LEGISLATIVE COUNCIL

Thursday 27 March 1980

The PRESIDENT (Hon. A. M. Whyte) took the Chair at 2.15 p.m. and read prayers.

PAPER TABLED

The following paper was laid on the table:

By the Attorney-General (Hon. K. T. Griffin)—

Pursuant to Statute—

Parliamentary Salaries and Allowances Act, 1965-1978—Report and Determination of the Parliamentary Salaries Tribunal, 1980.

QUESTIONS

NORWOOD BY-ELECTION

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Attorney-General a question about the Norwood by-election inquiry.

Leave granted.

The Hon. C. J. SUMNER: Members will recall that during the Norwood by-election the Liberal Party made much about the alleged irregularities in the electoral roll. Before the by-election the Premier in an effort to cause doubt and create confusion about the roll in the hope of influencing the election in favour of his candidate, Mr. Webster, ordered the Electoral Commissioner, through the Attorney-General, to investigate the allegations. These allegations were made by Liberal Party supporters, and the Attorney-General went along with this phoney inquiry. In so doing, he clearly abused the office of Attorney-General to attempt to further the sagging political fortunes of the Liberal Party during the Norwood campaign.

After the fanfare of the investigation, the Attorney-General refused to table or make public the report. Instead, he gave a padded statement to the Council giving his interpretation of the report. Honourable members have no way of checking this padded statement which was used to give respectability to the ordering of the inquiry. It has also been alleged that during the campaign the Liberal candidate, Mr. Webster defamed the Marijuana Party candidate by referring to him as a heroin addict. That was an illegal practice, and I should have thought that would be one of the matters that the Electoral Commissioner would investigate.

Did the Attorney-General ask the Electoral Commissioner to include in his investigation the allegation of illegal practice by the Liberal candidate? If not, why not? If so, what were the Electoral Commissioner's conclusions? In any event, did the Electoral Commissioner comment in any way on the alleged illegal practice by the Liberal candidate of defaming a candidate, or on any other conduct of the Liberal Party candidate? If so, what were the Electoral Commissioner's comments and conclusions?

The Hon. K. T. GRIFFIN: The Leader's statement contained a number of misrepresentations of what the position was. He is tending to colour his own recollection of the statements I made by suggesting that there was something improper in my referring the claims to the Electoral Commissioner for inquiry. The first thing he said was that I ordered the Electoral Commissioner to make an inquiry. I have repeatedly said on previous occasions that I did not order the Electoral Commissioner to do anything; I requested him to make an inquiry into certain allegations that had been made alleging irregularities in the roll. I have previously indicated that the Commissioner holds a statutory office and that it is not my responsibility to give him orders.

He, in fact, did make inquiries and presented a report to me, and that was then the subject of a Ministerial statement by me to members of this Council. When the Leader of the Opposition was previously criticising the fact that I did not make available the report to him or the public, I suggested that he telephone the Electoral Commissioner and ascertain whether or not the statement I had made was an accurate representation of the matters contained in the Commissioner's report to me.

The Leader has also made some allegations about the claims of irregularities being made by Liberal Party supporters. I have indicated previously that I am not aware of the political persuasion of any of the persons who have made allegations. It is likely that they came from a broad spectrum of political persuasion within the electorate. The Leader has also suggested in his statement that by requesting the Electoral Commissioner to make inquiries I, as Attorney-General, have abused the office. I categorically deny that, as I have done on a previous occasion, and suggest to him that he is purely muck-raking to further what he would hope to be some political mileage out of the claims which he is making.

With regard to the suggestion that the Australian Marijuana Party candidate was defamed during the election campaign, that was not the subject of an inquiry by the Electoral Commissioner. I have previously indicated that the Commissioner was requested to make inquiries into irregularities with respect to the roll. However, I am able to say that the allegations of the Australian Marijuana Party candidate were referred to my Crown Law officers. I am not aware of the result of their consideration of the matter.

PERSONAL EXPLANATION: ZED AND COMPANY

The Hon. B. A. CHATTERTON: I seek leave to make a personal explanation about the purchase of Zed and Company by the South Australian Labor Government.

Leave granted.

The Hon. B. A. CHATTERTON: Yesterday, the Hon. Mr. Laidlaw asked a long and detailed question of the present Minister of Forests that contained some implications that I, as Minister of Forests for the previous Labor Government, had acted improperly in the purchase of Zed and Company. First, it is common knowledge that the new Government is putting its personal staff on a sordid search through the files of Government departments in an attempt to find material with which to smear the previous Labor Government. This is an obvious and indeed odious contravention of the Westminster Parliamentary Convention that there should be some decency in the affairs of Government. I suggest that the present Government allow its officers to work on answering Parliamentary questions within a reasonable period and also to answer them properly, instead of wasting their time on fruitless exercises.

However, to return to the implied skulduggery that the Hon. Mr. Laidlaw attempted to lay at my door yesterday, it is quite true that while I was Minister of Forests the Government purchased shares in two joint ventures and established a third. One was the Adelaide Hills Sawmill, Shepherdson and Mewett, which was a joint venture with Softwood Holdings, and another was the Mount Gambier-based timber merchant and building supply firm, Zeds.

This was a joint venture with a Mount Gambier business man, Mr. Scott. In the case of both these joint ventures, the decisions were taken by Cabinet, and the Crown Law Department (as is the usual procedure with Labor Governments) drew up the necessary documents. With Zeds, this was quite complex, as it was necessary to establish, first, a company called Wood-Scott, with the Minister of Forests and Mr. Scott as shareholders, to take over Zeds.

When the takeover was completed, Wood-Scott was wound-up. The Crown Law Department did not indicate at any time during the formation of these joint venture companies that it had any doubts about the propriety of the Minister of Forests, as a body corporate under the Forestry Act, holding these shares. At a later date (and from memory I think it was in the latter half of 1978), the Crown Law Department independently gave an opinion that the Forestry Act should be amended to put the matter beyond all doubt.

Cabinet considered two options: one was to amend the Forestry Act, as suggested by the Crown Solicitor, and the other was to transfer the shareholdings to the S.A.D.C. I opposed the second alternative because these two joint ventures had been established for very precise reasons. In the case of the Shepherdson and Mewett sawmill, it was essential that the Woods and Forests Department learn more about the problems and costs of harvesting, processing and marketing wood from the Adelaide Hills forests. With an excessive number of small sawmills in the Adelaide Hills, it seemed stupid to establish an additional mill. The most sensible approach was to take over an existing mill that was for sale at Williamstown and to improve its efficiency by merging it with another mill owned by Softwood Holdings in the same town.

The reason for the Zed purchase was a very disturbing report that had been received by the Woods and Forests Department from a marketing consultant about the marketing of radiata pine in South Australia. It was obvious from this report that the department was being excluded from the South Australian market by excessively high wholesale and retail margins on pine. To test these claims and gain some practical experience in this area of marketing, the department needed a close involvement with a timber firm, and the purchase of Zeds provided that opportunity. If the shares had been transferred to the S.A.D.C., the close links and the information flow to the Woods and Forests Department would have been cut and the major reason for the purchase negated.

In October 1978, I went to India to continue negotiations on the export of wood chips, and in December the Indian party came to Adelaide. Negotiations were proceeding very well, and draft agreements were drawn up for a joint venture to harvest and export wood chips to India. It became obvious that the joint venture would require capital from the Woods and Forests Department, which could only be provided at the expense of other important projects. At this stage, Cabinet agreed to my recommendation that the South Australian Timber Corporation should take over all the shares held by the Minister of Forests in joint ventures both existing and proposed. The Timber Corporation Act was passed in 1979. The joint venture with Punalur Paper Mills was established and the shares in Shepherdson and Mewett and Zeds transferred.

The Hon. Mr. Laidlaw surprised me yesterday with his involvement in this set-up question because I explained to him very fully the reasons for the establishment of the corporation, and he was a source of some support to me in the legislative arena at the time. Naturally, the Crown Law Department drew up all the necessary documents to enable the transfer of these shares to take place to the resulting South Australian Timber Corporation. Now, however, it is being implied that it was not legal for the corporation to acquire the shareholding in Zeds after all.

It is obvious that this attempt to, at the very least, embarrass me does nothing of the sort. All the Government has achieved by its attempt is to embarrass the Crown Law Department, which acts as legal adviser to Ministers of (and I remind Mr. Laidlaw of this) all Governments, whatever their Party allegiances. What this Government is taking such pains to reveal is that on two occasions the Crown Law Department gave approval to the transfer of shares and then subsequently re-thought the position and advised the Government of the day that an Act should be amended. If the present Government decides to amend the Timber Corporation Act because of any further doubts expressed by the Crown Law Department, I should be quite happy to support the amendments that are put forward.

NORWOOD BY-ELECTION

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Attorney-General a question about the Norwood by-election report.

Leave granted.

The Hon. C. J. SUMNER: The Attorney-General has received from the Electoral Commissioner a report that he has refused to disclose to Parliament or the public. In answer to an earlier question of mine on whether a direction had been given to the Electoral Commissioner not to release the report, given that the Electoral Commissioner had an independent statutory function, the Attorney stated:

> In view of that sensitivity, I have not given any direction that he is not to release his report.

In reply to an earlier question that I asked today the Attorney has re-affirmed that he did not order a report but requested a report, because he was dealing with an independent statutory authority in the Electoral Comissioner. First, has the Attorney requested the Electoral Commissioner not to release the report? Secondly, in view of the independent statutory position of the Electoral Commissioner, has the Attorney any objection to the Electoral Commissioner's releasing the report if a request were made to him in his independent statutory capacity?

The Hon. K. T. GRIFFIN: The Leader of the Opposition imputes reasons to me for making a request that are most inaccurate. I indicated when he last raised this series of questions after the Norwood by-election that I preferred not to give orders to my heads of department but to consult with and make requests of them and to deal with them as though they are reasonable individuals, as they are, and to accept the advice which they give me from time to time.

With regard to the Electoral Commissioner, I made a request to him in respect of the inquiries that had come to my knowledge during the course of the Norwood campaign. He agreed with my request and made some inquiries before presenting a report to me. He consulted with me in relation to the release of the report. As I have previously indicated (and I will repeat it in case the Leader does not appreciate what I am saying), the Electoral Commissioner and I have decided that, because it was in the nature of a report from a departmental head, notwithstanding his statutory office, in response to the Minister, it was appropriate that the matters referred to in the report should be made public through the medium of a Ministerial statement.

CLELAND CONSERVATION PARK

The Hon. J. R. CORNWALL: I seek leave to make a short statement before asking the Minister of Community Welfare, representing the Minister of Environment, a question about Cleland Conservation Park.

Leave granted.

