HOUSE OF ASSEMBLY

Thursday, March 16, 1978

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

RESIDENTIAL TENANCIES BILL

The Hon. J. D. CORCORAN (Deputy Premier) moved:

That Standing Orders be so far suspended as to enable the sitting of the House to be continued during the conference with the Legislative Council on the Bill.

Mr. TONKIN (Leader of the Opposition): The Deputy Premier was kind enough to communicate with the Deputy Leader and the Opposition Whip and intimate that this action might be taken. Bearing in mind that the conference now taking place is an important one, that it is getting close to the end of the session, and that various members of this Chamber have expressed a desire not to sit on Maundy Thursday, we have agreed to this step being taken. I would point out that the changes to Standing Orders that have occurred in the past have made it possible for conferences to occur at times when the House is not actually sitting.

Mr. Millhouse: That's not so: it's merely a suspension.

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

Mr. TONKIN: Those suspensions of Standing Orders have changed from the time when I can recall we used to sit in this place with the sitting suspended whilst conferences took place. In those circumstances I make quite clear to the Government, if I need to, that I do not believe that this action should be taken as a precedent. The suspension of Standing Orders until now has always been to enable conferences to take place whilst the House has been adjourned and not suspended. As I have outlined, I believe that the course of action can be justified and, therefore, I will not oppose the suspension of Standing Orders. However, I want to make quite clear that this is not to be taken as a precedent. This sort of thing has occurred I think once or possibly twice, but I do believe that the desirable situation is that the House should not be sitting, that is, that the sitting be suspended whilst a conference is in progress.

Mr. MILLHOUSE: Mr. Speaker, I rise on a point of order. I am opposed to this—

The SPEAKER: Order!

The Hon. J. D. CORCORAN: On a point of order, Mr. Speaker. There can be only two speakers on the motion. I moved the motion and saw fit not to speak to it, and the Leader of the Opposition spoke. The point of order is that there is no further speaker allowed in the debate.

Mr. MILLHOUSE: On a point of order, Mr. Speaker. There has been only one speech on this motion.

The SPEAKER: Order! The honourable member will resume his seat. Standing orders say that only two speakers are permitted. The honourable Deputy Premier and the honourable Leader of the Opposition have spoken, so I intend to put the question. The question before the Chair is: "That the motion be agreed to." For the question say "Aye".

Honourable members: Aye.

The SPEAKER: Against "No".

Mr. Millhouse: No!

The SPEAKER: There being a dissenting voice, there must be a division. Ring the bells.

While the division was being held:

The SPEAKER: As there is only one member on the side of the Noes, I declare the motion carried.

Motion carried.

Later:

The Hon. J. D. CORCORAN (Minister of Works) moved:

That Standing Orders be so far suspended as to enable the managers of the conference on the Bill to report the result thereof forthwith at the next sitting of the House.

The DEPUTY SPEAKER: I count the House.

Mr. TONKIN: On a point of order, Sir, I wonder whether you counted the Committee correctly. It seems to me that you missed out one or two members.

The DEPUTY SPEAKER: Although I will not uphold the point of order, I am willing to recount the House for the benefit of honourable members.

Mr. TONKIN: Thank you, Sir.

The DEPUTY SPEAKER: I have counted the House and, there being present an absolute majority of the whole number of members, I accept the motion. For the question say "Aye", against "No". I hear no dissentient voice and, there being present an absolute majority of the whole number of members of the House, the motion for suspension is agreed to.

Motion carried.

ASSENT TO BILLS

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

Apprentices Act Amendment,
Appropriation (No. 1), 1978,
Criminal Law Consolidation Act Amendment (No. 2),
Industrial Safety, Health and Welfare Act Amendment,
Public Service Act Amendment, 1978,
Supply (No. 1).

PETITION: PETROL RESELLERS

Mr. TONKIN presented a petition signed by 88 electors of South Australia, praying that the House would reject any legislation that could cause petrol resellers to trade seven days a week until 9.30 p.m.

Petition received.

PETITION: SUCCESSION DUTIES

Mr. HARRISON presented a petition signed by 42 residents of South Australia, praying that the House would urge the Government to amend the Succession Duties Act so that the position of blood relations sharing a family property enjoy at least the same benefits as those available to other recognised relationships.

Petition received.

PETITION: MINORS BILL

Dr. EASTICK presented a petition signed by 36 residents of South Australia, praying that the House would reject any legislation that deprived parents of their rights and responsibilities in respect of the total health and welfare of their children.

Petition received.

PETITION: CALLINGTON AREA WATER SUPPLY

Mr. WOTTON presented a petition signed by 103 landholders and residents of the districts adjacent to Callington, praying that the House would urge the Government to legislate to provide reticulated water for the area of Callington, Hartley, Woodchester, and near Wistow and Monarto South.

Petition received.

QUESTIONS

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

FREE BOOKS

In reply to **Mr. KLUNDER** (March 2).

The Hon. D. J. HOPGOOD: Applications for free books for the 1978 school year have increased over those for 1977. As at the beginning of March, a total of 12 400 applications had been received and processed. This is 2 300 more than the total received by the same date last year and is also 400 more than the total received for the full 1977 school year. Based on previous experience, I estimate that we could receive up to a further 2 000 applications during the year. The total for 1978 would therefore seem likely to be some 2 400 more than for 1977.

At this stage it is difficult to be precise when attempting to use the available information to provide trends, but two matters seem sufficiently positive to be worthy of note. First, the number of approved secondary students has increased by about 1 300. This would seem to indicate that a higher proportion of these students are remaining at school longer than previously, presumably because of the current employment position. The second point is that applications on the grounds of parental unemployment have doubled. However, the number of these applications is sufficiently low that a sharp increase from a particular area, say, Whyalla, can cause a significant overall percentage increase while not really reflecting the true State-wide position.

Free Book Statistics	3.3.78	17.3.77	Full year to Nov. 1977
Applications Processed	12 402	10 095	11 987
Student Approvals—			
Primary/Junior	15 206	12 507	15 320
Secondary	8 664	7 438	8 327
Special	198	178	224
Area	1 056	848	1 048
Rural	27	29	48
Correspondence	6	6	6
Private	1 896	1 750	1 916
Approved	27 053	22 756	26 799
Non-approved	2 025	2 520	2 623

CITRUS MARKETING

In reply to **Mr. ARNOLD** (March 9).

The Hon. J. D. CORCORAN: The committee of inquiry into citrus marketing in South Australia is at present considering submissions from the industry concerning citrus marketing in this State. Further submissions have been indicated, and the committee will consider these before commencing public hearings in the Riverland and Adelaide. The committee is also waiting for the publication of the interim report of the I.A.C. inquiry into the importation of citrus concentrates into Australia. It is understood that the committee at present intends to begin these hearings in April and continue them into May. A report from the committee is expected some time in the middle of the year, and legislative recommendations will be made available for the industry to comment on when the report is released.

ANSTEY HILL

In reply to **Mrs. BYRNE** (February 28).

The Hon. J. D. CORCORAN: The project is on schedule, with structural work approximately 75 per cent complete. Process testing is due to commence about January, 1979, and the completion date for the project is mid-1979.

RURAL INDUSTRIES ASSISTANCE BRANCH

In reply to **Mr. RODDA** (February 16).

The Hon. J. D. CORCORAN: The Minister of Agriculture informs me that the Rural Assistance Branch, as it will now be known, recognises the need for confidentiality, and appropriate measures to improve the existing position are being planned. The provision of separate interviewing rooms is one option that is being considered.

DROUGHT LOAN APPLICATIONS

In reply to **Mr. BLACKER** (February 15).

The Hon. J. D. CORCORAN: Applications are currently being received at the rate of 60 a week and are being processed to the stage of approval in three to four weeks. In order to provide farmers with some reassurance on their future farming activities, they are notified by telephone immediately their loan is approved or declined. All approved loans are processed as quickly as possible so cheques can be posted. The average time for the arranging of security documents is about one month but those in urgent need have been processed more quickly. The time between the receipt of the application, the approval of the loan, and the actual payment compares well with commercial lending institutions. Farmers were also advised last year to apply for carry-on funds before they exhausted all cash and credit available to them, and a great many have heeded this advice.

SLAUGHTER-HOUSES

In reply to **Mr. VENNING** (February 22).

The Hon. J. D. CORCORAN: The Minister of Agriculture informs me that there are no plans to regionalise country slaughter-houses. The question of hygiene standards has been a matter of concern and is being reviewed. No legislation has been drafted, however.

INTAKES AND STORAGES

In reply to **Mr. BECKER** (March 2).

The Hon. J. D. CORCORAN: The reply is as follows:

Metropolitan Reservoirs	Storage at 6/3/78 Megalitres	Storage at 6/3/77 Megalitres
Mount Bold	12 469	24 372
Happy Valley	10 505	11 014
Myponga	9 753	9 724
Millbrook	13 901	9 477
Kangaroo Creek	3 090	8 825
Hope Valley	2 516	2 662
Thorndon Park	510	517
Barossa	4 159	4 055
South Para	11 253	18 520
	68 156	89 166

Country Reservoirs	Storage at 6/3/78 Megalitres	Storage at 7/3/77 Megalitres
Warren	4 723	4 156
Bundaleer	2 841	2 950
Beetaloo	1 361	2 811
Baroota	1 136	905
Tod River	3 622	4 533
	13 683	15 355

Satisfactory supplies can be maintained for the rest of the season by continued pumping from the Murray River.

CASINO

Mr. TONKIN: In the absence of the Premier, can the Deputy Premier say whether the Government now intends to participate directly in the provision of international hotel facilities in Adelaide, and whether it intends to introduce legislation to allow a casino to be operated in association with such a development? An international hotel has been proposed and promised by the Premier on so many occasions that it has now become a subject of ridicule. Overseas and interstate investors have investigated the Government's propositions, but so far have been unable to make any commitment. The opinion has frequently been advanced that the establishment of such an international hotel could be financially attractive and viable only if operated in conjunction with a casino.

The Hon. J. D. CORCORAN: The Leader will recall that yesterday, when I introduced the South Australian Hotels Commission Bill on the Premier's behalf, I stated that Adelaide was the only city of its size, certainly in Australia if not in the world, that did not have an international hotel. For some time now, the Government has been anxious to see this development take place. It is obvious that, if we are effectively to advance Adelaide as a convention city (and that is being promoted and pursued by us as vigorously as possible at the moment), we must have a hotel of international standing. The Bill currently before the House provides for Government involvement in that matter, if necessary. I make that clear, because it has been suggested that the Bill has been introduced in order to allow the Government to become involved in the Hotel Australia. I make perfectly clear to members that it is not—

Mr. MILLHOUSE: Mr. Speaker, I take a point of order. This Bill is already on the Notice Paper, and the Minister is referring to the Bill and starting to debate those very matters that will be the subject of debate in the House.

The SPEAKER: The Bill is on the Notice Paper. As the honourable Leader has asked a question of the Deputy Premier, I think that I should allow him to answer that question. The honourable Deputy Premier.

The Hon. J. D. CORCORAN: If my memory serves me correctly, the Leader talked about legislation concerning a casino and, in answering the question, I wanted to make an important point: the Government does not intend to become involved in any transactions concerning the Hotel Australia. The Government already has funds invested in this area amounting to, I think, $1 200 000 (that is, the State Bank has already lent the company operating the Hotel Australia more than $1 200 000), but it is the unanimous view of all our advisers that the Government should not become further involved in that operation. However, we should be only too happy to assist in introducing the present owners of the hotel to people who may be interested in purchasing it.

