair go in this House, not abusing the procedure.

Members interjecting:

Mr. CHAPMAN: Then we come to the member for Newland, and his question was directed to the Minister of Education, who went into his usual tirade in reply. The member for Mawson directed his question to the Minister of Education. He asked whether 3½-year-old children could attend the local kindergarten. That subject may have been extremely important to the constituent, and it may well have been important to the member—

Members interjecting:

The SPEAKER: Order! There is far too much interjection from the Government benches. The honourable member for Alexandra must be given a chance.

Mr. CHAPMAN: Of course there is interjection and reaction because they know damn well they are guilty of this, the whole lot of them. Not only did the Ministers destroy Question Time today, but their back-benchers supported them with Dorothy Dixers from beginning to end. Getting back to the issue of the kindergarten, whether children can attend kindergarten at 3½, 4½, or 5½ is of no general interest—

Members interjecting:

Mr. CHAPMAN: In my view, the question, important as it was to the local district, could have been answered adequately and appropriately in a minute. They could have chatted in the corridors or wherever else it was convenient about all the other details that went with it. It was an absolutely blatant disregard for the privileges and responsibilities of other members.

The last question that I can recall being asked from the other side was asked by the member for Gilles. It was an attempt to ask a question of the Minister of Mines and Energy. The member explained it, asked it, explained it again, and then was required to ask it, with good reason. I agree with how you handled the situation, Mr. Speaker, but the remainder of Question Time was destroyed by the Minister of Mines and Energy. He waffled on like the rest of them, in an organised and designed effort to command

Question Time. The Ministers are frightened that, if they are asked too many questions, it will create too much embarrassment for them to handle or suffer from this side.

Members interjecting:

The **SPEAKER**: Order! The honourable member for Alexandra.

Mr. **CHAPMAN**: My time has expired: thank you very much, Mr. Speaker.

Mr. **KENEALLY (Stuart)**: If we have ever heard a leadership speech from the Opposition, we have not heard it in the past 10 minutes. It is absolute hypocrisy for the member for Alexandra to complain about Question Time and Standing Orders. If ever an Opposition has abused Standing Orders and taken advantage of the tolerance of the Speaker, it is the present Opposition in this House. Day after day Opposition members try to get around Standing Orders and take advantage of the Speaker. Only his enormous tolerance and that of Government members allow them to act in that way.

I wish to speak about Her Majesty's loyal Opposition and its performance in this House and this State. It distresses me and my colleagues on this side to see the sorry state into which the Opposition in South Australia has fallen. It is no wonder that that has happened, because people of the calibre of Mr. Harold Steele, a former member of the South Australian Liberal Party State Council, have said that one of the great problems with the Liberal Party in South Australia is that it cannot attract the right sort of candidate. There is living proof of that here in the House, and the mind boggles. If members of the Liberal Party who have been elected to this House are seemingly better than those who have not been elected, one wonders about the calibre of the latter group.

Mr. Steele has added his concern to that expressed by Mr. Taylor, who was dealt with well last evening by one of my colleagues. Both those gentlemen have expressed concern about in-fighting in the Liberal Party that prevents that Party from pursuing its correct role in South Australia, namely, that of opposing or opposition. There is this drive amongst Opposition members towards political ambition. One imagines that drive is towards the leadership of the Party, which is up for grabs. The only reason why the Leader of the Opposition retains that position is that no-one else in his Party can take his place. I do not think there is anyone with the material that Leaders are made of.

Mr. **Groom**: What about the member for Mount Gambier?

Mr. **KENEALLY**: Doubtless he considers himself to be leadership material and that is the very problem I have been mentioning. Each member opposite, with the possible exception of the member for Light, who, incidentally, is leadership material (I do not think anyone disputes that), views himself in that light, and I understand that people who are not yet in the Parliamentary Party also do that. They do not want to put themselves up for election unless they are certain that there is promotion for them. Mr. Taylor stated:

There are too many people in the organisation who are responsible, and I am talking about the Executive, who are too politically ambitious, including the President himself. Members opposite do not have to take any notice of me: I am merely quoting the words of a person of their own ilk. Mr. Harold Steele stated:

Some younger members of the Executive are more there for personal gain rather than for the Party. He is talking about the political Party that is so anxious to rubbish the Government about what it assumes to be trouble within our ranks. I can assure the Opposition that

there is no trouble or dissension within Government ranks, and all the dissension in South Australia is in the Liberal Party.

Without doubt there is a lack of discipline, and this is accepted by Opposition members, who have gone to the extreme to overcome their lack of discipline. They have therefore appointed as their chief executive officer a brigadier, who has retired from the Armed Forces and who is looking around for something to do. We are led to assume that he is a totally non-political person who understands nothing about politics at all, yet this is the best man that the Liberal Party in South Australia is able to obtain. What will be the direction taken by the new executive officer? Will we see all members opposite in the House with short back and sides? Will we see them marching into the House in two's, left right, left right? One can imagine the Leader of the Opposition seeking an appointment to see the new director. "Brigadier, Sir, a gentleman to see you." "Let him enter." "Left right, left right. Attention! Right turn." The Leader will then have to explain to the good brigadier the purposes of his visit. If that is not accepted, it could be "c.b.", and he could possibly be shot at dawn.

However, the position is not as humourous as it might seem, as I suspect that one of the basic reasons why the brigadier was selected for his role was because of the Opposition's support for cadets. This support has been stated in the House, and we know the basic army training or training for the forces that members opposite go in for. I am sure that they believe that the good brigadier will be able to give them some lead in this sphere.

I am serious when I say that the Opposition in South Australia has declined to such an extent, especially in this House, that the only serious opposition to the Government comes from the member for Mitcham, who comprises a minority of one in his minority Party.

Mr. **Russack**: Is he in the army?

Mr. **KENEALLY**: He is in the army. That seems to be a habit amongst members opposite, but I do not criticise that. The member for Mitcham is entitled to be a member of the C.M.F. or whatever, if that is his wont.

Mr. **Groom**: Where are their advance headquarters?

Mr. **KENEALLY**: I do not know where the advance headquarters are, because not all the logistics for the next 12 months have been established. Mr. Willett first came to prominence publicly in South Australia because he led the "Fair Go for Salisbury" campaign. When he is sacked in three months time, I expect Mr. Salisbury to lead the "Fair Go for Willett" campaign in South Australia. We are running a book on this side of the House about how long Brigadier Willett will last. The odds for lasting over three months are rather extreme, and we cannot get anyone to take up those odds.

Mr. **Groom**: Do you think he'll get a hearing?

Mr. **KENEALLY**: The reason why the Liberal Party is not anxious to give hearings to sacked directors is that it would be doing nothing else: hearings would be listed for the next three or four years. If a director could get a hearing, why should not the rest of the Liberal Party staff or Leaders in this House who are sacked or relieved get a hearing? It is a difficult task to keep up with the movements of the Liberal Party in South Australia.

What should happen for the good of this Parliament and the State is that the Liberals should overcome all their internal bickering and petty ambitions and get down to representing people and playing a part in the Parliamentary system without trying to gain so much political advantage out of matters that are important to this State. They should try to do what their role requires them to do.

The Hon. Hugh Hudson: They could misrepresent someone. has expired.

Motion carried.

Mr. KENEALLY: As the Minister said, one thing they are good at is total misrepresentation—

At 9.6 p.m. the House adjourned until Thursday, February 16, at 2 p.m.

The SPEAKER: Order! The honourable member's time