The Hon. J. R. CORNWALL: Honourable members will recall that during the period when the former Government was in office and under the stewardship of my immediate predecessor as Minister of Environment, the then Government of the day announced that it was intended that Cleland Conservation Park should be upgraded and brought to world standard for the display and keeping of native fauna. The Cleland Conservation Park Trust at the time commissioned the preparation of a draft management plan. Some publicity has already been given to one of the recommendations of the draft plan concerning the reintroduction of native species at Cleland Conservation Park which were originally indigenous to the area and which for various reasons were no longer present. That seems highly commendable.

However, in other respects it is rather a disappointing report. It is particularly disappointing to see a whole section dealing with the implementation of management objectives devoting only two pages to the management of native fauna and flora. I would have thought that the management of native fauna should be one of the primary objectives of the people preparing the draft management plan. Some reference is made to the fact that the climate in the area is unsuitable for the keeping of some species that are native in South Australia to the arid and semi-arid areas.

In fact, there is a very high rainfall in the Cleland area, and the winters are relatively quite cold, damp, and stressful for species such as the red kangaroo and the yellow footed rock wallaby, to name only two. The report made passing reference to the fact that there has been a very considerable problem in the kangaroo population at Cleland with necrobacillosis, or lumpy jaw. These matters were brought to my attention when I was in the Ministry, and it seemed to me and to several of my senior officers that, if we were to have a variety of native fauna that was widely representative of species indigenous to South Australia as a whole, it would be highly desirable that we should acquire some other area which could be used in a way complementary to the existing Cleland Park area.

One of the areas that was under consideration was a portion of the Monarto area, which is readily accessible from Cleland; it is not far along the freeway to the Monarto area, and it would make a reasonable day's outing. It would be possible for families or tourists to visit Cleland Park to see the various species that are available there, and then drive on a few kilometres to the Monarto area to complete the display.

The other problem this proposal would have overcome is the considerable stress which many of the animals, and particularly the kangaroos and wallabies, are subjected to fairly continuously in the open display areas of Cleland Park. On several occasions, mortalities have been a direct result of kangaroos having been overstressed in that area, and it would have been more desirable, at least for some of the species, for them to be held under more open-range conditions.

It is regrettable that these matters are not canvassed at greater length in the draft management plan. Is the Minister aware that the Cleland environment is very unsuitable for some of the native species, both birds and animals, which are presently kept there? Has the Minister discussed or considered developing an additional area in a climate and environment more suitable for native species from the arid and semi-arid zone of South Australia? Has any consideration been given to using portion of the Monarto area for such a facility complementary to and under the supervision of the Cleland Conservation Park Trust?

The Hon. J. C. BURDETT: I will refer the honourable member's questions to my colleague and bring back a reply.

ROAD BLOCKS

The Hon. R. C. DeGARIS: Has the Attorney-General a reply to my recent question relating to road blocks in the Burnside council area?

The Hon.K. T. GRIFFIN: The original regulations for a traffic management scheme for the Burnside area related to 12 street closures. The regulations were subsequently amended to provide for an alternative eight street closure scheme. At the request of the Corporation of the City of Burnside, the Road Traffic Board has been monitoring this eight street closure scheme for a period of 12 months. The accident data has been processed and a report on the current scheme is being finalised at present. The report is expected to be submitted to the board for consideration prior to its next meeting.

NORWOOD BY-ELECTION

The Hon. C. J. SUMNER: My questions are directed to the Attorney-General: first, how many reports were received by the Attorney-General from the Electoral Commissioner on the Norwood by-election; secondly, did the Attorney-General receive a report which he regarded as unsatisfactory and which was sent back to the Electoral Commissioner for rewriting; and, thirdly, was any draft or preliminary report given to the Attorney-General by the Electoral Commissioner, did the Attorney-General request that such draft or preliminary report be written, and, if so, what were the problems with the preliminary or draft reports or other reports sent back for reconsideration or rewriting?

The Hon. K. T. GRIFFIN: I do not intend to indicate to this Council—

The Hon. N. K. Foster: You haven't got the guts to—

The PRESIDENT: Order!

The Hon. K. T. GRIFFIN: I do not intend to indicate to the Council what sort of communications pass between my departmental heads and myself, as Minister.

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Attorney-General a supplementary question.

Leave granted.

The Hon. C. J. SUMNER: The Attorney-General seems to be in some considerable confusion about whether the Electoral Commissioner is the permanent head of one of the departments for which he has responsibility, or whether that Commissioner is an independent statutory authority and therefore not responsible to any directions from the Minister. The Attorney has attempted to tell the Council that the Electoral Commissioner fulfils both of these roles. If the Electoral Commissioner is an independent statutory authority, I believe the Attorney-General should respond to questions I have asked him in relation to the number of reports that were received by the Attorney from this independent statutory person on the Norwood by-election.

The Attorney-General should be in a position to advise the Council whether or not there was more than one report, because the Electoral Commissioner is an independent statutory person. Further, the Attorney should be able to advise the Council whether any draft reports were prepared for him by the Electoral Commissioner, and whether or not he refused to accept the draft or preliminary reports but sent then back to the Electoral Commissioner for re-writing. I again ask the Attorney-General the questions that I have previously asked. I put these question to the Attorney particularly in view of the fact that he said that he has never given orders to the Electoral Commissioner, that he accepts that the Electoral Commissioner is an independent statutory authority and, further, that he has not made any requests to the Electoral Commissioner in relation to the report on the Norwood by-election. Accordingly, my supplementary question is: in view of the fact that the Electoral Commissioner is an independent statutory authority, will the Attorney-General answer my previous questions?

The Hon. K. T. GRIFFIN: I have not refused to accept reports from any person who is responsible to me as Minister. I do not intend to go into the detail of what colour ink or what colour pen I use or any other detail that the Leader will undoubtedly seek to obtain if he proceeds with this inane form of questioning.

SHOPPING DEVELOPMENT

The Hon. M. B. DAWKINS: My question is directed to the Minister of Community Welfare. In view of some apparent conjecture over the Government's proposed amendments to legislation on shopping developments, will the Minister clarify the situation as to the proposals envisaged?

The Hon. J. C. BURDETT: The interim legislation, which was announced on 15 February 1980, was directed at containing the development of shops outside zoned shopping centres and will apply until 31 December 1980, while discussion takes place on proposed new policies for the control of shopping developments in Adelaide.

The amendment now proposed by the Government in an attempt to offer some compromise solution to the current impasse in the Legislative Council will provide for council "consent" for shopping developments within shopping zones. Shops are currently a "permitted" land use within most shopping zones. The amendment will enable councils to exercise greater controls over the design and location of shopping developments. The amendment is in line with the primary aim of the original Government Bill and is in accord with the proposals outlined in the discussion paper on retail and centres development released by the Government in December.

The criteria upon which councils could assess shopping development applications within zoned shopping centres relate primarily to their effect on local amenity. The amendment does not provide for councils to consider the viability of shop development proposals when deciding to grant or refuse their consent.

The amendment would not involve the introduction of third party appeals against shopping developments within shopping zones. This is simply because shopping developments are at present "permitted" within shopping zones under the zoning regulations and there is no provision for third party appeals. The Government considers it would be unreasonable to introduce third party appeal rights in areas which have been specifically designated for shopping development. I want to stress the point that these amendments are only interim measures and enable discussion to take place on the proposed new policies for the control of shopping development in Adelaide and therefore could apply from 25 March 1980 up until 31 December 1980.

I make it quite clear that this Government recognises that competition is essential to satisfy the consumers needs and to keep down prices, but it is also aware that new retail developments should be focused on defined centres and that the function of existing centres should be maintained wherever possible; new retail developments will have to satisfy environmental criteria so that the impacts on our community are minimised; and new shopping centres would require rezoning of the land involved and thereby provide an opportunity for public comment and council and Government assessment of the impact of the proposed centre.

I recognise that this is a very complex issue; however, the Opposition members have done little to clarify the situation and have only contributed to the confusion in both the minds of the public and members of this Council. The confusion in the Opposition members' minds about the measures which should be taken in this matter is staggering. First, they wanted a moratorium, but now I understand that they are not sure that their first thought was their best. The Government suggests that there should be a clear provision to provide for some reasonable restrictions until the end of this year, without an absolute moratorium that would completely freeze everything and allow no possibility, even in cases where the possibility should be allowed for further development taking place.

The Hon. J. R. CORNWALL: I seek leave to make a short statement before asking the Minister of Community Welfare a question about shopping development.

Leave granted.

The Hon. J. R. CORNWALL: Considering that this matter is currently before the Council, it is a little strange that it should be canvassed during Question Time.

The Hon. C. J. Sumner: It is out of order.

The Hon. J. R. CORNWALL: I thought that it was out of order, but I did not take a point of order because I believe that this matter needs to be aired as widely as possible. However, it is strange that this matter should be aired during Question Time when it is already on the Notice Paper for debate at a reasonably early hour this afternoon. I wonder whether this statement was prompted by the fact that currently there are news items on the radio as a result of press releases that were put out this morning by the Consumers Association of South Australia and other bodies which last night met with the Opposition and had a very long, fruitful and amicable meeting. That meeting resulted in a unanimous agreement as to what should happen in relation to this matter. These matters will be the subject of debate later this afternoon.

This is a very complex issue, but in view of the fact that the Minister of Community Welfare has given an off-the-cuff answer to a question on this topic from one of his back-bench colleagues, without having to refer it to the Minister of Planning, I have no doubt that the Minister of Community Welfare will be able to answer my question in the same way. For that reason, I direct my question directly to the Minister of Community Welfare, rather than have him refer it to his colleague. Presumably the Minister of Community Welfare is well briefed in this matter. As the Minister has said, it is a complex issue. I would like the Minister to clarify whether we are to have a temporary freeze or not. Some of my colleagues learned in law, and many other people learned in planning matters, have told me that, under the Government proposals, everything that is currently in the pipeline will proceed, even if only preliminary applications have been made. As I

understand it, that will apply to areas that are zoned shopping and also to areas outside shopping zones.

Indeed, there are already some applications that are out and about on which this proposed legislation would have little or no effect. It is not a temporary freeze at all; it allows for applications already in to proceed, as I understand it. It has also been brought to my attention that, under the Government's proposed legislation, there is nothing at all to stop rezoning requirements from proceeding. Proposals such as the Myer proposal at Salisbury could proceed during the next nine months with the business of having an area rezoned and then, when this temporary or interim measure (as the Government describes it) has expired, they could get on with the building as quickly as possible. Is it a fact that under the proposed legislation everything in areas zoned inside shopping zones or outside shopping zones where some sort of application has been made, preliminary or otherwise, can proceed? Is it a fact that arrangements to meet the rezoning requirements can proceed? Is it also a fact that the Premier has issued a direction, either verbally or in writing, concerning the sale of the Education Department land at Salisbury to Myer?