My understanding of the situation (and I make it clear that this is my understanding) is that the Premier has said on a number of occasions that he would not introduce legislation in the House in connection with a casino. I think that one such occasion was when the member for Alexandra proposed that this be done, and he was told by me (certainly acting in concert with the Premier) that, if he desired that, he could introduce the legislation. Legislation was introduced in this House, and it was defeated. The honourable member or any other private member has a perfect right to do that if he wishes, but, so far as I am aware, it is not the Premier's intention to introduce such legislation.

TAILING DAMS

Mr. KENEALLY: Can the Minister of Mines and Energy say what action has been taken to fence the tailing dams of the old uranium treatment plant site at Port Pirie, and whether the tailing dams will be covered with a suitable material? I understand that the Minister has authorised the fencing of these dams, but it is essential that they should be covered with a suitable material. I have a copy of a letter written to the Minister by a concerned resident of Port Pirie who suggests that the Minister may be able to speak to Broken Hill Associated Smelters Proprietary Limited to have the tailing dams covered with slag.

The Hon. HUGH HUDSON: It is planned to fence the area of the old tailing dams, and work should proceed soon. Two officers of the Mines and Energy Department travelled to Port Pirie on Tuesday this week in order to undertake more detailed investigations relating to contours of the area and to ascertain whether the fencing material could be shipped into the site on the old railway line. The covering of the dams is being investigated now. It may be more appropriate to pump sea water into the dams as a means of keeping them relatively wet and preventing any dust from being blown from the area. It might be convenient to dump slag on the site. Also, the possibility is being investigated of ascertaining whether or not it is feasible to grow vegetation in this area. Several times that technique has been adopted overseas to some effect. It involves the use of fresh water over a couple of seasons in order to establish the vegetation, and I understand that this can be achieved. The most appropriate method will be determined by investigation, cost, and in consultation with the experts in this matter. When I can give a further report on this matter, I shall be pleased to give it to the honourable member.

CASINO

Mr. GOLDSWORTHY: Can the Deputy Premier say whether investigations conducted by Government officers indicate that an international hotel will be viable only if a casino is part of the project? Last week in an article appearing in the press the Premier is reported to have said:

> An international standard hotel for Adelaide is inevitable. But at this stage we are without any firm proposals for the establishment of one. One of the biggest problems is that the early returns from any complex of this type are fairly marginal. In fact this is the case for the first 10 years.

We know that a group of people was interested initially in participating in an international hotel, but a casino had been a significant part of any proposals that it investigated. Because of this and because of the Government's interest in an international hotel, have investigations indicated whether a casino would have to be part of the complex?

The Hon. J. D. CORCORAN: So far as I am aware, the answer is "No". However, I will have this aspect checked and give the honourable member a considered reply.

VANDALISM

Mr. OLSON: Can the Minister of Community Welfare say what progress has been made by the Community Welfare Advisory Committee into vandalism and when that committee is likely to report?

The Hon. R. G. PAYNE: I understand that the committee is now compiling its first draft report, including various sections of the report dealing with the terms of reference. I expect this to be finalised in the next few weeks, and then no doubt, as the honourable member will understand, this will be followed by a further meeting of the full advisory committee to consider the draft report, after which time the report will be made available to me. The best estimate I can give the House is about two months, and when I have the report it will be placed before Cabinet for consideration.

LIVE SHEEP EXPORTS

Mr. RODDA: Will the Minister of Labour and Industry outline to the House what action the Government intends to take regarding the threatened action by the Australian Meat Industries Employees Union to disrupt the export of live sheep to the Middle East? If the A.M.I.E.U. goes ahead with its ban on live sheep exports, it will be a further setback to the drought-stricken farmers who intend to remain on the land.

Mr. Venning interjecting:

Mr. RODDA: Bearing in mind the proposed visit to the Middle East by the Premier to promote trade in that area, I point out that the proposal will suffer immeasurably if long-term contracts entered into with Middle East countries cannot be fulfilled because of union action in the Premier's own State. The long-term effect of the loss of live sheep exports will be astronomical and a major blow to Australia's balance of payments.

The Hon. J. D. WRIGHT: First, I strongly object to the interjection by the member for Rocky River who said, "He couldn't care less." I heard the interjection very clearly. That is not true. I do care about what happens to this State. It was a shameful and deceitful statement, and I would very much appreciate a retraction of it. In answer to the question, which is an important one, I have been in discussion on this matter for about three or four weeks, although I cannot yet give the House an up-to-date report. It is a two-pronged problem involving an inter-union dispute between the A.W.U. and the A.M.I.E.U. This has been the subject of discussion with the Trades and Labor Council, which is working towards what we hope will be an amicable arrangement. I understand also that the problem concerning Metro Meat has been solved, that organisation having agreed to the quota system that has been determined. However, I understand that other companies, not only in South Australia but throughout Australia, which have accepted the quota system are not now prepared to carry it out. I am observing the situation, and have been in contact with those people involved in any of the discussions taking place. We are looking at the matter very closely, and I hope that within the next week or two the problem will be solved.

SEA GRASSES

The Hon. G. R. BROOMHILL: Has the Minister for the Environment seen a report in today's *News* stating that sea grasses along our metropolitan coast may be disappearing? I think it has been understood that for some time these sea grasses have been diminishing. However, the article indicates that this is occurring to a dangerous extent, and could affect the protection of our coasts. Can the Minister comment on the likelihood of the sea grasses disappearing, thereby causing damage along the sea coast?

The Hon. J. D. CORCORAN: My attention was drawn to the report to which the honourable member has referred. Indeed, I have received from my department a report that it quickly prepared on the matter. It is agreed that the sea grass line has retreated. This problem was studied in detail in 1972-75 by an inter-departmental committee, which I commissioned at that time, known as the St. Vincent Gulf Water Pollution Study. The member for Hanson would be aware of that study, which showed no positive relationship between discharges from sewer or stormwater outfalls and major weed degeneration. The member for Hanson had questioned whether that was the cause of the problem, and that was one of the reasons why the study was commissioned.

Extensive modifications of the foreshore have occurred since settlement, resulting in changes in the foreshore movement of sand which may be contributing to the changes in the weed line. The Coast Protection Board is regularly measuring sand levels along the metropolitan beaches and near-shore areas. The Engineering and Water Supply Department and the Agriculture and Fisheries Department have established a series of water quality monitoring stations, which are regularly sampled, and have made baseline measurements of the sea ecology. Studies of sand movement and weed distribution need to be long term in nature because the phenomena being studied have natural cycles of change, and the relationship between natural and man-made effects is complex and not readily identified. The Coast Protection Board does not consider that the current situation concerning the loss of weed represents a threat to the esplanades or foreshore property.

VIN AMADIO HOMES

Mr. EVANS: Will the Attorney-General say what stage arrangements have reached in the negotiations to resolve the impossible position in which 14 families at Salisbury

North find themselves as a result of the insolvency of Vin Amadio Homes Proprietary Limited? Last evening the member for the area spoke for about 10 minutes on the subject and gave the House the complete details of the present position of these property owners. I, too, emphasise the point that the Government should have brought into effect the building indemnity fund that is available under the provisions of the Act. There is no doubt that these families face an impossible situation, or that the finance company must have known about the conditions of the contracts that were signed at the time. The back of the contract states:

> The vendor hereby agrees to subsidise the weekly payments in excess of $55 for the first 12 months and in excess of $70 per week for the second 12 months or until a State Bank loan is available but in any event not after the thirtieth day of December, 1978.

If the finance company knew of those conditions it would know what grave risks were involved, consequently leaving these families in a difficult situation because of the failure of Vin Amadio Homes Proprietary Limited. I therefore ask the Attorney-General what has eventuated from the negotiations.

The Hon. PETER DUNCAN: Officers of my department are considering these matters to try to reach a compromise that will be satisfactory to the 14 families involved and possibly others who are in this position. Only yesterday I was speaking to an officer of the finance company concerned about this matter. I expect that the negotiations and discussions will go on over the next week or so and that we may be better able to tell the House late next week just exactly what can be done to assist these people.

Mr. Evans interjecting:

The Hon. PETER DUNCAN: I do not want to take the detail of the matter further at this stage. In asking his question, the honourable member said that the builders indemnity fund, which is set up under the provisions of the Builders Licensing Act, had not been proclaimed.

That is a furphy in this situation, because that fund would not have resolved the matter, whether it had been in existence or not. The houses have been built, and the complaint is not about those houses; it is not a situation where the builder has gone into liquidation when the houses have been half completed, which is the sort of situation with which the indemnity fund proposals were intended to deal. Nevertheless, it is a serious situation for the 14 families concerned, and the Government is concerned about it. I am hopeful that the Government will be able, through negotiations, to reach some appropriate compromise arrangement whereby these people will be able to continue to live in their houses in circumstances that will enable them to meet their financial obligations and the repayments on those houses. I hope to be able to give the House more information on this matter before we rise late next week.

ANGEL'S TRUMPET

Mr. WHITTEN: Has the Chief Secretary received any representations from the Police Department to have a plant known as angel's trumpet classified as a dangerous or prohibited drug? This plant contains a drug that can cause hallucinations; this can come either from the seed or through people, including children, sucking the leaves. This matter was brought to my attention by an article appearing in the *Advertiser* on March 13, headed "Drug potion kills man at party", as follows:

> Sydney—The Chairman of the New South Wales Health Commission (Mr. R. McEwin) yesterday warned people against drinking a drug potion made from the plant angel's trumpet following the death of a man at Newcastle. He said there was evidence some young people were using plants to create an emotional stimulus. In some cases, the results could be disastrous.

The reason I ask this question is that the final paragraph of the article states:

> Police in New South Wales and Queensland have been trying since 1975 to have the plant classed as a dangerous or prohibited drug.

The Hon. D. W. SIMMONS: I read the report, I think in the *Sunday Mail*, about the beach party at Newcastle that resulted in the death of one young man. That is the only time I have heard anything about angel's trumpets.

Members interjecting:

The Hon. D. W. SIMMONS: There was an occasion when I was learning to fly and when the instructor asked me whether I had heard that horn when I came over the boundary fence. I said, "Horn? No, Sir, what horn?" and he said, "Gabriels horn." That is the closest I have been to hearing an angel's trumpet. The short answer to the honourable member is that, in fact, the Commissioner of Police has not made any mention at all of this plant, and I have not asked him about it, but I will get a report for the honourable member.

GOLDEN BREED PTY. LTD.

Mr. DEAN BROWN: Can the Deputy Premier say what action the Government has taken to stop the gross mismanagement occurring at Golden Breed Proprietary Limited during the past nine months? Why did this mismanagement continue even though Conway, Connelly and Associates were paid at least $55 000 to act as consultants to the company during this period? Why has an American been appointed as the chief executive of that company? Why was the former Managing Director stationed in Sydney? Why has the plant been working only 30 hours a week for the past few weeks? Is it correct that the Government is now considering lending or guaranteeing a loan of a further $250 000 to this company?

On March 1 last I revealed in this place 11 major management deficiencies and defects existing at Golden Breed Proprietary Limited. It is interesting to note that since that time neither the Premier nor the company has come out and denied any of the points I raised.

I have since discovered that the company has had management consultants in over that nine-month period and that those management consultants, Conway, Connelly and Associates, were paid $55 000 during this period of mismanagement. I was interested to see that this group of consultants is acting as consultants for the Government regarding the new clothing factory at Whyalla. It was reported to me early this week that apparently the new American managing director, who is now stationed in Adelaide, said to certain persons that the Government was now considering—and I say "considering" at this stage—lending or acting as a guarantor for a further $250 000 loan to this company.

The Hon. J. D. Wright: That's a bit secondhand.

The SPEAKER: Order!

Mr. DEAN BROWN: My other so-called secondhand material has been found to be absolutely correct. Not one point out of the 11 has been challenged by either the company or the Government.

Members interjecting:

The SPEAKER: Order!

Mr. DEAN BROWN: No-one has challenged the statements made 16 days ago.

The Hon. HUGH HUDSON: On a point of order, Mr. Speaker, the honourable member is now commenting. He is required to ask a question.

Mr. Chapman: You asked him.

The Hon. HUGH HUDSON: I did not ask him anything. He is now commenting, and that is contrary to Standing Orders.

The SPEAKER: Order! I cannot uphold the point of order. The honourable member knows as well as I do that he is not allowed to comment. I had not noticed that he was commenting at the time.

Mr. DEAN BROWN: I was simply relating the fact, not commenting, that no-one had challenged my statements made to this House on March 1. I ask the question to find out what the Government has done about this gross mismanagement.

The Hon. J. D. CORCORAN: I ask the honourable member to place that question on notice.

MINISTERIAL STAFF

Mr. CHAPMAN: Can the Deputy Premier say why the Minister Assisting the Premier or the Premier himself requires in his office an executive assistant who specialises in agricultural research and policy; whether the Minister of Agriculture also has in his office an executive assistant who is involved as a specialist in matters of agricultural and research policy; and, if so, what is the name of the officer or officers so engaged? This question is subsequent to my inquiries last week about Mrs. Chatterton's employment with the Government. Following the Premier's reply as reported at page 2098 of *Hansard*, wherein he promoted the competence of that person—

Mr. Mathwin: The Minister's wife.

The SPEAKER: Order! I do not think that is part of the question.

Mr. CHAPMAN: Yes. The omission of Mrs. Chatterton's name from the entourage to Libya next week seems strange, to say the least.

The Hon. J. D. CORCORAN: I shall refer the honourable member's questions and comments to the Premier, and he will bring down a considered reply in due course.

Mr. Dean Brown: Can't you answer any questions today?

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

Mr. Mathwin: Was it before or after—

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

VEHICLE INDUSTRY

Mr. ABBOTT: Is the Minister of Labour and Industry aware of the ludicrous statements made by the Leader of the Opposition to the *News* on Friday last regarding security in the car industry; is he also aware that the Leader's view of the Vehicle Builders Employees Federation Federal Council decision may have been hindered by the total misrepresentation of the facts by the local and interstate press; did the Vehicle Builders Employees Federation decide to seek urgent talks with the major motor vehicle manufacturers because of a 12 per cent fall last year in labour employed by those companies; and does the Minister agree that all unions which seek job security in Australia at the moment, or at any time, are doing the responsible and reasonable thing, especially at the moment when jobs in the car industry and in industry generally are under relentless attack by the Fraser Government?

Mr. Dean Brown: What about Thompson's statement this morning?

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

The Hon. J. D. WRIGHT: I should like to know whose question I have to answer—the question of the member for Spence or that of the member for Davenport.

The SPEAKER: Order! The Minister will answer the question of the honourable member for Spence.

The Hon. J. D. WRIGHT: It is an established fact in South Australia that the Leader nurtures on press statements, whether accurate or inaccurate. Irrespective of whether the report happens to be accurate or inaccurate, we see the Leader coming out and commenting. Invariably, he is proved to be wrong, as he was in these circumstances. He made no attempt, certainly with the State Secretary of the V.B.E.F., to question him as to the validity of the press statement. However, I did, because it seemed rather a strange attack to me, in the first instance. I have always thought that the V.B.E.F. was responsible; in fact, it is considered by all and sundry to be a very responsible organisation. I did not think that the press report would be accurate in saying, in the first instance, that there was just a closing of the books, which would have meant in those circumstances that no-one could apply for employment in that industry whether or not there were vacancies. No-one in his right mind would adopt that kind of policy. I have always found that, in my view, the V.B.E.F. consults and does its homework before making statements of that kind.

The result of my investigations revealed that what the union was after was further consultations with the companies involved. This emanated from the shop floor. It was not a directive given merely by the Federal executive of the organisation. It was in fear, I am told, by the workers on the floor of the factories of the position in which the motor vehicle industry finds itself at present. They are concerned about their livelihood (and why should they not be concerned, bearing in mind the state of the Australian economy at present?).

It is a well known fact that in America and Canada, one of the world's major car manufacturing areas in the world, job security applies. The Australian trade unions are merely trying to establish some sort of job security for their members. If they can be attacked, as they were attacked by the Leader's talking about worker control, I think it is a bad state of affairs for any responsible member not to have checked his facts in the first place or to have established from the organisation exactly what it was after. If he had established that, he ought to be commending them. It is their responsibility to see that their members have job security.

Mr. Dean Brown: What do you think about Thompson?

The Hon. J. D. WRIGHT: Ask me a question and I will answer it.

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

The Hon. J. D. WRIGHT: It is the responsibility, as I was saying when I was so rudely interrupted by the member for Davenport, for the V.B.E.F. and all other organisations to establish a system of job security in this country, and they are not going about their task of looking after their members if they are not doing that. That is my view. That is what they were after. There were no stand-over tactics by the organisation and there was no move to say that the books would be closed until they were able to consult with the companies and formulate a policy that we have been encouraging in this State for some years now.

We are on record (and it is in our last policy speech) as saying that we will be introducing, some time during the period of this three-year Parliament, legislation for job security in South Australia. It is one of the things that workers fear most. Shopkeepers also fear it; everyone in the community is frightened to open his pocket or to invest in this period, when some people wake up in the morning only to find that their jobs have gone. That is happening in Australia now, and that is why there is no confidence in the community. Rather than condemning the responsible action taken by the V.B.E.F., the Leader ought to be commending it, as I do.

UNEMPLOYMENT RELIEF

Mr. HEMMINGS: Will the Minister of Community Welfare obtain the following information from the Federal Minister for Social Security: (1) How many unemployed persons have had benefits cut off as a result of the dole blitz investigations recently completed in the Elizabeth area; and (2) of those people who have had benefits terminated, what number, after a subsequent appeal, had the benefits reinstated? I understand from information received from my electorate office that few unemployed people have had their benefits terminated. This is true also of the electorate office in the District of Elizabeth and that of the Federal member for Bonython, although there have been cases of benefits being delayed as a result of queries owing to the investigation. However, in the *Sunday Mail* of March 5 a report claimed otherwise—and I read, in part, that report as follows:

> Blitz on benefits: A crack-down is under way in South Australia on people claiming social security benefits under false pretences.
>
> A nine-man investigation team has just completed a check of the Elizabeth area and is believed to be ready to go into the Prospect and Enfield districts. Already its detections have made the Social Security Department in South Australia the most efficient of all States in discovering false pension claims. The department here declined to give any information on State figures, but it is believed that if each State had a similar unit, national prosecutions would be more than doubled annually.

The Hon. R. G. PAYNE: I will certainly try to obtain this information, but I have not always been successful in getting such information from the Minister. In the past I have tried to obtain from her information about the number of special benefits actually paid, for example, in South Australia for a given period. To date the information has not been forthcoming, although the Minister has assured me that she has relaxed the requirements for the payment of special benefits, which can be used in cases where unemployed benefits are held up for one reason or another. I have found that I am still getting, as the member for the district, a level of complaint about delays in the payment of unemployment benefits.

I remind the House that, as a result of the earlier publicity in relation to the so-called dole blitz, which was to be launched in most cases against perfectly worthwhile South Australian citizens who were trying to obtain their lawful entitlements in this State after becoming unemployed, I asked the Senator to ensure that, if staff were diverted to this task, it would not result in any unnecessary delays in payment of benefits. Also, I asked her to consider deploying more staff to handle benefit claims rather than in trying to find out the small percentage of people who are supposed to be defrauding the department and obtaining the benefits illegally.

I notice that the honourable member asked about those who are being paid subsequent to inquiry and appeal. I remind members that I pointed out last week, I think, in response to another question, that more than 60 per cent of appeals are upheld. One would assume that the screws (as it were) are being applied too tightly. If one considers that an appeal takes time to be processed by the tribunal and that during this time the person or persons will not be receiving any benefit, yet 60 per cent of appeals are upheld, it seems that the controls are wrong and that more latitude should have been applied initially in granting the benefit. However, I will try to get the information for the honourable member and let him have it.

DROUGHT

Mr. BLACKER: Can the Deputy Premier, on behalf of the Premier, say whether the Government will consider making direct grants under the drought aid assistance scheme to country businesses and primary producers located in drought-affected areas for the specific purpose of paying fixed costs such as district council rates, water rates, telephone rentals, mortgage repayments, etc? If direct grants are not possible, could this scheme be implemented on the basis of deferred payments and/or a moratorium on mortgage repayments? The present drought assistance programme is helping some people, but in drought-stricken areas the whole community is affected. Many suggestions have been put forward, but in most cases the assistance is disbursed on a selective basis.

The businessman or farmer who has been careful and planned his operations to help himself is the last person to qualify for drought assistance. In times of drought, the fixed costs are the most troublesome; production costs, whilst high, are proportionately lower.

The Hon. J. D. CORCORAN: I will refer the honourable member's proposal to the Minister of Agriculture, as he is the Minister responsible for drought aid and drought relief funds, and see whether the proposal is acceptable. I will let the honourable member know as soon as possible.

MURRAY RIVER BRIDGE

Mr. ARNOLD: Will the Minister of Transport say what was the fate of the petition prepared by the A.L.P. candidate for Chaffey at the time of the recent State election, calling on the State Government to proceed with the construction of a bridge over the Murray River at Berri forthwith? This petition was widely circulated at that time, and I was very pleased to support it and sign it, as did most people in the Riverland and other people in South Australia. At this stage I do not believe that there has been any reaction from the Government. I have been asked on numerous occasions what was the fate of the petition. It received a great deal of publicity during the last election and was, as I said, widely supported in the community. I do not know whether or not the A.L.P. candidate received a reply, either; I daresay that many people in the Riverland have also contacted him wanting to know the official position of the Government in relation to the request for the urgent construction of that bridge.

The Hon. G. T. VIRGO: When the Government completed the bridge at Kingston, plans were then made for the next bridge to be the Swanport bridge, followed by the Berri bridge. Indeed, the petition the A.L.P. candidate for Chaffey promoted or was involved with was completely in line with the proposed plans of the Highways Department and the Government. Obviously,

the honourable member has failed to note the comments I have made, on so many occasions that I have forgotten, that South Australia is suffering a reduction in Federal funding.

Mr. Gunn: You're on the same line as the Minister from New South Wales.

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

The Hon. G. T. VIRGO: Perhaps the member for Eyre might like to discuss with the member for Coles the document she was given by the Commissioner of Highways which sets out very clearly how badly South Australia is faring from the Commonwealth.

Mrs. Adamson: What about general purpose funds?

The SPEAKER: Order!

The Hon. G. T. VIRGO: The special purpose grants went out the window when Fraser came into office. The plain facts are that there are many jobs that we had—

Mr. Tonkin: You'll be embarrassed when you read *Hansard* tomorrow.

The SPEAKER: Order!

The Hon. G. T. VIRGO: Even the leader is suffering from foot in mouth disease now. The member for Chaffey should know that South Australia is suffering very badly in the provision of Federal funds and, until we start to get a better deal from Canberra, all the works that are so urgently needed will be delayed.

Mr. Gunn: Where is the money coming from?