The Hon. J. C. BURDETT: The concept of the legislation was that, where there were actual applications (and not, as the honourable member said, some sort of application, preliminary or otherwise) lodged, they would be dealt with. That does not mean that they will be granted, but they will be dealt with. That has been the manner in which we have dealt with most of this kind of legislation. When the scheme is announced, any applications after that will be bound, when and if a Bill is passed. Any application which has been lodged before the Government announced any kind of freeze will be dealt with. Certainly, there is no prohibition on rezoning. We made it very clear that the Government's Bill was not a moratorium. There is no doubt about that. It was not a complete freeze. We think that that is detrimental and it would be better to have no legislation at all than to impose a complete freeze so that there was no possibility, in any circumstances, of granting any development. The second question, regarding an announcement by the Premier, I am not aware of.

The Hon. J. R. Cornwall: Or direction?

The Hon. J. C. BURDETT: I am not aware of any direction either.

NON-SECRET ADOPTIONS

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Community Welfare a question about non-secret adoptions.

Leave granted.

The Hon. ANNE LEVY: In recent months some people have formed a group to seek changes in the law or regulations governing the documentation of adoptions, particularly non-secret adoptions where a child is adopted by a natural parent and a step-parent. The matter has been raised at a number of public meetings and at meetings attended by officers of the Minister's department. I think that the Minister will know the details of this matter which is being put most forcefully and at length by Mrs. Ursula Scheer of Glenalta.

Mrs. Scheer, I understand, was advised last week by an agent of the Government that the matter was to be resolved and that Cabinet would be clearing up the matter on Monday of this week. However, this week she finds that she can get nothing definite about what has been decided. She says that she has been working with the Liberal member for Fisher in another place but has been getting nowhere. She has also had the member for Glenelg at a meeting. I think it is time that the Minister detailed what can be done for Mrs. Scheer and others in the same predicament and told us exactly when such a statement will be made public. Will the Minister say what action the Government is going to take about the problems of natural parents' names not being retained on birth certificates when children are adopted in non-secret adoptions?

The Hon. J. C. BURDETT: There have been a number of public meetings at which my officers have been present and there have been discussions with Mrs. Scheer. The matter has been cleared up to her satisfaction.

The Hon. C. J. Sumner: That is not what we heard.

The Hon. J. C. BURDETT: Mrs. Scheer expressed satisfaction as to what was to be done. Regarding the Cabinet meeting on Monday, the Hon. Miss Levy would know that Cabinet meetings are in confidence.

The Hon. Anne Levy: I didn't ask what happened.

The Hon. J. C. BURDETT: I will explain that. Surely it is obvious that what could be done would be done by way of regulation. On Monday, Cabinet would approve the regulation, and that was done. On Thursday the regulations would be made, and this has been done. The regulation has been made today and it is in today's *Gazette*. I believe the regulations clear up all the objections. We have spoken to Mrs. Scheer and a number of other people who have had this problem and it seems that the regulations overcome their problems. It does not change the birth certificate (and this seems to have been agreed). There was no point in changing the birth certificate because it does not signify whether the child is a natural or an adopted child. However, the change has been made by a new regulation 63 *(a)* of the Adoption of Children Regulations which provides for a new form of certificate in non-secret adoptions. These cases usually are cases where two persons marry and there has been a previous marriage with children from that marriage and the two spouses (one in particular) wish to adopt the child. The claim has been made that in such cases there is no documentation as to the origin of the child and the fact that it was a natural child of one of the adoptive parents. The regulations provide for a schedule which sets out the whole history of the child. This can be provided by application of either of the adoptive parents or by the child. This schedule sets out the whole history of the child, who the natural parents are, and the parent's name, or the maiden name of the wife if that is the case, and so on. It seems that this completely answers the quite legitimate complaint which has been raised. This has been done in the regulations which are in today's *Gazette*.

NORWOOD BY-ELECTION

The Hon. C. J. SUMNER: Will the Attorney-General deny that he received a draft or preliminary report on the Norwood by-election from the Electoral Commissioner and that this report or reports were subsequently rewritten by the Electoral Commissioner?

The Hon. K. T. GRIFFIN: I will neither deny nor confirm it.

ADELAIDE UNIVERSITY

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to directing a question to the Attorney-General about Adelaide University elections.

Leave granted.

The Hon. R. C. DeGARIS: Yesterday, the Leader of the Opposition directed a question to the Attorney-General concerning elections at the Adelaide University. In the question the Hon. Mr. Sumner referred to the fact that there was considerable cost involved with students taking action. I have been informed that the costs in this action are being met by the student association.

Is he aware that all costs related to this matter are being met by the student association of the University, and does he know whether the student association has the power to make these moneys available?

The Hon. K. T. GRIFFIN: As I indicated yesterday, the dispute that, apparently, some disenchanted candidates of recent elections have taken to the Supreme Court is a matter that is *sub judice*. I do not intend to comment about whether the claim is valid. Regarding the question of costs, the Leader of the Opposition asked whether I would ensure that the Legal Services Commission would make funds available. I indicated that that was a matter for the Legal Services Commission. If costs are paid by another body or association, like the student association, it is unlikely that the criteria laid down by the Legal Services Commission would be satisfied. If those costs are met by the student association, and this is contrary to the rules of that association, that is a serious matter, and it is essentially a matter for consideration by the association and the university council to make the appropriate inquiries. However, if it will assist the honourable member, I will request information and—

The Hon. C. J. Sumner interjecting:

The Hon. K. T. GRIFFIN: The Leader asked for more than information. If the Hon. Mr. DeGaris believes that it would be helpful, I will make a request for that information.

COMMUNITY WELFARE SERVICES

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Minister of Community Welfare a question about the Advisory Committee on Community Welfare Services.

Leave granted.

The Hon. C. J. SUMNER: The Minister will no doubt be aware that between 20 per cent and 25 per cent of the South Australian population is of ethnic minority background. He may also be aware, and he should be aware, that problems in that population are considerable because of language and other difficulties. He may also be aware that many ethnic minority groups are involved in the delivery of welfare services to immigrants. Before the election the Liberal Party made many promises in relation to ethnic affairs, and there was a window dressing exercise of an Ethnic Affairs Commission. On this committee of vital importance to ethnic affairs the Government failed to include a person of ethnic minority background.

Why was an ethnic affairs adviser from one of the voluntary agencies not included on the committee, if no such person has been included? Is any member of the Advisory Committee on Community Welfare Services of ethnic minority background or does any member have specialist experience in the delivery of services to migrants? If not, why was such a person not appointed, in view of the promises made by the Liberal Party about ethnic affairs prior to the election?

The Hon. J. C. BURDETT: There are not any persons of ethnic origin on the committee that I am aware of. There is no reason why there should be. The committee is small, with five members, and was to report by May, when it would cease to exist. It was not a standing committee. It now appears that the committee will not complete its task by May, and its terms of reference have been extended until June. The point is that it is not a representative committee.

The Hon. C. J. Sumner: I did not say it was.

The Hon. J. C. BURDETT: You do not seem to have understood it. The committee does not represent anyone. It is a committee comprising some academics and some people with considerable practical experience in the welfare fields. It is not there to represent anyone. It was set up to advise the Government, because of the expertise of its members, on matters that the Government is considering, namely the delivery of welfare services. Care has been taken to look after people of ethnic origin; the committee has ensured that the services of interpreters are available.

People of ethnic origin will be interviewed, and have been interviewed, as to their view of the delivery of welfare services. I do not think that we should look for origins—ethnic, racial or otherwise. That is a form of discrimination. We should look for people who can best do the job, and that is what we have done.

FRECKLED DUCKS

The Hon. R. C. DeGARIS: Will the Minister representing the Minister of Environment obtain and table all reports relating to the estimated number of freckled ducks on Bool Lagoon? Will the Minister also report on the means by which the counting of freckled ducks was undertaken? Will the Minister also inform the Council how many ducks in total were on Bool Lagoon before and after the shooting and how many ducks were actually shot? Will he provide information regarding the condition of the ducks on Bool Lagoon and any other information relevant to this question?

The Hon. J. C. BURDETT: I will refer the honourable member's very comprehensive question to my colleague in another place and bring down a reply.

ETHNIC AFFAIRS

The Hon. C. J. SUMNER: I seek leave to make a brief statement prior to asking the Minister Assisting the Premier in Ethnic Affairs a question about the implementation of ethnic affairs policies.

Leave granted.

The Hon. C. J. SUMNER: While I was Minister Assisting the Premier in Ethnic Affairs, a reorganisation of the Ethnic Affairs Division was approved and the former Cabinet approved procedures by which ethnic affairs policies could be promoted in Government departments and instrumentalities. In summary, this involved the Ethnic Affairs Adviser, Mr. Gardini, carrying out preliminary investigations of policies in each department and the preparation of a programme of action in consultation with the department concerned and ethnic groups.

Following these investigations by the Ethnic Affairs Adviser, if necessary, working parties were to be set up in each department to ensure implementation of policies and programmes. I say this because generally there have been enough reports on ethnic affairs matters produced, and the time has arrived for action. In the short time that I was Minister, the Ethnic Affairs Adviser had carried out one such review and prepared a report on the health needs of migrants, and a working party was set up with the Health Commission.

Has the Ethnic Affairs Adviser prepared reports on the

programmes and policy implementation in any other Government departments since the election? In what other Government departments or areas of interest for migrants has the Ethnic Affairs Adviser prepared reports? Have any (and, if so, in what areas) working parties been set up to ensure implementation of programmes for the benefit of ethnic communities, in Government departments other than the Health Commission?

The Hon. C. M. HILL: I remind the honourable member that the Government has changed and the policies of the former Government in regard to ethnic affairs are not identical to the policies of this Government. Therefore, the policy plans that the honourable member set in train when he was in government have not, in every detail, been pursued by the new Government, which has its own policies. The honourable member asked a question about one of these matters that he set in train some months ago, and I recall bringing down a reply, which was, from memory, to the effect that that matter was being, or had been, pursued.

I think that was the matter in regard to health. Further, I have not given any instructions to the Ethnic Affairs Adviser (Mr. Gardini) to stop any work that he was doing regarding the matters raised by the Leader. To the best of my knowledge he does that when he can find the time because, of course, he is now implementing new policies to carry out some of the work that was of great interest to the Hon. Mr. Sumner when he was the Minister.

The Ethnic Affairs Adviser is carrying out his duties and assisting in the establishment of the Ethnic Affairs Commission, to which the present Government is committed. His involvement with working parties in relation to that matter has been and still is absorbing much of his time. He has also other committee work relative to many of the other departments, which is doubtless similar to the work he was doing during the term of the former Government.

In general reply to the Leader, Mr. Gardini has not been instructed by me to cease any specific work with which he was involved before the change of Government. His time is fully occupied with working parties and other activities in relation to the present Government's policies, and he still continues to involve himself in committee work in many areas.