The Hon. G. T. VIRGO: The honourable member fails to take into account that the Commonwealth Government is ripping off from the motorists twice as much as it is giving back to the States. Let the member for Eyre and the member for Chaffey answer to their electors on that score. That is the position.

Mr. Tonkin: How much are you ripping off?

The Hon. G. T. VIRGO: What the South Australian Government is taking from the motorist in being returned 100 per cent to roads.

Mr. Venning: Why—

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

The Hon. G. T. VIRGO: What we have attempted to do is encourage—

Mr. Mathwin: But you—

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

The Hon. G. T. VIRGO: What we are attempting to do (and when I say "we" I am talking about the collective voice of all Ministers of Transport in Australia, whether National Country Party, Liberal Party or Labor Party Ministers) is try to get a better deal out of Canberra and to get back for the States and the roads the money that the motorist is having ripped off him. For every gallon of fuel that a motorist buys, 23c goes into Federal Government coffers, and the Federal Government returns to roads about 10c, keeping the rest for its own spending. When the Commonwealth Government, Mr. Nixon and Mr. Fraser return to the States money that we provide to the Commonwealth from motoring, the Berri bridge will become a reality.

ENVIRONMENT DEPARTMENT

Mr. MILLHOUSE: Will the Minister for the Environment have held an open judicial inquiry into the administration of all aspects of the Environment Department since its formation? There are four points of explanation that I make which could well form the basis of the terms of reference to the inquiry. The first is the precipitate removal of the former permanent head of the department, Dr. Inglis, and the downgrading of the former Minister for the Environment, now the Chief Secretary. Secondly, there has been, on the reports I have had (and I have checked them as best I can and am satisfied that they are substantially accurate), a scandalous waste of money in the department under the SURS scheme. I refer particularly to the car park at Cleland national park as an example. I have been up there and had a look at it myself. A reply to a Question on Notice I got from the Minister the other day shows that, up to February 17, $27 000 has been spent on that car park. My information is that four attempts have been made to design and build the car park and that each time it has been started the work has been pulled down and started again. From what I saw last Saturday week, I think it was, the car park is an absolute mess. It does not look as though anything has been done except that a destructive bulldozer has been in there.

The third point is the obvious discontent among a number of officers of the department. Deny that as the present Minister will, he gave me a reply to a Question on Notice only this week that shows that at least five senior officers (and probably many more, I think, because there are at least a dozen on the list) have resigned in the past 12 months, including Mr. Brian Eves who, I think, leaves today or tomorrow.

The fourth matter, and perhaps the most serious of the lot, is the grave allegations, which I am satisfied have a great deal of substance in them (and the Minister knows that I am satisfied about that, because I have discussed one at least of them with him)—

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

Mr. MILLHOUSE:—of dishonesty. First, I refer to a letter of December 19 concerning Mr. Darryl Levi and the allegations of trafficking in reptiles. Secondly, I refer to the letter that was written to him by Mr. John Cox on January 8 concerning the parrot trapping scheme. That is a 3½-page letter to which the Minister himself replied on January 19. Mr. Cox's letter set out the most serious allegations, and all the Minister had to say about it was that he could not become involved in an internal management problem. It is now two months later and nothing has been done, although the original complaints by Mr. Cox were made last June. Regarding the reptiles (the Levi matter, as I call it), that started at about the same time.

The Minister has been promising for months now the Crown Law Office report. My suspicion (and I put it as a matter of fact and not comment) is that he is sitting on it until the House gets up because it will be extremely embarrassing. Those are four separate heads that require investigation and inquiry. I believe that that was what the Liberal Party was feeling about for yesterday in its no-confidence motion, but it did not have the facts and the information.

The SPEAKER: Order!

Mr. MILLHOUSE: There is now such disquiet about the department that only an open inquiry (that is, one that is public) and a judicial inquiry, not only by a judicial officer—

The SPEAKER: Order! The honourable member has already been over this ground in this question, and he is now commenting again.

Mr. MILLHOUSE: —will satisfy the public that action—

The SPEAKER: Order!

Mr. MILLHOUSE: —is being taken to put it right.

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

The Hon. J. D. CORCORAN: The first thing I would like to say about the honourable member is that I probably could have employed his services to consider the Levi affair, because he would be an expert on reptiles, I am sure of that.

Mr. Millhouse: All you've given me so far shows that you've got no answer.

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

The Hon. J. D. CORCORAN: The first point which the honourable member says requires an inquiry, by a judge no less, is what he describes as the peremptory removal of the permanent head of the department. I refer the honourable member to *Hansard*, where I have replied to questions on that matter on more than one occasion. I do not intend to repeat myself for the honourable member's sake. The second point he makes, I think, is about the downgrading of the Chief Secretary.

Mr. Millhouse: No, that is 1 *(b)*.

The SPEAKER: Order! I call the honourable member for Mitcham to order; he has asked his question.

The Hon. J. D. CORCORAN: I think that that matter was canvassed adequately in the House yesterday, and I do not believe that I need to add anything to what I said then about the matter. The honourable member knows that that is ludicrous, and he also knew that it would be farcical and ludicrous to hold an inquiry into that matter with no less than a judge considering the reasons why the former Minister for the Environment is now the Chief Secretary.

The Hon. Hugh Hudson: The Chief Secretary—

The Hon. J. D. CORCORAN: Of course.

The SPEAKER: Order! The honourable Minister of Mines and Energy is out of order.

The Hon. J. D. CORCORAN: The honourable member knows that, and there is no need for me to talk about that matter. The second point, if the honourable member would remind me—

Mr. Millhouse: The scandalous waste of money under the SURS scheme.

The Hon. J. D. CORCORAN: I took that seriously, because a report was made to me by people who were working under SURS at Cleland national park. That matter was investigated by the department itself. There is no need for a judge to do the job. The inquiry has been made and steps have been taken to rectify the matter to provide the necessary supervision and expertise to see that that does not recur. I do not know what else the honourable member would expect to happen in that matter. That is the normal thing to happen. The third point the honourable member made was in relation to—

Mr. Millhouse: Discontent among officers.

The SPEAKER: Order! I warn the honourable member for Mitcham.

The Hon. J. D. CORCORAN: —the discontentment, as he described it, amongst other staff of the department.

Mr. Millhouse: Oh, come on! He asked me.

The SPEAKER: Order! I hope that the honourable member heard me. I warned the honourable member for Mitcham.

The Hon. J. D. CORCORAN: This matter was canvassed in this House yesterday, and I do not want to have to repeat myself continually. The honourable member is flogging a dead horse on this matter, the same as he flogs dead horses many times in other directions. He made a statement this afternoon, I think, that Mr. Brian Eves had resigned. He is wrong in that.

Mr. Millhouse: Oh!

The Hon. J. D. CORCORAN: The leak, whoever it was, has given the honourable member the wrong information.

Mr. Millhouse: He's on the list from last Tuesday.

The Hon. J. D. CORCORAN: He may have submitted his resignation, but he has not yet resigned. There could be developments about which the honourable member is not aware. That indicates the accuracy of his information. I just wanted to make that point so that the honourable member would get it. Again, as I have said in this House, I have explained that one person and one alone resigned because he said he was disenchanted, and I said that that was a personal thing, and it was.

The honourable member has referred to four or five resignations in a department of about 300 people. Does that really require an inquiry by a judge? I suppose the honourable member is looking after his kith and kin; I suppose there would have to be a couple of associates to assist the judge. No doubt he is always thinking about himself, his friends and his pocket. He might even get a job. The fourth matter to which the honourable member referred was the inquiry that, in fact, has been conducted by officers of the Attorney-General. As I have explained to the House, that inquiry is currently under way. The honourable member apparently believes that the Government is holding up this matter until the House rises. I assure him that that is not the case, but whether or not he believes it is immaterial to me.

Mr. Whitten: He has a suspicious mind.

The Hon. J. D. CORCORAN: Naturally he has. A properly conducted inquiry has been carried out into this matter, and the report is in the hands of the department. That report will not be released. It is for the permanent head to make decisions on the matters contained in it, and he will do so in his own way and in his own time. I fail to see what the honourable member is really concerned about. I fail to see what there would be for a judge to inquire into. If I saw a need for any further inquiries, they would be conducted, but I do not see that need.

COMPOUND ANALGESICS

Mr. WILSON: Will the Minister of Community Welfare ascertain from the Minister of Health in another place, whether, following the recommendations of the National Health and Medical Research Council and the New South Wales Joint Parliamentary Committee on Drugs, the Government will now introduce controls concerning the sale and distribution of compound analgesics? Two or three weeks ago during the grievance debate in this House, I quoted from the *National Times* and commented as follows:

> Australia consumes more pain-killers per head of population than any other country. Our nearest rival, the Swiss, consume less than half as much per head.
>
> The article goes on to refer to kidney disease, which to an alarming rate is caused by the over-consumption of these analgesics. We find that $10 000 000 is spent each year treating the 300 patients who have severe kidney complaints owing to over-use of pain killers.

A report in the *Advertiser* of March 14 states:

> There had been no State Government assurances that South Australia would adopt controls recommended on analgesic sales, Dr. T. H. Mathew said yesterday. This was despite regular deputations to South Australia's Minister of Health (Mr. Banfield) to adopt the measures urged by the National Health and Medical Research Council.

The Hon. R. G. PAYNE: I will take the matter up with my colleague in another place.

DENTAL TECHNICIANS

Mr. VENNING: Will the Minister of Community Welfare ascertain when the Minister of Health will be setting up a working party to draw up legislation for the registration of dental technicians in South Australia? I believe that dental mechanics are required to register in Tasmania and Victoria, and that legislation has been introduced to register them in New South Wales. There is strong feeling amongst dental mechanics in South Australia that they are at a financial disadvantage because they are not recognised, with the result that their customers cannot obtain medical benefits.

The Hon. R. G. PAYNE: I will refer that matter to my colleague.

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

The SPEAKER: Call on the business of the day.

PERSONAL EXPLANATION: CASINO

Mr. CHAPMAN (Alexandra): I seek leave to make a personal explanation.

Leave granted.

Mr. CHAPMAN: This afternoon, when the Deputy Premier was answering a question asked by the Leader of the Opposition, he made a statement with which I disagree.

The SPEAKER: Order! The honourable member knows that this is a personal explantion, and does not concern the Leader.

Mr. CHAPMAN: I apologise for that, but it is important that I briefly point out to the House the basis of my objection to what occurred. When the Deputy Premier was replying to the Leader this afternoon, he said it was important to point out that the Government did not intend to become involved in any transactions concerning the Hotel Australia. He went on to explain why the Government did not propose to become involved with legislation concerning a casino as it related to hotels in South Australia, and said that his understanding of the situation (he did make it quite clear that it was his personal understanding) was that the Premier had said on a number of occasions that he would not introduce legislation in the House in connection with a casino. The Deputy Premier also said that he thought that one of the occasions was when the member for Alexandra had proposed that this be done.

I have never proposed that this Government establish a casino in South Australia or introduce legislation to license such operations in South Australia. Nor do I propose to do so. The only reference that I have made in the House relating to a casino, apart from speaking to the legislation that was before the House in 1973, was when I asked whether the Government proposed to establish one. There was no indication or implication in that question that I proposed to do so. I am aware that certain investors have said that in their opinion a casino is an essential ingredient in making an international standard hotel viable, but those comments are not mine; they have been made outside the House by the investors concerned, and they will be supported by the Government, but I have given no indication of my support for any such proposal.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

The Hon. HUGH HUDSON (Minister for Planning) obtained leave and introduced a Bill for an Act to amend the Planning and Development Act, 1966, as amended. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is intended to introduce, as a short-term holding measure, an amendment controlling shopping developments in zones other than designated business, shopping and centre zones. The measure is proposed to apply to those parts of the Metropolitan Planning Area where zoning regulations are in force. Provision has been made for an application caught by the special control to be forwarded to the Minister for his consideration. The Minister is empowered to authorise the local council or the State Planning Authority to deal with the application in the normal way if, in the circumstances, that course is warranted.