The Hon. C. J. SUMNER: I should like to ask a supplementary question. Will the Minister obtain the information that I sought in my previous question and bring down a reply when he has more details?

The Hon. C. M. HILL: I will have a close look at the specific questions that the honourable member raised and, if there is anything further to add, I will bring down a reply.

The Hon. C. J. SUMNER: My question is to the Minister Assisting the Premier in Ethnic Affairs. First, with respect to the Working Party on Health Needs of Migrants within the Health Commission that has been referred to by me and by the Minister today, have any submissions been requested by the working party as yet and, secondly, has the Minister set a finalisation date for receipt of the report of the working party?

The Hon. C. M. HILL: No, I have not set any finalisation date, and I have not had any further reports about this matter since I answered a previous question on this matter in this Council.

NATURAL VEGETATION

The Hon. J. R. CORNWALL: Has the Attorney-General a reply to the question I asked on 27 February about natural vegetation?

The Hon. K. T. GRIFFIN: Legislation to enable landholders to designate areas of natural vegetation to be preserved in perpetuity is proposed through an amendment to the South Australian Heritage Act. It is hoped that the amendment will be made in the current session of Parliament.

ROAD TRAFFIC ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

The Hon. K. T. GRIFFIN (Attorney-General): I move:

That this Bill be now read a second time.

This legislation reflects this Government's concern for the loss of life and the injury that occurs on the roads of South Australia. It is one of several actions being taken by the Government to deal with the road toll, as we promised to do during the last election campaign. Having been elected by the people, we are now proceeding to carry out our promises, and this legislation embodies one of them. This one in particular we promised because of our deep concern about the drink-driving problem. Indeed, because the Government has a mandate from the people for this policy, we present this Bill to Parliament.

The Council will hardly need reminding of the loss suffered by our community because of road accidents. In the eight-year period from 1972 to 1979 the number of those killed on South Australia's roads dropped below 300 only once. In 1972, 312 were killed; in 1973, 329; in 1974, 382; in 1975, 339; in 1976, 307; in 1977, 306; in 1978, 291; and in 1979, 309. Many of our fellow citizens received injuries on the road. In 1972 it was 10 997; in 1973, 12 625; in 1974, 12 725; in 1975, 12 020; in 1976, 11 082; in 1977, 10 781; and in 1978, 11 209 (the last year for which the full year figures are available). There are great costs to society from these accidents, whether we consider the extra demands they place on our hospital and health care facilities, the work and ability lost from the work force, or most of all the personal grief and tragedy caused to those closest to accident victims. The Government would be quite neglectful of its duty if it did not share the community's concern about these things.

It is widely known in the community these days that alcohol plays a particular role in road accidents. For information on this as it occurs in Adelaide we have only to turn to the Adelaide In-Depth Accident Study carried out by the Road Accident Research Unit, Adelaide University.

The study revealed that in at least 28 per cent of the accidents surveyed, one or more of the active participants had been drinking. Of these accidents for which the blood alcohol content levels are known for all active participants, 29 per cent had one or more participants above 0·05, 24 per cent had one or more above 0·08, and 13 per cent had at least one participant above 0·15.

Alcohol involvement in multi-vehicle crashes tended to be at somewhat lower blood alcohol levels than for pedestrian accidents or single vehicle crashes. The survey comments that the single vehicle crash, which in the Adelaide metropolitan area involves a collision with a parked car or with a utility pole or tree at the roadside, can be characterised as the intoxicated driver's accident. Fifty-five per cent of the drivers in these single vehicle crashes had a blood alcohol content level above 0·05, 50 per cent above 0·08 and 33 per cent above 0·15. These accidents tend to occur late at night, at times when drivers are most likely to have been drinking.

Because a collision with a utility pole or tree is often very severe even at normal traffic speeds in the metropolitan area, these drivers and their passengers are often very badly injured and so a close association is found between the severity of the crash measured in terms of the injuries sustained by the persons involved and the blood alcohol content level of the driver.

In the light of this situation and the increasing community awareness of it, the Government has decided to alter the law relating to breath testing in the way proposed in this legislation.

There are two major aspects to the Bill. One is to insert a clause allowing a police officer to require an alcotest from anyone committing an offence against the Act of which driving a motor vehicle is an element. At present there is a list of prescribed offences against the Act the committal of which makes the offender liable to submit to an alcotest. This amendment will both simplify and widen the impact of this part of the Act. This is not in any real sense random testing since it relates only to drivers who have drawn attention to themselves by the nature of their driving.

The second aspect of the Bill is to allow the possibility of a somewhat wider form of breath testing than has hitherto been possible. The Chief Secretary will be empowered to authorise the police on specific occasions, at specific locations, to require any person driving a motor vehicle to submit to testing. The Bill spells out the safeguards attached to this procedure. This is clearly not a completely random form of testing, but is a selective testing, that the Government believes will help in deterring drink-driving and therefore will save lives. The time involved for innocent drivers will be small, and the procedures will not be onerous and oppressive.

Members will be aware that Victoria has had a form of random breath testing since 1976, although I stress that this Bill is by no means along the same lines, and is rather restricted in its scope compared with the Victorian legislation. Despite the differences, it is instructive to look at the Victorian experience, for it does indicate the potential value of widening the impact of breath testing. Overall, there has been a drop in the number killed on Victorian roads from 954 in 1977 to 869 in 1978 and 843 in 1979; and I believe that breath testing has played its part in this. In particular, during October to December 1978 there was an intensified operation of testing on Thursday, Friday and Saturday nights around Melbourne, and the results of this are significant.

During this seven-week period there was a 50 per cent reduction in the number of people killed in road accidents in the Melbourne Statistical Division on Thursday, Friday and Saturday nights, compared to the same weeks the year before. There was also a reduction compared with the same nights in the previous seven weeks.

As well, the number of blood alcohol readings above 0·05 (the Victorian limit) calculated in respect of all road accident victims who attended hospital casualty departments in the Melbourne metropolitan area decreased during November and December 1978 compared with the number of such readings calculated in October 1978, whereas in previous years the November and December readings were higher than that for October.

Further, and this is most important, survey work established a significant increase in the community's perceived risk of detection for drink/driving offences from the level measured before breath testing was carried out in this more widespread way.

The Government believes that this legislation will save lives on our roads. I trust that members of this Parliament will not shirk their duty to the community, but will support this Bill, as one part of the Government's programme for road safety, and thereby show their willingness to support determined action to deal with the problem of drink/driving.

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

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 amends section 47a of the principal Act by inserting a definition of "breath test", being either an alcotest or a breath analysis. Clause 4 provides for the enactment of a new section 47da. New section 47da provides that the Commissioner of Police may, with the consent of the Chief Secretary, authorize members of the police force to conduct breath tests. This authorization is, however, limited in its application to motorists using a particular road on a particular day. Subclause (2) requires members of the police force conducting such breath tests to be in uniform. Subclause (3) requires that the breath tests be conducted in such a way as to avoid undue delay and inconvenience being caused to those affected.

Clause 5 amends section 47e of the principal Act which confers upon police officers the power to require alcotests and breath analyses. The clause strikes out paragraph (aa) of subsection (1) and subsection (1a) which confer power to require breath-tests where a member of the police force suspects upon reasonable grounds that a driver has committed certain listed driving offences. Instead the clause provides that that power may be exercised in relation to any offence against Part III of the principal Act of which the driving of a motor vehicle is an element. The clause also provides that a member of the police force may require a driver driving on a road and on a day specified in an authorization under the proposed new section 47da to submit to an alcotest. Where such an alcotest indicates that a driver may have the prescribed concentration of alcohol in his blood, a member of the police force may then, under the clause, require the driver to submit to a breath analysis. If that breath analysis confirms that the prescribed concentration is present in the driver's blood the other relevant provisions of the principal Act apply in the same way as they presently do in relation to a breath analysis conducted pursuant to any other provision.

Clause 6 amends section 47g of the principal Act which is an evidentiary provision relating to breath tests. The clause provides that a certificate purporting to be signed by a police officer to the effect that an alcotest indicated that the prescribed concentration of alcohol may be present in the blood of a person shall constitute proof of that matter in the absence of proof to the contrary. The clause also provides that a certificate purporting to be signed by the Commissioner of Police to the effect that he authorized under proposed new section 47da the conduct of breath tests on a day and on a road specified and that the authorization was approved by the Chief Secretary shall constitute proof of those matters in the absence of proof to the contrary.

The Hon. FRANK BLEVINS secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

SELECT COMMITTEE ON CERTAIN LOCAL GOVERNMENT BOUNDARIES IN THE NORTH OF THE STATE

The Hon. C. M. HILL (Minister of Local Government): I move:

That the Joint Address to His Excellency the Governor as recommended by the Select Committee on Certain Local Government Boundaries in the North of the State in its interim report, and laid upon the table of this Council on 26 March 1980, be agreed to.

Honourable members will recall that, on 13 November 1979, the Legislative Council appointed a Select Committee to prepare an address to His Excellency the Governor praying that:

1. The boundaries of the City of Port Augusta be altered to annex areas of the District Councils of Wilmington, Kanyaka-Quorn and Port Germein, and certain areas presently unincorporated to include the proposed Redcliff petro-chemical project, the airstrip, and the area on the western side of Spencer Gulf.

2. Any other consequential changes be made to the boundaries of adjoining or nearby local authorities.

The Council directed the committee to:

(1) consider the impact of the proposed boundaries on the District Councils of Kanyaka-Quorn and Wilmington, and if it deems necessary recommend they be joined in full or in part with any other district councils, or each other;

(2) take note of the report of the Local Government Advisory Commission (No. 28) 24 July 1979 on recommended boundary changes in the Port Augusta and Redcliff area; and

(3) consider consequential changes to wards, employees of councils, the adjustment of assets and liabilities, and any other related matters deemed necessary by the Select Committee.

Yesterday, I brought down an interim report and tabled the joint address, which I now seek to have passed. So far, the committee has met on 16 occasions. Following its appointment, advertisements were inserted in the daily press here in Adelaide, namely, in the newspapers the *Advertiser,* the *News,* and the *Sunday Mail,* and in the North of the State, in the newspapers the *Transcontinental,* the *Recorder,* and the *Review Times Record.* In addition, an approach was made to various organisations and persons inviting evidence.

The committee's primary responsibility was to prepare the address to His Excellency the Governor praying that the boundaries of the city of Port Augusta be extended. The committee had the associated responsibility of ascertaining whether, due to this change, consequential changes should be made to other councils' boundaries. Some consequential changes to other councils' boundaries have been resolved, but the committee requires further time to consider the position in regard to the boundaries of the District Councils of Hawker and Kanyaka-Quorn. That extra time was sought in this Chamber, and the committee was given time to prepare, in due course, a second report, and that second report will consider the boundaries of the councils of Hawker and Kanyaka-Quorn.

The committee met at Port Augusta, so that interested persons residing in the areas under consideration would have adequate opportunities to give evidence. To assist with its inquiry, the committee requested a report from the Local Government Advisory Commission dealing with consequential changes to wards, employees of councils, the adjustment of assets and liabilities, and other related matters.

The committee, having carefully considered all the evidence, is of the opinion that the boundaries of the city of Port Augusta should be extended to include land at the top and on the western side of Spencer Gulf, which land at the moment is not included in any local government area, and also that the boundaries of Port Augusta should be extended down the eastern side of Spencer Gulf to include what is known as the Redcliff site. Consequential to these changes, it is recommended that the remainder of the District Council of Wilmington will be united with the remainder of the area of the District Council of Port Germein, to form a new council to be known as the District Council of Mount Remarkable. The balance of Kanyaka-Quorn, it is proposed in this report, will remain, for the time being at least, a separate council area. Attached to the report brought down yesterday is a copy of the joint address, and that joint address to His Excellency includes, among other things, the severance of portion of the District Council of Kanyaka-Quorn, that is, the portion known as the township of Stirling North, that will be joined with the new council of Port Augusta. The address nominates a person to be the new councillor for the new Pichi Richi ward of the District Council of Kanyaka-Quorn. The address also recommends the severance of those portions of the councils of Port Germein and Wilmington which are the coastal portions, and which would form the Redcliff site and the associated industrial complex sites.

It recommends that the balance of those two councils be joined, as I said, into a new council to be known as the District Council of Mount Remarkable. It abolishes all wards at the moment in the municipality of Port Augusta and divides Port Augusta into six new wards, and it nominates the new councillors for each of those wards. It determines that, in the new council of Mount Remarkable, there shall be 10 councillors, and it names those councillors. It names the new Chairman and it names the Clerk. Where the District Councils of Wilmington and Port Germein gave evidence—and they gave that evidence jointly—they recommended these same persons to those positions for the first period of the new District Council of Mount Remarkable.

Because of the changes, the committee recommends that during 1980 there shall be no local government elections in the municipality of Port Augusta or the districts of Wilmington, Port Germein or in the Pichi Richi ward of the district of Kanyaka-Quorn. I take this opportunity to thank the members of the Select Committee for the work that they have carried out to date in regard to this matter. The committee comprises the Hon. Mr. Dunford, the Hon. Mr. Bruce, the Hon. Mr. Creedon, the Hon. Mr. Carnie, the Hon. Dr. Ritson, and myself. As I said earlier, a second report dealing with a matter still to be resolved will be brought down in June. I commend the motion to the House.

The Hon. C. W. CREEDON: I have no hesitation in agreeing with the remarks made by the Minister. It is important that honourable members recognise that changes to local government boundaries are desirable, and in some cases most necessary, for the good and stable government of a particular area. In this case, because we are hopeful that the Redcliff project will go ahead in this area, it is much more desirable to confine the whole operation to one council area, therefore avoiding a conflict of interests. In that way we can expect a smooth operation from one council. That is certainly more satisfactory for companies that might be participating in the Redcliff proposal than would be the case if three councils had to be dealt with in order to solve problems.

I do not think that our report will come as any surprise

to those who were witnesses before that committee. Whilst the witnesses put up strong cases for their particular district's point of view, I believe they knew that inevitably Port Augusta's enlargement would be recommended. In fact, witnesses saw the wisdom in this action and that it would benefit the whole State. The witnesses bore no animosity towards the committee over this and, in fact, they were most helpful. Those with inquiring minds who look through the evidence and the annexures to the report will find a great deal of information to occupy their minds.

I am pleased with the co-operative result of the inquiry, although the committee has not yet completed its report, because it will make further recommendations in relation to the remaining section of the District Council of Kanyaka-Quorn. The committee will be taking further evidence in relation to that matter. So far the committee's recommendations are in line with the recommendations put forward by the Local Government Advisory Commission and Dr. McPhail, and the committee thanks them for the assistance and the help they provided in relation to the technical details within the report. I am pleased that the Government has seen fit to proceed with this matter, which was begun by the previous Government.

I was very much in favour of the Royal Commission Report into Local Government Boundaries and more than impressed with its recommendations in the first report, but I was disappointed that the Government did not accept and act on those recommendations. A great deal of work needs to be done on local government boundaries, and this was brought home to me very strongly in the evidence the committee received from some of the very small councils. The enthusiasm of those persons involved in local government is very strong, but all the enthusiasm in the world will not replace money and equipment. I can only hope that there will be more action by the Government similar to this. Several local government areas are severely handicapped because of their restricted boundaries. While I favour an overall approach on a State-wide basis, I concede that the work of the committee in relation to certain local government boundaries is better than no action at all.

The Hon. J. A. CARNIE: I rise briefly to support the motion that has been moved by the Hon. Mr. Hill. I would also like to endorse the remarks made by the Hon. Mr. Hill and the Hon. Mr. Creedon about the spirit of co-operation that existed on the Select Committee. As has been said, the committee visited Port Augusta to enable those councils affected by the proposed change and individual members of those communities to give evidence. Some very worthwhile evidence was given, and in most cases the witnesses were in almost complete agreement. I gained the view that, irrespective of whether the Redcliff plant proceeds, it was necessary to change the local government boundaries in that area.

Over the years Stirling North has developed a greater community of interest and affinity with Port Augusta than with either Kanyaka-Quorn or Wilmington. There again there was an anomaly in the fact that the town of Stirling was split between the District Councils of Kanyaka-Quorn and Wilmington. Services required in Stirling and work that needed to be done there seemed to be beyond the resources of either of those two district councils. Therefore, I believe that it was necessary that the hundred of Davenport be annexed into the Corporation of Port Augusta, irrespective of whether Redcliff goes ahead.

On the other side of the gulf the committee was faced with the problem in relation to shacks and the airstrip; both of these areas are outside local government areas altogether. I believe it would be an advantage for these areas to come within a local government area. As a result of the committee's recommendations, the District Councils of Port Germein, Wilmington and Kanyaka-Quorn have all lost some portion of their council areas. Consequently, a significant amount of rate revenue has been lost, raising the question whether the remaining areas of those councils were indeed viable.

The District Councils of Port Germein and Wilmington gave very detailed submissions to the committee that led to an amalgamation between those two councils. As has already been stated, the question still remains as to what should happen to Kanyaka-Quorn and Hawker, and that is why this report is being brought down in two parts. In conclusion, I stress the complete spirit of co-operation by the witnesses and between members of the committee. The report that has been adopted had the unanimous support of members of the committee. I support the motion.

The Hon. G. L. BRUCE: I rise very briefly to support the report given by the Minister, and the remarks made by honourable members opposite and on this side of the Chamber. This was the first Select Committee of which I have been a member, and I found it a very worthwhile experience. This committee took me away from the dry dust of papers into the human sphere, which is what I believe Parliament is all about. This fact can be borne out if honourable members look through the evidence and see the many people who gave evidence.

I commend the witnesses who gave evidence and the Chairman of the committee for his chairmanship. The Chairman, the Hon. Mr. Hill, made all the expertise of his department available to the committee. At all times the evidence given by the witnesses was frank and forthright. While this report may not please people in all areas, I believe it is the best that could be done under the circumstances. I am sure that in the long term the report will prove to be of benefit to the people of this area. I commend the report to honourable members.

Motion carried.

The Hon. C. M. HILL: I move:

That a message be sent to the House of Assembly transmitting the resolution and requesting its concurrence thereto.

Motion carried.

SUPERANNUATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 March. Page 1693.)

The Hon. ANNE LEVY: I support this Bill, which does two main things to help contributors in the Public Service superannuation scheme. It increases the pensions of those who retire between the ages of 55 and 60, and it also increases the pensions of those who retire at the ages of 60 to 65 but who are older than the minimum age when joining the scheme. In other words, we can say that it is a Bill that will encourage early retirement. This surely is a good thing, provided that such early retirement is entirely voluntary and that no pressure or coercion is applied. This Bill would be a disastrous measure if it was coupled with measures such as the recent Commonwealth legislation whereby early retirement is being forced on an individual by the Federal Government. However, that is not the case in South Australia. It has been said that for too many Australians retirement means retiring into poverty. As early retirement means a smaller pension, an increase in early retirement could mean a larger number of people

eking out a larger proportion of their lives in poverty. Provided that early retirement remains voluntary and completely freely chosen, it is to be commended as allowing people a choice as to their activities for the latter part of their lives.

Early retirement from the Public Service, however, needs to be considered more than just in the context of the benefits to individuals. We sincerly hope the Government will not make use of early retirement to decrease the number of public servants. Owing to staff ceilings, these public servants are already strained to the limit in the work that they do. We can all quote cases of letters unanswered and so on, cases that are too common already. A decline in numbers would be disastrous in terms of the services to the people of this State. On the contrary, early retirement or increased early retirement should lead to increased employment opportunities, particularly for young people amongst whom unemployment is so severe and disastrous. We would certainly like assurances from the Minister that any increases in early retirement as a result of this Bill will not be used by the Government to run down the Public Service but will be used to increase employment opportunities for young people.

The proposals regarding increased pensions for early retirement will, of course, cost the Superannuation Fund money. We are also told that new regulations to be introduced will mean that cost-of-living supplements to pensioners will no longer be entirely borne by the Government but that 5 per cent of such cost is to be borne by the Superannuation Fund. While it is certainly nice to hear that in toto the three proposals will not cost the taxpayer any more than at present, it does depend on the fund being able to meet increased costs itself.

I understand that these three recommendations arise from the Public Actuary and so, no doubt, will have been shown to be actuarily sound. As one of the trustees of the Superannuation Fund, the Public Actuary would have carefully considered the actuarial implications of recommendations. I trust that he is sure that there will be no dire consequences of increased pay-outs from the fund. As a trustee, he must consider the interests of members of the scheme. A proposal which would have a deleterious effect on the fund and which would be detrimental to the future interest of members cannot be entertained by a trustee, however desirable it may be to save the Government money. However, in this case we can, I hope, rest assured that the fund will be able to meet pay-outs comfortably, and that the fund is not mortgaging its future.

It is no doubt hard to estimate the total financial implications of these proposals to the Superannuation Fund, as it depends on the number of early retirements which would occur. I note in *Hansard,* in another place, that currently about 100 early retirements occur each year, but the number can be expected to rise as a result of this Bill. I would be interested to hear, if the Minister can tell us, just how large an increase may be expected. The Public Actuary must have used some figure in doing calculations to see whether the fund could cope with the increase without detriment. We would be interested to hear his estimate (or guesstimate), even if the Government has no official expectations as to the increased numbers.