One of the basic policies promulgated in the Metropolitan Development Plan was the promotion of a series of district centres which would comprise integrated shopping, commercial and community facilities and act as a focus for their local communities. That policy was widely accepted and accorded with similar measures adopted in cities interstate and overseas. It is still appropriate and desirable. The development of integrated centres provides a high degree of accessibility for local residents to shops and personal services; to Government and professional offices; and to community facilities. Integrated centres can be more adequately served by public transport. Perhaps, more importantly, they reduce the total need for travel by allowing one trip to serve a variety of shopping and other purposes. Such centres can be planned to provide a high level of amenity and to minimise the adverse environmental impacts which result from the development of major freestanding shopping and commercial buildings in predominantly residential areas.

If the promotion of such integrated centres is to be successful, co-operative action by both State and local government in restraining development which is incompatible with the proposed pattern of regional and district centres is required. There is already within South Australia one major centre (the Elizabeth Town Centre) developed according to such concepts, and similar proposals are being actively pursued both at Tea Tree Plaza and the Noarlunga Regional Centre. However, to a significant extent, the concept proposed in the Metropolitan Development Plan is being circumvented.

The most basic reason for this failure to achieve the objectives of the plan is the ability, under current development control arrangements, for major shopping developments to be sited in freestanding locations outside the designated shopping zones. Such developments have exploited a provision in the zoning regulations which was designed to allow councils some flexibility to approve, in residential zones, small local shopping developments serving the immediate needs of local residents. Instead, in many instances that provision has been used to enable major retail developments to go ahead in residential and industrial zones creating severe problems in terms of local amenity, traffic generation and so on.

At present there is no satisfactory means to ensure that

individual development proposals are in line with the Metropolitan Development Plan and are considered in the light of their impact on the development of proposed integrated centres or on the transport network. Under the current provisions of the Act there are only two indirect and somewhat negative means by which State Government planning and servicing agencies may intervene in the taking of decisions on such proposals. These are, first, by means of third-party objections and subsequent appeals against council decisions, or secondly, by the State Planning Authority determining applications called in to it. The latter course is entirely dependent upon the State Planning Authority having prior knowledge of an application that will affect an adjoining council, and, in addition, the support of that adjoining council. Essentially, both measures are quite unsatisfactory, uncertain, time-consuming and costly, and inappropriate as a means of implementing such a basic Government policy. It is this problem that the present measure is designed to overcome.

There have also been other problems and inadequacies in past attempts to implement the policies proposed in the plan. Local government has been left to assume virtually the full responsibility for assessing and controlling such major retail developments. However, councils often do not have the full range of required expertise or the resources to take account of the wider implications of such developments. As mentioned previously, the State planning agencies which do have such resources and which are rightfully looked to in such matters by the Government, councils and the community have been denied a significant role. In some instances councils may feel obliged to allow undesirable developments to proceed due to their inability to bear the full cost of expensive appeal procedures.

In summary, the current South Australian position is unacceptable and, indeed, the view has been expressed by numerous retailers and developers that the planning and development control system in metropolitan Adelaide in relation to the development of shopping centres, is the most lax in Australia. By contrast, the Perth Metropolitan Region Planning Authority determines all proposals for major retail developments and is advised in retail policy matters by a widely representative Retail Consultative Committee.

These various problems indicate a need for a basic and thorough review of those aspects of the Metropolitan Development Plan, and existing development control procedures, which deal with retail and centres development. The Government is committed to carrying out such a review and has already commenced the first stage of this process through the commission of a "Metropolitan Centres Study". The study will develop clearer policy guidelines and lead to the revised designation of regional and district centres. Close and frank discussions between Government departments, councils, developers and retailers and community groups will be essential if the policies which are developed are to best serve total community needs. Key issues will need to be discussed widely before final recommendations are put to the Government.

It is proposed that a "retail consultative committee" be established comprising nominees of the State Government, retailers, developers and local authorities. The committee will provide an appropriate avenue for reviewing the progress of the study and for discussing retail policies on an on-going basis. Early indications from the work of the Metropolitan Centres Study to date indicate that most retailers and developers accept the need for more effective policies relating to shopping centre developments, and would favour more effective control over retail developments.

Discussion of more effective policies and controls will almost inevitably result in a marked increase in the number of applications received by councils for retail development in residential and industrial zones as indeed has happened in similar circumstances interstate. The effectiveness of new policies and controls arising from the review of present measures could well be pre-empted and undermined by major shopping developments proceeded with in the meantime, and accordingly the short-term holding measure proposed by this Bill is urgently required. The Bill does not apply retrospectively, and will only affect applications made on or after March 16. Clause 1 is formal. Clause 2 is the only operative clause of the Bill. It proposes the insertion of a new section 36c in the principal Act, and the provisions of the proposed new section can conveniently be dealt with *seriatim*. Subsection (1) is formal and self-explanatory. Subsection (2) limits the application of the Bill to land that lies within a "use zone" within the Metropolitan Planning Area being a zone not specifically set aside for shops.

Subsection (3) ensures that the Bill only applies to applications made on or after March 16, and will only affect applications relating to sites of more than 2 000 square metres or sites within one hundred metres of an existing shop. Subsections (3), (4), (5), (6) and (7), when read together, introduce special control over shopping developments which are proposed in areas outside various shopping zones, and provide for the relevant applications to be dealt with by the local council or the State Planning Authority only when that course is authorised by the Minister.

Mr. EVANS secured the adjournment of the debate.

STAMP DUTIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 14. Page 2164.)

Mr. TONKIN (Leader of the Opposition): This Bill has been brought in with some haste, as have most of the Bills in this latter part of the session. It is described as an urgent measure designed to protect stamp duty revenue in two respects. The second reading explanation is most interesting. It deals with three points, the first being the change from the licensing system to a stamp duty system; the second dealing with some matters of tax avoidance on the transfer of shares; and the third, which, judging from the report itself, is a throw-away clause, exempting statutory corporations, such as the Adelaide Festival Centre Trust. On the surface it is an unimportant throw-away clause, but it has some considerable meaning when one examines it more closely.

Let us deal first with the matter of a change in the system from a licensing system to the payment of stamp duty. At present, insurance companies are required to pay a fee of 1½ per cent of premiums, less various expenses, commissions, and so on. The difficulty has arisen that that system of licensing may well be unconstitutional in terms of the Commonwealth Life Insurance Act. The rates themselves, as we see from clause 6 of the Bill, have not been changed, but nevertheless I point out that this is an extremely onerous tax.

South Australia is taxed more than are other States in this regard. I think it is a matter of record that the ratio of stamp duties and licence fees on life policies paid by a particular association in Australia has been taken out. In Victoria the figure is ·35 per cent, in South Australia it is 1·16 per cent, while the next highest is Queensland, with

·48 per cent. In fact, in South Australia we are paying a considerable amount as compared with the other States in terms of percentage on the total amount paid on life policies.

In most States the tax is made on the life business only once, because only one contract is written. Once a life contract is written it is not renewed regularly on an annual basis, as are insurance contracts for fire, accident, and so on. I think the best way to describe the situation is that, if we pass this legislation, we will have gone from what has become a licensing system to what is virtually a turnover tax or a receipt duty. This has come about because of a challenge to the present law. I shall come back to that, because it is important that we consider it.

The second matter covered in the Bill is the matter of tax avoidance by registering transfers on a branch register of a company established outside the State. I do not think anyone could in any way find any objection to the provisions of the Bill in this regard. It is entirely proper that people should be taxed equally and that any scheme of tax avoidance, any loophole, must be plugged up.

We turn now to the third item in the Bill, the matter of exemptions. Clause 8 enacts section 114 (1), the exemption for certain statutory corporations. It makes it possible for such corporations to be exempted from the payment of stamp duty. The Governor may, by proclamation, exempt any body or authority established by Statute for the payment of duty under this Act. Looking at the Festival Centre Trust, one can say that it is a worthwhile provision, but inevitably the question comes to mind immediately, as it must, regarding the position of the State Government Insurance Commission in this matter.

Statements have been made in the past. The question of the S.G.I.C.'s acting in competition with private life offices has been canvassed quite widely in this House and in the community. One of the things which has given a great deal of concern has been the question of whether or not stamp duty and other charges should apply to the S.G.I.C. Statements have been made outside the House and inside the House. In the past, we have had undertakings from the Treasurer on the matter, and we have been told, even in the terms of the S.G.I.C. legislation itself, that the S.G.I.C. will act and be governed as though it were liable to pay tax, stamp duty, and so on. Yet, in this Bill we find the Governor may exempt statutory corporations. The big question, and I can see that the Minister is concerned about this—

The Hon. G. T. Virgo: I am just getting chapter and verse.

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

Mr. TONKIN: I should be pleased to have an undertaking and a guarantee from the Minister that the S.G.I.C. will be required to operate under the same conditions as apply to other life offices and under the same terms and conditions that other insurance companies operate under. Until I get that assurance, I will not be satisfied by this very brief addition at the end of the legislation. I hope that the Minister will rapidly be in a position to give me that undertaking. It is a matter that concerns everyone in the business.

Having dealt with those three matters, I now come back to the reasons that have been given for introducing the Bill. I refer again to the report, as follows:

> Although these provisions have been in operation since 1902, they are now being challenged in the Supreme Court by one life insurance company as being inconsistent with the provisions of the Commonwealth Life Insurance Act, 1945. The Government is defending this challenge.

Various opinions have been given to me on this matter. Apparently, one of the life officers has been nominated to take this action to test the validity of the present State legislation as it applies in relation to the Commonwealth legislation. The opinions which I have been given by various legal authorities is that the State Government has not a snowball's chance of defending the action that has been taken. I emphasise that the action has not yet commenced. A writ was issued before Christmas, but the matter has not yet come before the court. It seems to me that the opinions which I have been given by learned counsel that the State is on shaky ground indeed and has little chance of succeeding in this matter are confirmed by the Government's introduction of this legislation at this time.

I do not have any great quarrel with the fact that, if it believes that its own legislation is not valid or is unconstitutional, it wants to change the situation, or that it wants to protect its interests and its income from stamp duties in this field. I find that what is more to the point and what is of enormous significance is the contingent nature of the legislation. The legislation is prepared in expectation of a decision by a court that is not favourable to the Government. I quote from the report, as follows:

> It is intended that the relevant provisions of the amending Act will be proclaimed in the event only that the provisions of the Stamp Duties Act are struck down by the court.

The Hon. G. T. Virgo: It's precautionary.

Mr. TONKIN: It may well be precautionary, but what a ridiculous situation. Either the situation as it stands now is not valid and should be changed, in which case we should get on with it and do it, or it is valid and we do not have to worry about this legislation. I bitterly resent the attitude obviously now being displayed by this Government towards legislation of this kind. It is a remarkable and most improper attitude, and it shows a considerable degree of contempt for the judicial process and for the role of the courts in this matter.

In other words, it shows an attitude that is coming through more and more that, if the law does not suit the Government and it looks to be losing at law, it will change the law before it has any chance of being applied against it.