As detailed in the second reading explanation, the Bill also makes several other minor amendments. It seems perfectly reasonable that the fund should bear its own administrative costs. A superannuation fund of which I am a trustee certainly does this, as do all other superannuation funds. I hope that these costs can be kept as low as possible.

I ask the Minister whether he has any information as to the total administrative cost of the Superannuation Fund at present. He should have, as until now the administrative costs have been borne by the Government. The administrative costs, as a proportion of cash flow to the fund, are a measure of its efficiency and the efficiency of its board of management. In the interest of all the members of this scheme, this information should be available to them.

Another minor amendment relates to the Public Actuary and the Under Treasurer not necessarily being members of the investment trust but being able to nominate someone to take their place. An amendment to this clause from the Opposition in another place was accepted by the Government, thereby ensuring that such nominees were public servants themselves and not outside persons whose occupations might have resulted in a conflict of interest with their role of trustee of the fund. We are glad to know that the intention of the Government is that such nominees should be the deputies of the officers concerned, should the need arise. We are satisfied that the interests of members would be well protected by this measure.

An important clause in the Bill is clause 5, in which allowance is made for State taxes, rates and imposts to be paid by the trust, should appropriate regulations be made to this effect. We appreciate that this is a bargaining point with the Commonwealth Government, as the State has lost more than $100 000 a year as the result of an act of the Federal Government two years ago which removed the Commonwealth Superannuation Fund from liability to State taxes unless regulations were made specifically stipulating such liability. Obviously, the Treasurer hopes to negotiate with the Federal Government on a *quid pro quo* basis. If the State Superannuation Fund is to be liable for certain rates and taxes, it is hoped that the Commonwealth Superannuation Fund will be bound to pay the same rates and taxes. We would like an assurance from the Minister that the State Superannuation Fund will not have those charges imposed unless the Commonwealth Superannuation Fund has them imposed also. By this I mean that the Government will not attempt to recoup from the State Superannuation Fund what it has lost from the Commonwealth Superannuation Fund and that, until the Commonwealth Government draws up appropriate regulations, no State regulations will be made in this regard. I would also like the Minister to tell us whether Parliament can be kept informed on this matter and notified when negotiations with the Commonwealth have been concluded and what the outcome will be. I hope the Minister will give assurances on that matter as well.

In conclusion, I can say that the Opposition supports this Bill as being fair to all concerned. In supporting it, however, we realise that its benefits are to State Government employees only. It in no way diminishes our desire to see the benefits of superannuation schemes extended to all members of the community. Only a national superannuation scheme, as proposed by the Labor Party, can achieve this. We hope that before long such a scheme can be implemented, to the benefit of all Australians, by a national Labor Government.

The Hon. M. B. CAMERON secured the adjournment of the debate.

BOATING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 March. Page 1693.)

The Hon. FRANK BLEVINS: The Opposition supports the second reading of this Bill. The Bill seeks to permit the

Director of Marine and Harbors to declare parts of certain waterways zones so that only certain activities can take place in the prescribed areas. The reasons for this are perfectly obvious and require no more than the briefest explanation from me. The fact is that power boating and swimming can be a deadly combination. We have all read in the press of some of the tragic accidents that have occurred when a swimmer has been hit by a power boat.

Several deaths have occurred, quite needlessly in my opinion, and this legislation will go some way to prevent accidents such as these taking place. I say "some way", because we unfortunately cannot legislate against some people's ignorance and stupidity, and I am sure that some accidents will still occur on waterways. But hopefully not so many and with much less drastic consequences. This small but very necessary Bill is one good thing to come out of the present Government's inability to think of anything for the Parliament to do. Obviously, what is happening is that departments are being asked to dredge up any minor proposals for legislation that they have lying around so that the Government can give an appearance, to the casual observer, of having a Legislative programme of sorts. Consequently, since this Government came into office, Parliament has virtually dealt with nothing other than what is described as rats and mice.

However, as I said, this small Bill is of vital importance to the citizens of the State who use our waterways, and the Opposition is happy to support it through to the Committee stage. As we are not happy with the powers given to the Director under clause 5 of the Bill, I will move an amendment to put the powers where they belong—with the Minister rather than with the Director. With those few remarks and reservations, I wish this Bill a safe and speedy voyage through the House.

The Hon. C. M. HILL (Minister of Local Government): I thank the Hon. Mr. Blevins for his support in the second reading stage and for his contribution. He raised no matters that need a reply at this stage.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Regulations."

The Hon. FRANK BLEVINS: I move:

Page 2, line 4—Leave out "Director" and insert "Minister".

Whilst the Opposition has every confidence in the ability of public servants to do their job, there seems to be no reason why a public servant should be given powers that should properly reside with the Minister. The Opposition believes that, whilst this Bill is small, it is very important, since it is designed to save lives. In doing that, the Bill restricts the right of people to use the waterways as they think fit. I suspect that the Hon. Dr. Ritson may speak about this Bill, because he made some remarks in his maiden speech about the legislation and the regulations involved—all the regulations, as he put it.

Whilst I do not say that a public servant, in this case the Director, would be irresponsible in exercising the power the Bill seeks to give him, as a matter of principle, the final responsibility in matters as important as these should lie with the Minister. The Minister should not be stopped from exercising his discretion and delegating the day-to-day exercise of power to his Director if he thinks fit, but the ultimate responsibility should lie with the Minister. Wherever possible, it is important (and I would not like to see many exceptions made) that Parliament maintains the principle that power is granted in the first instance only to the Minister who has the responsibility for various Bills passed by this Parliament, because the Minister, not a public servant, is elected by the people and it is to the people that the Minister should answer for his stewardship. The Minister should not be able to say that the Act does not give him power to make certain decisions that might have been wrongly made; this power should not lie with a public servant. I hope that the Minister accepts his responsibility and agrees to this small but important amendment.

The Hon. K. L. MILNE: I support the amendment, because it is sensible. Admittedly, the Minister has powers of delegation, which he will obviously use at times, but this amendment puts the responsibility fairly and squarely with the Minister, as is only right.

The Hon. C. M. HILL: I admit that, on the point of principle that has been expressed by the Hon. Mr. Blevins, there is a strong case for this change to the Bill. However, the Government is concerned more with the practicalities of the situation and the need for machinery in this instance that will enable quick decisions to be made in regard to changes to zoning of waterways. Quick decisions must be made with regard to consultation with councils. It is intended to consult with councils regarding the setting and the variation of zones.

It must be admitted that there would be a considerable reduction in paperwork if the Bill was carried in its present form. I point out that there is a check to the Director and his actions, in case honourable members have any fears regarding this aspect of the Bill, since the Director is required to operate within the regulations that will be promulgated. Those are the reasons for the Bill's present form, and the Government believes that this form will provide the best possible machinery in this instance.

The Hon. FRANK BLEVINS: I suggest that the few practical difficulties outlined by the Minister are minor in comparison with the important principle involved. Therefore, I urge the Committee to support my amendment.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

MOTOR VEHICLES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 March. Page 1704.)

The Hon. R. C. DeGARIS: I do not wish to speak at length on this Bill, which doubtless reflects a decision that will have the general approval of the Council. In introducing the Bill the Attorney-General explained that it introduces a probationary licence system for South Australia. He explained that other States in Australia had such a system of probationary licensing. South Australia also has a points demerit system that other States do not necessarily follow. I do not know how many States have a points demerit system, or whether any of them have it at all, but I do know that it does not apply in a number of States.

South Australia is now establishing another system on top of that to create probationary licences. No evidence is available from any source to show that the system of probationary licences adopted in other States has had any effect on the accident rate or the driving habits of those communities.

The Hon. Frank Blevins: You've been reading my second reading speech.

The Hon. R. C. DeGARIS: I did not even know that the honourable member made one. If he had advised me, I would certainly have been in the Chamber to listen if he had been speaking.

The Hon. Anne Levy: Don't you read *Hansard*?

The Hon. R. C. DeGARIS: Yes, but never the pulls, because they are not corrected. Parliament must be conscious of the public reaction to a continuous stream of regulations which, on examination, do not do much to attack or solve the real problems involved. There are several aspects of this Bill upon which I would like to comment.

The first one is that probationary licences will apply to two entirely different types of person. In the first category those graduating from a learner's permit to a probationary licence are provided for, and the second group includes those who have known bad driving habits and who have convictions. Both groups will have to carry P plates.

I have doubts about a system that demands that drivers carry a plate, especially as in that category there would be two entirely different types of driver. The P plate driver who was formerly a learner with no convictions will be on the road. There is a certain reaction by other drivers who see a P plate and who question whether that driver is a driver who has come through the learning system and is now on his way to a full licence, or whether he has a bad record as a driver.

Although one must not criticise the police in this instance (I am certainly not doing that), any person who sees a P plate will have a reaction against that driver for the simple reason that a P plate is attached to the car. People may be affected by this reaction, although they may have no convictions at all. The police and other drivers show sympathy for a driver with an L plate, but there will be no sympathetic treatment for drivers carrying a P plate.

It is hard for the Council to justify these two categories of drivers both with the same brand placed on them. Also, I do not think it is very reasonable to place on the roads people who have to drive at a speed below 80 km/h. Any examination of surveys based on the study of accident statistics shows strong opinion (and this is uniform in many parts of the world) in respect of roads on which drivers must maintain a minimum speed.

The Hon. Frank Blevins: One can be booked in the United States for failing to maintain that speed.

The Hon. R. C. DeGARIS: Yes, statistics show that on roads where fixed speed restrictions apply the accident rate is much lower than on roads where varying speeds apply. Therefore, I believe this Council should look carefully at requiring different speeds for different drivers on major highways and freeways.

Presently a learner-driver can drive at 110 km/h, yet suddenly a probationary driver will be restricted to 80 km/h. As I said, we have learner permits and a points demerit system already. The L plate driver is a new driver, and the permit requires certain undertakings; in carrying an L plate a licensed driver shall accompany the L plate driver. Presently, there is no restriction on the speed at which an L plate driver can drive, none whatever.

The Hon. Frank Blevins: This Bill does it.

The Hon. R. C. DeGARIS: The Bill does not do it, and I will come to that point. However, there is no restriction of speed at the present time with an L plate driver. It may be argued, as the Hon. Mr. Blevins has indicated, that the Bill allows for regulations to be gazetted to reduce L plate drivers to 80 km/h, but there is nothing about that in the Bill, nor has any statement been made to indicate that that will be the position. The Hon. Mr. Blevins would agree with that.

The Hon. Frank Blevins: It is stated in the second reading explanation that that is the intention.

The Hon. R. C. DeGARIS: New section 81b (1) provides, in part:

> For the purposes of this section, "probationary conditions"—
>
> *(a)* in relation to a learner's permit, means such of the prescribed conditions to which learner's permits are generally subject as are designated as probationary conditions by the regulations;

One could say that that should give the Government power to reduce the speed for L drivers to 80 km/h, but I am not certain that it does. Up until the present time, there has been no speed limit for learner drivers, and this Bill may give the Government power to make regulations to restrict that speed to 80 km/h. I do not know of any evidence at present to indicate that learner drivers, under the present system of 110 km/h, have an extremely bad accident record. I do not know what statistics are available, but I suggest that drivers using L plates have a relatively good driving record in South Australia.

Section 82 of the Act provides that the Registrar shall, upon the recommendation of the consultative committee, refuse to issue or renew a learner's permit, or cancel the learner's permit of any person who has been convicted of driving a motor vehicle whilst so much under the influence of intoxicating liquor as to be incapable of exercising effective control, or who has been convicted of driving a motor vehicle recklessly, or at a speed or in a manner dangerous to the public. Under the provisions of this Bill, a very minor offence could be the means of cancellation of a probationary licence. A driver may have gone through a learner's permit period and, at the end of the probationary period, quite a minor offence will cause the cancellation of the probationary licence. The Bill provides for an appeal to the court.

The Hon. Frank Blevins: That's pretty arduous.

The Hon. R. C. DeGARIS: I think it is an arduous course to pursue. I ask the Council to consider the matters I have raised, because I believe they should concern us. We must be careful about continuing with further regulations in this matter unless we are certain that those regulations will have some effect on the driving habits of people in the community. All that I have read on this matter does not provide any evidence—and that does not say it is not effective—to suggest that this system of probationary licensing has very much effect at all on people's driving habits. I support the second reading.

The Hon. M. B. CAMERON: I support the Bill. I suppose there are plenty of people who can recall a time when one could obtain a driver's licence without being able to drive, and they wonder why we cannot do the same thing now.

The Hon. Frank Blevins: Some of us are not that old.

The Hon. M. B. CAMERON: Quite right. I can recall having to teach four sisters to drive; one sister had a driver's licence for three years before she got around to learn. I am sure none of us wants to go back to that. We have a different situation today. Cars are more powerful, traffic volumes are greater, and people learning to drive tend to be more aggressive; there is no-one in this Chamber who will not have experienced the aggressiveness of drivers of all ages.

I am concerned especially about the older people in the community. I do not wish to reflect on them as a group, but I am sure all members in this Chamber would have observed the difficulty of many members of the older generation in maintaining traffic lanes, in moving forward along the road, and in having regard to other traffic around them. I have had a couple of experiences in the past few days that have led me to think that we should have some sort of identification for older drivers to give us some opportunity of keeping out of their way.

I agree with the Hon. Mr. DeGaris that there are problems with people who fail to maintain a reasonable speed on the road. I travel on the freeway, and I find it most annoying to have two cars, travelling at slow speeds, alongside one another—

The Hon. Frank Blevins: One in the wrong lane!

The Hon. M. B. CAMERON: Yes. It drives me up the wall when I am trying to get somewhere.

The Hon. Frank Blevins: I keep asking the Minister to change that, and he won't.

The Hon. M. B. CAMERON: There must be difficulties, otherwise the previous Minister would have done it.

The Hon. M. B. Dawkins: They had nine years.

The Hon. M. B. CAMERON: Yes. There should be greater education of people using the roads. If this Bill is passed, I believe there should be greater emphasis on the fact that, where people use P plates, and where they are restricted—and I agree that that should be the case—they should be courteous to others on the road, allowing them to carry on at a reasonable speed. I do not think there will be as many hold-ups as there are, perhaps, with some of the people who seem to saunter deliberately along the road at a speed lower than 80 km/h, in conditions where that speed is quite absurd.

Perhaps we should look at the American situation, where slow speeds lead to convictions. I recall meeting, in America, a man who was very sore because he had been picked up twice in one day on the one highway—once for going too slow, and once for speeding. He thought that unfair. He was trying to do the right thing.

The Hon. J. E. Dunford: Where was that?

The Hon. M. B. CAMERON: In Colorado.

The Hon. J. E. Dunford: How long were you there?

The Hon. M. B. CAMERON: Only a short time.

The Hon. J. E. Dunford: What were you doing?

The Hon. M. B. CAMERON: I was studying. Do you know what that means?

The Hon. J. E. Dunford: Uranium?

The Hon. M. B. CAMERON: No, agriculture. We did not have the benefits of uranium in those days. In my view, this Bill is a step forward for South Australia. I know that some people will have doubts about it, but in this State people can obtain a driver's licence at an age earlier than that obtaining in the other States, so already they are at an advantage, and I do not think it is unfair to ask them to go through a training period during which time they are restricted.

The Hon. Frank Blevins: That's what the L plate is for.

The Hon. M. B. CAMERON: In my view, that is not sufficient. I believe that driving today requires greater skill than in previous days, and a longer period of learning. There has been some indication that there is no evidence that people in the younger age brackets are more dangerous than are people who have been driving for some time, but perhaps the best evidence is the commercial evidence. Insurance rates for car owners under the age of 24 years attract loaded premiums on an age basis. The reason for that must be quite clear; these people are liable to a greater accident rate.

The Hon. Frank Blevins: There is nothing about age in the Bill.

The Hon. M. B. CAMERON: No, there is nothing about age, but age is a reflection of driving experience. I believe that commercial evidence is sufficient to show that a restriction is needed on people when they are first learning to drive. I hesitate to be too critical, but in many cases I believe the driving of most young people is very poor. For quite some time I have been disturbed at the lack of concern shown by young people whilst driving on the roads. I do not believe that young people have the same degree of responsibility as experienced drivers. Young people need some practical demonstration of driving before they begin to realise that the road is a dangerous place if drivers do not take care.

Many young people have told me that once they no longer use L plates experienced drivers show a totally different attitude towards them. In fact, experienced drivers do show concern for drivers who use L plates. Therefore, I believe the identification of inexperienced drivers is important. If the L period is extended, we will be giving young drivers more time to gather some experience on the roads, which will help them in the long term.

The road is a dangerous place, which leads to a great deal of unnecessary loss of life and injury. Recently I visited the Spinal Unit of the Royal Adelaide Hospital, which is a very depressing place indeed. The results of bad driving can be seen at that place. If this Bill has no good effect after its introduction, I suppose its opponents will say that it was a waste of time. However, I believe it is worth giving the community an opportunity to try out the measure outlined in this Bill to see whether it does lead to a reduction in the road toll and a greater degree of consideration by young people towards other drivers on the road. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

In Committee.

(Continued from 25 March. Page 1617.)

Clause 2—"Commencement."

The Hon. J. R. CORNWALL: I have received an undertaking from the Minister handling this Bill that some debate may proceed today. However, I make it clear that whenever we conclude today, I propose that the debate be further adjourned until next Tuesday, because the Opposition intends to put a series of further amendments to the Council which have only just been received from the Parliamentary Counsel. I have not yet had an opportunity to consider the amendments to see whether they achieve what the Opposition hopes they will do. These further amendments are necessary because the Opposition is still far from happy with the Government's substantial amendments introduced the other day. Those amendments are substantial in the number of words they contain, but the Opposition does not believe they are substantial in what they do.

The Opposition's proposal to introduce further amendments follows a period of very intense consultation with a widely representative number of groups in the community during the last 48 hours. Last night the Opposition held a meeting attended by Mr. Bannon, the Hon. Mr. Sumner and myself. That meeting was a very representative gathering of a very large number of people and groups who have a very keen interest in the present retail planning crisis. The groups represented at that meeting included: the Federated Chambers of Commerce of South Australia, the South Australian Residents and Traders Action Group, Mr. Bob Gregory of the United Trades and Labor Council, the firm of Collier, Duncan and Cook Pty. Ltd., the Local Government Association, which had three executive members present, the Consumer Association of South Australia, representatives from the South Road Traders Association, Blackwood Action Committee, Blackwood Residents, Mr. Gallagher and Mr. Paddick from the South Australian Mixed Business Association, a representative from the Burnside

Residents Group, a representative from the Bridgewater Residents Group, the Hahndorf Residents Group, the Glenelg Traders Association, the Port Adelaide Traders Association, the Norwood Parade Traders Association, the Oaklands Estate Residents, Torrensville Traders, a representative from the Bread Carters Industrial Federation of Australia, and the Port Road Traders Association.

I am sure that all members will agree that this meeting was very highly representative of all groups in the community right across the spectrum. This meeting was in line with the type of thing the Labor Party did when in Government and intends to continue to do not as the Opposition but, looking at it more positively and constructively, as the alternative Government. It is a great pity that the Government has not seen fit to involve itself in this type of consultation in this and many other matters.

As I said the other day (and it will do no harm to repeat) this has been a matter of grave concern in the community for several months. It has been a matter of public controversy and has caused wide alarm in the community. It has become quite obvious that we are in a crisis situation. In those circumstances, it seems amazing that the Government has not seen fit before now to consult with everyone affected. If there is one lesson the Government must learn from this series of events, it is that in future, if it hopes to function as an effective Government, it must never introduce legislation to this Parliament without going through the processes of consultation. With respect to the Bill and the substantial amendments—in fact, the new Bill—I can reach only one of two conclusions. It would seem that the whole matter has been handled with incredible ineptitude. Alternatively (and I hope that this is not the case), it is possible that the Government has tried to make the community, particularly people widely interested in this matter, victims of a rather shallow confidence trick. I was distressed to hear today, during Question Time, that the Minister has indicated that the Government would sooner lose the Bill than accept reasonable amendments. I hope that that is not the case, but there is widespread speculation abroad that in fact the Government may be hoping that it can use this as a tactic. I do not want to be inflammatory in this matter in any way. However, if that is the line that is going to be taken it would be a great shame.

We have a crisis in the community and it surely behoves the Government to take action and not to involve itself in something which would not only be, but also would be seen to be, a cheap tactic to try to reject all of the amendments and, in doing so, throw out the Bill and throw all the odium on the Opposition. We are not opposing the amendments for the sake of opposing them. We have been through the processes of consultation. We have led debate on this matter in the community for more than three months and we are anxious to see it resolved.

I was also very alarmed during Question Time today to hear the Minister unequivocally confirm that, under the original Bill and indeed under the proposed Government amendments, everything that is currently in the pipeline will proceed. We have had a very clear indication from all these people right across the board that that is unsatisfactory. They insist there must be a stay in the processing of applications. I was also very alarmed to hear the Minister confirm that under the new Bill or proposed Government amendments there is no doubt that rezoning applications can proceed. In fact, the measure which is before us is not worth the paper that it is written on.

I shall illustrate this with the matter of rezoning requirements. The question of Myer and its proposal to build a large shopping complex at Salisbury has been a matter of contention for some time, particularly in the last few days. The position is, and of course will be if the Government legislation is passed, that nothing will be done to stop Myer from proceeding with the rezoning. During the currency of these so-called interim measures, nothing will stop Myer proceeding and going through all the motions of having that area rezoned. This is a fairly lengthy process. It is a very large project and may have a lead time of a couple of years. Therefore, it would not be holding up the Myer application at all in practice. Myer could go through all the requirements for rezoning as at 1 January 1981 and the whole shopping centre business would proceed. In fact, what the amendments purport to do superficially will not happen at all.