I recall other occasions on which the Government has taken this sort of step. I recall the Queenstown fiasco, where action was being taken against the Government. We were forced in the House to put through retrospective legislation which then made it possible for counsel to walk into the court where the action was being heard and virtually say, "It is no good going on with the action. The law has been changed retrospectively, and there is now no ground for it." Only last Tuesday (and I do not intend to talk about the Bill which came before the House and which has been passed), we passed retrospective legislation on a massive scale regarding what was called a constitutional crisis, because instruments of appointment were thought not to be valid because they had not been countersigned by the Chief Secretary. I have in my possession copies of an instrument of appointment of a judge (the appointment was made in 1936, so that it refers to one of Their Honours who has since left the bench). The instrument was signed by Sir Winston Duggan.

The SPEAKER: Order! Can the honourable Leader link up his remarks with the Bill?

Mr. TONKIN: Indeed I can.

The SPEAKER: I hope so.

Mr. TONKIN: With great pleasure, Sir. The instrument was signed by Sir Winston Duggan and by the Chief Secretary of the time (George Ritchie). It was signed over a printed part of the document that said "Chief Secretary". I understand further, from having made

inquiries, that that is the form in which all such instruments of appointment have always been made.

The SPEAKER: Order! The honourable Leader said that he would be able to link up his remarks to the Bill.

Mr. TONKIN: I am indeed. I am talking about retrospective legislation and action that has been taken to validate, or in preparation to change an attitude that might occur as a result of an action at law.

The SPEAKER: Order! I am sorry, but at the moment I do not agree with the honourable Leader. The appropriate time for his remarks would have been during the debate on the Constitution Act Amendment Bill.

Mr. TONKIN: With great respect, I accept your ruling on the matter, and point out that that was the whole point about that debate (and I will not reflect on it): we were not given time to make the necessary investigations. I make the point that we have been asked to pass retrospective legislation in the past on two occasions, and that is what I was linking up. The instruments of appointment in the blank form included a printed title at the bottom, saying "Chief Secretary". I also point out that both His Honour the Chief Justice and Mr. Justice Walters are also on record as having stated that their instruments of appointment were entirely legal, inasmuch as they were countersigned by the Chief Secretary. We have passed retrospective legislation before, and we are being expected to pass legislation now in case a court decision should go against the Government.

Last Tuesday's fiasco, as I see it, was not necessary, and the Premier decidedly misled the House and the people of South Australia. I believe that this Bill is a most unhealthy approach indeed. I see no justification for it. I have no quarrel with changing the law, if that is necessary. If the law needs to be changed, and there is a reason for it, it ought to be changed, but we should not have this legislation presented because the Government expects to lose a case at law. That is what has been clearly said.

It would have been better if it had not been mentioned in the second reading explanation. It would have been much better if the Government had said, "This legislation is in conflict with the Commonwealth legislation. Let's change it and make it right and proper." Instead of that, the Government is having a bob each way, hedging its bets.

Mr. Mathwin: It's making rules to suit itself.

Mr. TONKIN: Yes. What the Premier said last Tuesday was totally untrue.

The SPEAKER: Order! The honourable Leader should not refer to another debate that has taken place during this session.

Mr. TONKIN: He said it publicly, and that made it even worse. I believe that the whole question of passing legislation to be dependent on the success or otherwise of an action at law is ridiculous. I will support the Bill, because I believe that the legislation needs a change. Obviously, it is a matter which the Government should have brought to the House in openness and frankness. If things need a change, we are prepared to accept that and to consider the legislation in proper time, in stark contrast to the time we had to devote to another matter before the House. We would accept the explanation that would be given, and we would agree to it. I must support the legislation, because it is a financial Bill, but I protest most strongly at the manner in which it has been presented to the House, at the Government's attitude to the judicial system, and to the position and role of the courts in deciding matters relating to State legislation and Federal legislation.

I believe that this Government is becoming more and more arrogant, and the stage has been reached when it believes that it has some sort of divine guidance from on high, and it does not have to conform to the normal processes that ordinary citizens have to abide by. It is this arrogance that will put it out of office at the next election.

The Hon. G. T. VIRGO (Minister of Transport): I found it difficult to follow the Leader's comments, but he finally said that, if the Government had come forward with openness and frankness he would have adopted a different attitude. Earlier, he had complained at length about the Government being open and frank. The second reading explanation gives the precise position. The Leader said that we should say whether the present Act is lawful or unlawful. If he had examined the second reading explanation he would have found that it states:

> The 1902 legislation—
>
> not legislation of this Government—
>
> is now being challenged in the court.

He expects the Government to decide what the court is to decide: that is foolish. I appreciate that he had to do some huffing and puffing to try to get an argument, but his argument was so weak that it was unbelievable. It is not for me to give an assurance on the point he raised: he could get that by turning to page 97 of the 1970 Statutes and examining section 17 of the State Government Insurance Commission Act, which makes it mandatory that the commission will make payments equivalent to the amounts that would have been payable in the form of taxation. The provision is already in the Act, and nothing in this Bill can invalidate section 17 of the Act. The position is clear.

Mr. Tonkin: I quoted, if you had listened.

The Hon. G. T. VIRGO: I did not hear that: if the Leader quoted it, I wonder why he asked whether the clause would be used to exempt S.G.I.C. I know that the Leader and his friends detest S.G.I.C., and have done all they can to resist it. Indeed, his friends in the Upper House successfully resisted it for some time, because they wanted to ensure that maximum profits would go to private insurance companies. The State believes that the commission is doing a great job. Since all private insurers have refused to provide third party insurance for motorists, I have worried when I have thought where they would be if the commission had not provided this facility.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Commencement."

Mr. TONKIN (Leader of the Opposition): If this action is worth taking, it should be taken, and we should not be awaiting the outcome of an action at law. Therefore, I move:

> Page 1—
>
> Line 9—Leave out "Subject to subsection (2) of this section,"
>
> Lines 11 to 14—Leave out subsection (2).

The effect of the amendments is to ensure that the Act shall come into force on the day on which it is assented to.

The Hon. G. T. VIRGO (Minister of Transport): It seems that the Leader wants the Act to operate irrespective of the decision of the Supreme Court. It is clear from the Premier's second reading explanation that the Bill has been introduced so that, if an adverse decision is brought down by the Supreme Court, the finances of the State will be protected. If an adverse decision is not made, there is no need to make any alteration. The Bill has been introduced principally to safeguard the State's finances and, for that reason, the Government cannot accept the amendments.

Mr. TONKIN: If the Minister wants to safeguard the

State's finances, surely the only action necessary is to pass the legislation with these amendments so that the Act will operate and will not change anything. Although we must take every precaution to safeguard the income, we can do that by having this legislation take effect on the day on which it is assented to.

The Hon. G. T. VIRGO: More than one factor is associated with the Bill and, if we accept these amendments, all its provisions would operate, irrespective of the decision, or none at all. Therefore, we would be condoning the taxation loopholes that the Bill is seeking to close.

Mr. TONKIN: We are asking that the legislation come into effect in its totality as soon as possible. Let us be straightforward and not worry about what the court decides or about what has happened in the past.

Amendments negatived; clause passed.

Clauses 3 to 5 passed.

Clause 6—"Duty in respect of premiums on policies of life insurance."

Mr. TONKIN: Can the Minister tell me what is the difference, if any, in receipts to be expected from the current licensing system and the scale of charges—the duty of 1·5 per cent and 6 per cent as carried out? I would say that there would be none, but I would like that reassurance.

The Hon. G. T. VIRGO: There will be no difference.

Clause passed.

Remaining clauses (7 to 9) and title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN HERITAGE BILL

Adjourned debate on second reading.

(Continued from March 9. Page 2101.)

Mr. WOTTON (Murray): I support the second reading of this Bill, and I believe that the final outcome of the measure could depend on the Government's attitude to certain amendments that I intend to move. We, as the Opposition, support the basic principles found in this legislation. Indeed, only a few weeks ago I moved a private member's motion seeking that a Bill to preserve buildings of historical and architectural merit be introduced, adequately recognising the need of owners of the properties concerned. I believe that this Bill falls short in a number of matters relating to the register and the rights of private individuals who own the properties that could be involved in this legislation. In the earlier debate reference was made to the need for legislation to preserve the State's heritage.

I do not think anyone in this House would argue that some steps need to be taken to ensure that this happens. The Minister, in his second reading explanation, referred to community awareness of the need to preserve buildings and other features of the State which reflect its cultural heritage. He mentioned community organisations, historical societies, and the voluntary workers who have so far carried out much of the work in protecting the heritage that we enjoy in this State. At the outset, I want to commend the work of the National Trust in this State, because I believe that through the years it has been the watchdog in protecting this heritage. I believe that South Australia owes much to the work of the National Trust, whose members have worked hard to restore and take measures to preserve so many of our old buildings, particularly in Adelaide and its surrounding districts. This legislation must not interfere in any way with the work of this trust as a voluntary body. I believe that the National Trust must be encouraged to continue the work that it is doing so well. On March 1, the trust forwarded a submission to the Environment Department regarding this legislation. Part of that submission states:

> Thank you for the copy you sent me of the draft guidelines for the South Australian Heritage Bill. A small committee of the National Trust considered these guidelines as you asked and has these preliminary comments to make:
>
> 1. The National Trust is willing to co-operate and would appreciate having an opportunity to comment on the proposed Bill in the drafting stage.

Unfortunately, this legislation is yet another example of the Government's giving very little time for interested individuals, authorities or organisations to comment on such legislation. I understand that the National Trust did not have an opportunity to see the draft of this Bill before it was introduced in this House, even though I believe the trust, in particular, should have been consulted in the drawing up of this legislation. I realise that so far as the guidelines were concerned that it was consulted, but I believe that the trust's members would have appreciated seeing the draft Bill before it came into this House. The trust's submission continues:

> 2. The National Trust considers the interim list of the Register of the National Estate to be a satisfactory register of places that are essential to, and should be preserved as part of, the South Australian heritage.
>
> 3. The National Trust supports the inclusion in the Bill of provision for appeal against listing and appeal against the consequences of listing.

I will have more to say about that later in this debate. It continues:

> 4. The National Trust does not seek, but would co-operate if asked, to have a place on any appeal tribunal set up under the proposed South Australian Heritage Bill. The National Trust would agree to be consulted as an expert witness by such an appeal tribunal.
>
> 5. The National Trust recommends that any proposed Heritage Bill should provide for all possible assistance and inducement to be offered to owners of properties and areas listed on the State Register to ensure proper conservation of the South Australian heritage.
>
> 6. The National Trust requests that the proposed Heritage Bill should not prejudice its established role or the provisions of the National Trust Act and its rules, regulations and by-laws.
>
> 7. The National Trust believes the provisions of the Act should apply equally to government, local government, privately and corporately owned buildings and places.

Again, I will have more to say about that last point at a later stage.

The motion I moved in this House a few weeks ago referred to points that would assist in connection with this legislation. Very early in his second reading explanation, the Minister referred to the importance of the natural features of our heritage. I believe that there is now possibly as great a threat to our national heritage as there is in connection with the buildings or built heritage, as it is termed.

I would have liked this legislation expanded to include the protection and preservation of the natural heritage, which should include natural areas of particular merit as well as Aboriginal relics and sites of cultural and historic significance. The Australian Heritage Commission Act, 1975, and its amendments in 1976 define "National estate" as follows:

> Those places, being components of the natural environment of Australia or a cultural environment of Australia, that have aesthetic, historic, scientific or social significance or

other special value for future generations as well as for the present community.

I believe that that defines heritage, both built and natural, quite adequately. I would suggest that the proposed register in this legislation could have been identical to that now being prepared by the Australian Heritage Commission (the register of the National Estate), thereby preventing unnecessary duplication of work already done and being done in research of buildings and sites worthy of inclusion in the register.

There is a need for similar legislation to be enacted with respect to the natural heritage. This point has been emphasised in several reports recently tabled in this House, particularly the vegetation clearance report of 1977 and the Monarto Commission report on the Adelaide Hills. Another important point is to ensure that encumbrances on land titles should be permanent so as to prevent change in land use when a title changes hands. If, for example, a landowner agrees not to clear scrub or to pull down a historic building but later sells his land, the encumbrance is no longer binding under the present legislation.

I hope the Minister will seriously consider introducing legislation that will include the preservation of our natural heritage. Clause 5 formally establishes the South Australian Heritage Committee, which is to be made up of 12 persons appointed by the Governor. The Minister's second reading explanation on that matter states:

> The committee's role will be one of providing advice to the Minister on all matters associated with the State's heritage. It is envisaged that the composition of the committee will follow the model established by the interim Australian Heritage Commission, with some members appointed from Government departments concerned with administering heritage matters.
>
> However, the majority of appointees will be selected from individuals, groups and organisations in the community with recognised commitment to or skills and experience in heritage conservation . . .

The Minister then refers to certain organisations. In Committee, I will move an amendment to ensure that the committee is always an informed body that cannot be dominated by a pressure group of any description. It is important, in listing in the Bill certain organisations that should be included in the list of 12 persons, to tighten up the Bill and to ensure that the membership of the committee is recognised and has recognised skills and experience in heritage conservation.

The point has been raised that this committee could be seen as having little power and lacking teeth because it is only an advisory committee to the Minister. The committee consists of 12 members appointed by the Governor. That means that the appointments are made on the advice of the Government or Executive Council. In effect, the 12 members are thus appointed by the Government and can be dismissed by the Governor (in effect, the Government) on any grounds stated in clause 5 of the Bill. The committee does not have judicial independence. Although the functions of the committee are important, they would be improved if committee members had a little more power than is provided for in this measure. Clause 8 of the Bill provides that the functions of the committee are as follows:

> *(a)* to advise the Minister on any matter relating to the entry of an Item in the Register and to the removal of any Item from that Register;
>
> *(b)* to advise the Minister on the provision of financial assistance to persons or bodies for the preservation or enhancement of Registered Items or State Heritage Areas;
>
> *(c)* to advise the Minister on any matter or thing relating to the physical, social or cultural heritage of the State, that may be referred to it by the Minister;
>
> *(d)* such other functions as may be assigned by the Minister.

The Bill establishes a register of the State heritage, which will list individual buildings and structures of importance in the State's physical, social or cultural heritage. In his second reading explanation, the Minister stated:

> The process of establishing the register will be an open one, with those items under consideration for registration to be gazetted, advertised and open to submissions by the public. Before entry to the register of the State heritage, the Minister will consider any objections and representations, as well as any recommendations by the South Australian Heritage Committee . . .

No reference is made in the Bill or in the second reading explanation of the necessity to advise the owner of the building involved about what is happening. That is unfortunate, and I will consider that matter later. The Minister may enter on the register of the State heritage any item considered by him (it depends on the Minister's attitude) to be of significant aesthetic, architectural, historical or cultural interest. I suggest that that registration should come only after the private owner of the item has been informed.

The measure sets out that the Minister must first inform the committee of his intention to enter an item and he must consider representations made by the committee and, by public notice, state that he intends to enter the item on the register. By such notice he must notify persons of their right to make written objections to having an item registered. The Minister can state that the item shall or shall not be entered in the register.

The Minister thus has the sole power to decide whether or not an item shall be included in the register. He is only required to consult and consider the views of the committee. Once again, the Minister is again the judge and jury under this legislation. In his second reading explanation, the Minister also refers to the need to recognise that particular areas, in addition to individual buildings, are of importance to the State heritage. In his second reading explanation, he states:

> Clause 13 enables the Minister to designate such areas as a part of the State's heritage. It is envisaged that the designation of an area by the Minister will come as a result of a process of consultation and negotiation between the Minister and relevant local council. The advice of the committee will also be sought before areas are designated.

Clause 13 concerns me because the definition of the area involved is not too explicit. The definition provides:

> "State Heritage Area" means an area designated as a State Heritage Area under section 13 of this Act.

There is nothing to say that this area is limited in size. We do not know how extensive that area might be. We do not know whether this legislation is going to involve areas such as the Barossa Valley or the Mount Lofty Range. We do not know anything about the type of area, and I consider that this legislation in its present form is not adequate to preserve any large areas. I will refer to that provision again in Committee, when seeking information from the Minister regarding that matter.

Clause 17 constitutes the Minister as a corporation under the title of "Trustee of the State Heritage", and this is another matter that concerns me. The corporation (the Minister) could acquire a property at a reduced figure because it has been entered on the register and then have it taken off the register and sold at a profit. I am not suggesting that that will happen, but it could happen, thereby depriving the owner of part of the value of his property. Section 17 (2) *(b)* states:

> The corporation shall be capable . . . of acquiring, holding and disposing of real and personal property;

Clause 19 provides for the creation of the State Heritage Fund. The Minister stated in his second reading explanation:

> Support may be in the form of loans or grants for restoration, maintenance, subsidies for rate and tax burdens that an individual cannot meet, for research, and for measures to educate and promote an awareness of heritage conservation. Such support will be determined individually on a case by case basis and considered on its merits.

I am sorry that this legislation does not spell out the exact way that such financial assistance can be given. It is important that people, private owners of buildings of an historic nature, should be given an incentive to restore those buildings themselves. I think that the appropriate provision in the Bill, rather than a reference in the Minister's second reading explanation, would offer such incentive. The Minister stated:

> As in New South Wales and Victoria, the Bill does not provide for compensation as an automatic right of owners of designated heritage items.

At the beginning of this year I spoke with the Victorian Minister of Planning about the heritage legislation in that State, where I am aware moves are to be made to include provision for compensation in the legislation. I believe that compensation provisions in this legislation are vitally important. The entering of a property on the register can have the effect of confiscation of part of its value. Therefore, any person who is adversely affected should, where the Minister puts that person's property, or property in which he has an interest, on the register, be able to appeal and should in fact be compensated for any loss he may suffer as a result of the listing. This is a matter I will be raising by way of an amendment in Committee, because I believe that compensation is an important factor in this legislation and something that is missing at present.

We then move on to the amendments required to the Planning and Development Act. The measures for control over the development of the built heritage will be achieved through those amendments. Although the Crown is not bound under this legislation, I believe that it should be, because many properties forming part of this State's heritage are controlled by the Crown at present. The Crown is bound by the Commonwealth legislation, and I can see no reason why it should not be bound by the State legislation. Clauses 24 and 25 provide that amendments to the Planning and Development Act will not apply to the city of Adelaide because controls already exist over demolition. There are, in the principles, policies relating to townscape and amenity which can achieve what this Bill proposes for the rest of the State.

At this stage I support the legislation, although I again refer particularly to the importance of the right of individuals and to the need for compensation, particularly in relation to people involved with commercial properties. Let us take as an example of a commercial property an old hotel, which may be a magnificent structure, privately owned, but of historical importance and architectural merit. It reaches a stage when it becomes uneconomic to run as a commercial venture, that is, a hotel. It becomes out of date and needs to be modernised and made more attractive to cater for clients. Under this legislation permission has to be sought for any changes to be made to that building. I hope that these changes will be agreed to, but if they are not the private owners of that commercial property will stand to lose much money and should be compensated for that loss.

It is in fact taking away an asset from a private individual. This applies also to private houses, and I believe that if a person wishes to sell a house on the register he should be allowed to sell at the normal price or the building should be purchased by the Government at full cost, the Government can do what it will with the building, and the private individual should be compensated.

As an example, let us look at one of this State's most historic landmarks, Sturt's Cottage, and the land around it. I believe that the cottage is of great value to this State. Many people would recognise it as a collector's item if it were purchased privately. If this building is privately owned, the land around it, once it is put on the register, could not be subdivided. No-one would be in a position to buy the land, and so the value of the property would decrease immensely.

As an example of a commercial property, we can look at the A.N.Z. Bank, in the city of Adelaide. I believe the Government has spent many thousands of dollars on that building and that it has cost the Government a large sum to keep the building in its present form. There is no way in which that cost could be met by private individuals.

I believe that it is vitally important that this legislation and the results of such legislation should be publicised, and that an education programme should be devised in association with it. There is a need for the rights of individuals to be preserved; in many cases such individuals would be aged people, and I suggest that nothing would be worse than Government controls which were not understood hanging over people's heads. Financial assistance might be necessary, and people must be educated about the effects of this legislation.

I believe heritage is for the people of South Australia, to be enjoyed by the people of South Australia, and it should be paid for by the people of South Australia. This is why I believe that compensation should be paid to private individuals, and I think people should be given the right to enjoy such heritage, to pay for it, and that private individuals affected by the legislation should be compensated.

Mr. KLUNDER (Newland): In following the member for Murray, I must say that I do not regard that speech as one of his better efforts. I want to deal immediately with several of the points he has raised, and others as I go through the Bill. If I understand him correctly, he complained that the Bill does not require the Minister to indicate to the person concerned that the property belonging to that person may be placed in a register. He then proceedeed to read clause 12, which, in subclause (3) *(a)* (iii), indicates that the Minister must, by public notice, notify persons of their right to make written objection to the entry of that item in the register. I do not understand where his problem lies. If it was his intent—

Mr. Wotton: They're not personally informed, are they?

Mr. KLUNDER: They are personally informed of their right to object. If it is the intent of the member for Murray to inform such persons before he informs the committee, I would have to disagree, for fairly obvious reasons, and I do not intend to elaborate.

The second point is that he said that the Crown is not bound. That is purely a misreading of the legislation, and nothing more. The reason that the Crown is not stated to be bound, as referred to in clause 23, is that it is not stated to be bound regarding the amendments to the Planning and Development Act.

Mr. Wotton: Where does it say that the Crown is bound in the legislation?

Mr. KLUNDER: The Crown does not have to be bound. The Crown is not bound in the Planning and Development Act itself. The only reference to the binding of the Crown

in this Bill is in reference to the Planning and Development Act.

In supporting the Bill, I should like to express a private thought regarding the need to preserve our heritage. I was born in Holland, and I lived there for the first 12 years of my life. My major memories, apart from the immediate neighbourhood in which I lived, are of the incredible cultural heritage that has been preserved in The Netherlands. Of course, they have been at it longer than we have. There, things are not considered old until they have existed for more than five centuries, rather than our one century. By the same token, however, we are able to start earlier in the conscious preservation of our heritage, and in a mere 400 years or so we will be able to show them a thing or two.

The Bill establishes the South Australian Heritage Commission to advise the Minister for the Environment on all matters relating to the State's heritage under the main headings of listing, registering, funding, and development applications. As such, it has a wide scope and brings together for the first time a large group of diverse interests and voluntary workers. Basically, two registers are to be kept: one for items, meaning any real or personal property; and one for areas, meaning any area of land. The intent of this is to be able to preserve both, say, individual houses and an entire street. There are consultation procedures with the local council that must take place before an area is designated a State heritage area. In the cases of both items and areas there are processes of public notification and provisions for submissions or objections.

Before any item is entered into a register, it may be listed. In this case, the Minister identifies the item or area to be listed, and it may stay on that list for 12 months, after which it must be struck off unless in the meantime it is placed on the appropriate register. During the time in which it is on the list, the same controls apply to an item or area as if it had been placed on a register.