The Opposition is also quite alarmed that we do not have available sufficient information on which to base rational retail planning discussions. We have said that consistently. I repeat it, and it was echoed by all present at the meeting last night. It has been said consistently by senior people in the Department of Urban and Regional Affairs. They do not want to be involved in any way with assessing the profitability and long-term viability of proposals. They admit that they do not have the mechanics by which they can do this. Local government quite clearly admitted that it does not have the mechanics or personnel to do this. In the circumstances, it is going to be absolutely imperative that some sort of technical advisory committee be set up and, unlike the Environmental Protection Council, it will be imperative that it will be an expert working committee. That will be one of the major amendments which we will be proposing to write into the legislation. There are several areas of considerable moment that I do not propose to canvass at this time. It would be more appropriate to wait until the amendments are before the Council. However, we do propose in essence that a genuine stay on development be imposed on areas outside shopping zones until 31 December and that a genuine stay on developments and the processing of applications in both cases apply to areas in shopping zones. Also, as a natural development, a Government sponsored technical advisory committee should be appointed.

We will have provision in the amendments for specific exemptions for cases of special merit and it will be proposed that a technical advisory committee advise the Minister on the applications, and, as a matter of urgency, its first task over the next six months would be to collect the sort of data that the Government does not have at its disposal at the moment. This sort of information is not available in South Australia. Until recently it was not available in Victoria and many other States. This is one of the reasons why we have managed to get into such an enormous bind over this shopping centre crisis. I refer to the report prepared for the Town and Country Planning Board in Victoria by Professor Reginald Golledge of the University of California at Santa Barbara.

The report consists of three volumes and is substantial; it makes quite clear that if one looks at world literature, certain guidelines and procedures are available to the Government, provided it takes a little time to collect the necessary information. The first volume of the report states, in part:

> While recognising that there is considerable variation between the problems of the metropolitan area and the balance of the State, any policy developed should be based on principles that can be applied to the State as a whole.

Further amendments will take this fact into account. The report continues:

> To develop and maintain policy there must be avenues for information to be fed into the policy making level by advisory committees . . .

That will also be taken into account. It states further:

> Considerable attention should be given to the energy implications of new developments.

That was said consistently. It further states:

> New retailing developments should be integrated with complementary land use, particularly existing and future transportation plans.

The Government has the mechanism with which to take this into account. Consistent with what the Opposition and the people of this State believe, it is further stated:

> The most preferred developments will be those that reduce energy consumption, reduce unemployment, develop and maintain jobs for local workers, maintain or improve environmental quality, and are highly preferred by potential customers . . . New shopping centre developments must be evaluated in the context of the broad locational and competitive picture.

That is consistent with what the Opposition has said for some months. It is further stated:

> It is not the aim of the policy to prevent competition between retailers or to protect existing subsets of the retailing industry. Exceptions to this position may occur if substantial negative impacts on communities are seen, or where significant conditions of social welfare or social justice dictate intervention.

The Opposition has stated that consistently, and the Government has consistently denied that it should be done. This report was prepared for the Victorian Liberal Government—I cannot stress that too much. The report continues:

> It should be a matter of planning policy to assist in keeping the supply and demand for various retailing facilities in reasonable balance. This balance should be determined with respect to the magnitude of social justice and community welfare ideals. Balance between supply and demand should be evaluated by examining the potential impacts of new developments on existing centres.

That is precisely what the Opposition has said for months, and the Government has consistently denied that it has clung to the market forces philosophy and policy. This is the nub of the question. This can be, and must be, done. There is no question that, if this crisis is to be handled effectively, this matter should be examined. At present, Government propositions do not cover this aspect in any way. The report further states (and I stress that these recommendations were made to the Victorian Liberal Government in a report commissioned by that Government):

> Proposals for the new retail centres should be timely with respect to current economic, demographic and social growth conditions.

In regard to Victoria, but with clear application to the South Australian situation, it is further stated:

> Both in the Melbourne area and in the country towns, the special role of the central business area should be recognised.

That is consistent with what the Opposition has said all along. There is no question about that. This is why one of the proposed amendments will take into account the whole State.

It is not reasonable, in the circumstances, to leave out areas like Mount Gambier; that area has been affected, as have the suburban areas of Adelaide. I illustrate this point further by saying that special attention should be given to towns where new retail development may have serious negative effects on the community function of town centres, as stated in the report. Boundary problems are cited, and this is consistent with what the Opposition believes. It is further stated:

> Regardless of the evaluative powers delegated to local authorities, situations involving two or more jurisdictions (e.g., boundary problems) must be adjudicated at higher levels of the decision making structure.

That is consistent with what the Opposition has stated. It is extremely important to note that the report further states:

> Citizen participation in the planning process should be encouraged.

The Opposition's proposed amendments will take that into account.

The Hon. J. C. Burdett: What about the DURA discussions; haven't we done that?

The Hon. J. R. CORNWALL: Of course not.

The Hon. J. C. Burdett: Of course we have.

The Hon. J. R. CORNWALL: The Minister does not comprehend the measure now before the Council if he says that. I want to remain cool, calm and collected; the Minister will not inflame me in any way. The Opposition has consistently stated, and community groups agree, that the guidelines and the terms of reference of the DURA report, to which the Minister referred, are totally inadequate. That report does not refer to economic viability, long-term viability, or profitability.

The Hon. J. C. Burdett: This is planning.

The Hon. J. R. CORNWALL: I wish the Minister would not inflame me because I am a very mild-mannered fellow and I do not want to become upset. I suggest that the Minister's ignorance in this matter is vast.

The Hon. J. C. Burdett: It is planning.

The Hon. J. R. CORNWALL: I have before me a three-volume report prepared for the Town and Country Planning Board in Victoria by Professor Golledge, a world authority on this matter. The Victorian Liberal Government has been in office for a generation. Members of that Government have had vast experience. It does not always take good decisions administratively, but in this matter the Government was forced to take action because of enormous community pressure that came from a whole range of people, as is the case in South Australia.

It is interesting to note that the prime lobbyists in Victoria were members of the Victorian Chamber of Commerce. It is also interesting to reflect on who is the Executive Director of the Victorian Chamber of Commerce, the members of which made the biggest noise and quite rightly demanded that the Victorian Government do something. The No. 1 man in making those representations to the Victorian Liberal Government was Mr. John Vial, a former Executive Director of the Liberal Party in South Australia. Mr. Vial was treated very shabbily in the terminal stages of what could have been an outstanding career in South Australia; he is not a man to be taken lightly.

Before I was put off the track by interjection, I was about to say that the Victorian Liberal Government has been in power for 25 years. The members of that Government are not mugs or hicks from the sticks; they are not inexperienced; they recognised a crisis. Despite the fact that there was a Metropolitan Board of Works and a Town and Country Planning Board to process applications, and despite the fact that there was some measure of planning control, the whole business of retail shopping development was getting out of hand.

What did the Victorian Government do? It got Professor Golledge from California to survey the situation. I only wish the Minister would take the trouble to read his report, which is extraordinarily interesting and which contains no fewer than 156 pages of references to the literature available throughout the world on this matter.

The Minister says that there is no need for the Government to be involved in taking decisions concerning the profitability and viability of business. The community

does not see that, and the community will not sit by idly and allow the Government to preside over the economic cannabalism that is implicit in the present policies the Government is pursuing. There has to be a measure of competition; we are not denying that at all, but there has to be some notion of retail planning control. The Government will have to back down eventually to accept that.

The Hon. J. C. Burdett: Why do you say that?

The Hon. J. R. CORNWALL: The Minister of Planning in another place made clear in the debate on this Bill originally that he was not willing and the Government was not willing to accept any measure of retail planning development. That is the Government's consistent line, but it will have to learn, and it will have to do a full 180 degrees turn, because the response in the community has been enormous.

If the Minister watches the campaign, which I am sure these people will mount in the next few days, and if he thinks it has been enormous so far, he will be absolutely dumbfounded by what will be coming up in the next three or four days. People are not doing this because they are mischievous or because they enjoy it.

The Hon. C. M. Hill: I'm not enjoying your speech.

The Hon. J. R. CORNWALL: I can understand why that is so, because the Minister is and always has been a dedicated opponent of planning.

The Hon. J. C. Burdett: Rubbish!

The Hon. J. R. CORNWALL: I point out to the Minister of Community Welfare that much of what I had to say this afternoon has been direct quotes from Professor Golledge. Does the Minister of Community Welfare, a country solicitor with little experience in the planning area, profess to know more than Professor Golledge, a world authority on planning?

The Hon. L. H. Davis: Do you?

The Hon. J. R. CORNWALL: Of course I do not. I would not be stupid enough to suggest that I even know 5 per cent as much about planning as Professor Golledge. But I am smart enough to know when I need to take advice.

The Hon. J. C. Burdett: Is he infallible?

The Hon. J. R. CORNWALL: I am smart enough to know when I should take advice and obtain information. Here we have 155 pages of the world literature on this matter.

The Hon. J. C. Burdett: You can get 400 pages of rubbish any time you want.

The Hon. J. R. CORNWALL: That comment must be recorded in *Hansard*. The Minister has claimed that the three-volume Golledge report is 400 pages of rubbish.

The Hon. J. C. Burdett: I said you could always get 400 pages of rubbish at any time.

The Hon. J. R. CORNWALL: By implication, the Minister is saying that the Golledge report is rubbish. That is the Government's attitude. The Government will not have a bar of retail planning. I am more and more convinced by the way the Minister is carrying on that he will not have it at any price. The Government wants the Opposition to amend the Bill and provide it with a pretext on which it will be able to throw out the Bill.

The Hon. J. C. Burdett: Rubbish!

The Hon. J. R. CORNWALL: There is no question about that. The Minister said it today in Question Time. I think the Minister said that if we attempted to proceed with amendments (and I will check it in *Hansard*) he would rather lose the Bill. In fact, I wrote down his words, and he said he would rather lose the Bill, and that is what he is about. He said that clearly. I need not say much more at this stage. The Opposition will be moving amendments in Committee, and I will speak on those amendments.

The Hon. J. C. BURDETT: I would dearly love to reply now but, because of the constraint of time, I will speak on the matter next week.

Progress reported; Committee to sit again.

STANDING ORDERS COMMITTEE

The House of Assembly informed the Legislative Council that it had appointed Mr. G. M. Gunn to the Standing Orders Committee in place of Mr. F. R. Webster.

ADJOURNMENT

At 4.57 p.m. the Council adjourned until Tuesday 1 April at 2.15 p.m.