The Bill provides for a committee to advise the Minister on any matter relating to the entry or removal of an item or area in the appropriate register. With 12 members, it is a large committee, but a large number of people have both expertise and willingness to serve in this area. I find the foreshadowed amendment of the member for Murray of particular interest, in that the shadow Minister for the Environment does not consider a member of the Environment Department worthy of a guaranteed place on this committee. That strikes me as very odd indeed. Perhaps if and when he ever becomes Minister for the Environment he will manage to keep his Environment Department out of any such areas.

The Hon. G. T. Virgo: That's purely hypothetical.

Mr. KLUNDER: As the Minister says, the question is purely hypothetical. The committee is further able to advise the Minister on the provisions of both direct and indirect financial assistance to persons or bodies for the preservation or enhancement of registered items or areas, and a corporation under the name of "Trustee of the State Heritage" is to be set up under the Bill. That corporation has the usual powers of perpetual succession, suing and being sued, being able to acquire, hold, and dispose of real and personal property, and others, as listed in clause 17, and it can authorise payments for the State heritage fund, which hopefully will consist of money received from State and Commonwealth Governments, from gifts and bequests, or return from investment. Obviously, neither this State nor any other has the financial resources to buy or otherwise acquire all heritage items. This fund is the next best thing, in that it provides for financial assistance, where necessary, for items on registers.

The member for Murray said there was a need for compensation but, unfortunately, he did not mention where the money would come from. If he can guarantee to provide the money from Liberal Party funds, there will be no problems. It should be noted in this context that under clause 18 (3) the corporation shall not have power to compulsorily acquire personal property otherwise than on just terms.

The Bill further proposes amendments to the Planning and Development Act. These amendments provide for a system of referral to the Minister whenever there is an application for development, alteration or demolition of either listed or registered items or areas. The Minister, in these circumstances, tenders advice, but it is left to the planning authority to give the final consent or otherwise to the application; the normal appeals apply. This, to me, seems a reasonable starting point. Environmental considerations regarding any development are important and should be considered. They are, however, only one aspect of the total picture, and I think that the Bill recognises that there is always a trade-off situation: to what extent is the need to preserve the past permitted to limit the future? I do not see that kind of problem in black and white but rather as a variation of shades of grey which are peripatetic, depending on particular circumstances.

The City of Adelaide is excluded from this referral system of Part V (aa) of the Planning and Development Act. This is because controls over demolition already exist in the city, and the administrative mechanism for State involvement exists with the City of Adelaide Planning Commission.

I will now move to the legislation existing in Victoria and New South Wales. Victoria has a Heritage Buildings Preservation Council which, as its title implies, deals only with buildings, and it has a total control over such things. It can ask for financial assistance if a building is no longer economically feasible, and this can be done by the Minister's granting a reduction in rates or taxes. Inasmuch as the development of such buildings is concerned, the owner applies to the council, and such a decision will be made within six months of the application. There are no appeal provisions as far as I could ascertain, but I believe that legislation is pending to alter that.

New South Wales has set up a heritage council. The New South Wales legislation is somewhat more similar to ours, in that it declares an interim conservation order and a permanent conservation order, which are similar to our listing and registering. It also distinguishes between buildings, relics, and places, and what we would call items is under complete control by the heritage council, but the planning authority there has control over any scheme or area that has been declared, and all items within that area, as far as I am aware, are controlled by the planning authority.

Ultimately, I hope that the Environment Department would be able to prepare policies for use by the development control body to guide development in areas identified on the register of areas as significant parts of the State's heritage. These would complement the Minister's recommendations on development applications for a specific heritage item. It is necessary to have some overall planning in this kind of situation.

This State is a political and historical unit, in that its parts have interacted to produce the heritage that we now have. It is apt that items and areas of this heritage be considered against the backdrop of the total past and present of our State and that policies taking all of this into account be laid down. The Bill is, moreover, a way in which all conservation of our heritage can be given a focus and in which all who are interested in this important area

in the quality of life in this State can centralise their hopes, aims and objectives.

The Bill will give a lead in heritage preservation, and its scope will give heart to those who have for many years struggled to make people aware of the cultural heritage which this State already offers.

The Hon. J. D. CORCORAN (Deputy Premier) moved:

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

Dr. EASTICK (Light): There is a desk calendar quotation on which we might all ponder and which states:

If our society continues to become less livable as it becomes more affluent, we shall end up in sumptuous misery.

I believe that the action contemplated by the Bill is at least going to endeavour to ensure that we will not finish up in sumptuous misery, that we are taking legitimate and proper steps to come to terms with our heritage, and to ensure that the heritage is going to be preserved. In this regard, we must ensure that we do not get such a proliferation of demands on the Government or on the authority for the preservation of every piece of property, every townscape, or every landscape which, in the minds of a few, has particular virtue.

It is a fact of life that there must be a balance, and I was heartened on reading the Deputy Premier's second reading explanation to see that the Government recognises the need for a balanced approach between progress and conservation. I trust that that it not just a platitude expressed by the Minister. I believe that it goes much further than that. I believe that he genuinely believes and recognises that this is an important issue of determining what is necessary of preservation and what, even against the build-up of public demand, is an unnecessary duplication of an already existent restored or existent piece of property that has been preserved.

We will always, while human nature is what it is, have the difficulty of interest and pressure groups demanding that their particular project is as important as, or even more important than, some previous decision that has been taken. On an earlier occasion in the House when the Government saw fit to put funds into the A.N.Z. Bank building, in King William Street, regrettably some members criticised that action. However, I think that, on reflection, they would want to retract the criticism they levelled, because the building, now known as Edmund Wright House, is an acquisition of which this State can be proud. The earlier comment that it was only good for a hay barn was, regrettably, made under pressure and emotionally, I believe, without having had due regard to all of the features. As one who has had the opportunity of attending a number of functions in that establishment, I say unhesitatingly that I am proud to be a South Australian who has seen fit to preserve this heritage in that way.

The member for Newland referred to the heritage in his own home country, and I certainly accept his comments. About three years ago, I had the opportunity of seeing the preservation of the national heritage in many European countries, some preservation in the north of Australia, and certainly a great deal in the United States of America and in England. Although it was regrettably too short a time in which to see all of this preservation and the features I might want to have seen, I point out that they are of distinct advantage, not only to the people who will come into the area to see them but also to the people who live in those areas.

One could refer to the *Wassa,* the ship in Stockholm harbor, a galleon built about 1621, which on its delivery voyage sank but which some years ago was raised and has been preserved in a pavilion on the Stockholm seafront. It is a national estate relic of that area which gives it an atmosphere and which helps to fill in on the history of that part of the world.

One could refer to many other preservations that have occurred throughout the world. The Sovereign Hill development at Ballarat is a truly remarkable one. I refer to the work undertaken at Swan Hill in a different vein to the real purpose of our legislation. Indeed, there has been a distinct approach by Government, initiated originally by private enterprise, to bring together in one place samples of a previous era and to preserve that material for posterity.

I would not be averse to this Bill's embracing certain of those activities, not only in maintaining the structure in its original habitat but also in some circumstances taking it from that surrounding and adding it to other similar buildings, in order to give an overall kaleidoscope of an era for the benefit of the public. Also, the redevelopment of the Rocks area in Sydney is a similar preservation project.

There has been an increasing number of references to historical acts and committees in literature associated with other Governments. The May, 1976, edition of *Regional Development in Britain,* a publication that has been upgraded several times, states:

Protection of the Countryside and Historic Buildings:

Various measures are taken by public authorities and voluntary bodies to preserve and enhance areas of natural beauty and places of historic interest. These include the compiling of statutory lists of individual buildings of special architectural or historic interest with special legal protection, conservation areas (areas of special architectural or historic interest) and "green belt" areas where development is generally prohibited or limited to that required to meet agricultural or rural needs.

That statement embraces what we are seeking to achieve by this Bill. I have previously referred to publications commissioned by the Victorian Government. In the publication *Review of Planning Policies for the Non-urban Zones,* recommendation 15 states:

An "historic area" zone shall be created with detailed controls to assist in the preservation of particular areas as a significant resource.

A further recommendation states:

Detailed identification of areas of significant habitat, outstanding landscape, scientific and or historic interest should be commissioned.

We see the embracing of that issue in this legislation. In a publication commissioned by the Melbourne and Metropolitan Board of Works, *Metropolitan Farming Study,* under the heading "Historically Significant Properties", it is stated:

The Town and Country Planning Act or the Historic Buildings Act should be utilised in order to protect the truly historical farming properties in the Metropolitan Planning Region. The National Trust and/or the Victorian Conservation Trust should be asked to classify such properties—

this is the important point—

However, classification is alone insufficient, and we consider that the existing owners, if considered sufficiently skilled, and particularly if they are original families, should be assisted to carry on farming these properties. Acquisition should only be the last resort. Guidelines should be stringent, and only properties that are truly significant, are in good farming order, and with buildings in good order should be maintained. There are a number of techniques used by the Countryside Commission in the United Kingdom to assist such farmer owners.

I have read those comments, because I believe that those

aspects may have been considered, but they certainly need to be considered. I was disturbed to hear the member for Newland criticising the member for Murray about his contribution and the questions he had raised. What is extremely important, having regard to the limited financial resources available to the Government or to the authority to be created, is that a number of worthwhile facilities for preservation will go by the board. With the difficulty that could arise, we cannot have a situation in which people are denied the opportunity to realise on their asset when, to retain it, will put them in untenable financial difficulties. Several times the member for Fisher has referred to the plight of the Pioneer Village, situated near Morphett Vale, at which a tremendous amount of work has been undertaken. However, because of rates and taxes, the owner has been unable to make it a viable proposition, and needs further finance. This is the sort of project that the Government should consider in future.

However, there is an opportunity already for the preservation of many of these facilities without the Government spending a cent. The matter has been canvassed in this House in both this and the previous sessions. Our policy of rating and taxing measures is against the continued land use in some areas and, if there were, as there are in Queensland, provisions for property to be allowed to continue in its present use at a lower taxing arrangement, there would not be the demand on the owner to sell, break up, or destroy his property. In normal circumstances, he would be able to maintain the operation as a viable entity without the pressures of escalating rates and taxes.

That matter could be developed in depth. I do not intend to take it any further now, other than to say that it is a tool that is already in the hands of the Government, if it is willing to take it up. It could be implemented and would cost the Government nothing in the sense of a financial hand-out. Undoubtedly, it would involve a reduction in income in certain specified areas. However, the maintenance and continuation of these facilities of national estate value would remain in the hands of the current owners.

We have seen recently a real example of people in the community who want to maintain our heritage. In this respect, I refer to the recent sale of Anlaby. I asked the Premier whether the Government had considered, or would consider, because of its historic worth, purchasing Anlaby homestead. The Government withdrew from that purchase for what were probably real reasons. Indeed, the Premier said that the architectural style thereof was a mixture of several eras and that the property was not, in essence, a good example of one type of architecture.

If one compared Martindale Hall, which is at Mintaro and which is now owned by the university, with the conglomeration of architectural styles that make up Anlaby, one would agree with the Government on that point. However, there is in the community a family that is willing to take that historic property, Anlaby, and, with its own resources, try to re-establish it to the state in which it existed for many years. This will be done for posterity, for the benefit of the South Australian public. Mr. Max Shannon and his wife are to be commended for the action they have taken, and I look forward with much pleasure to seeing the restoration programme that Mr. Shannon has set for himself come to fruition.

It is important that the Government look seriously at providing assistance to people such as the Shannon family to ensure that such people are not taxed or rated out of their properties, and are not forced to abandon such projects. Many examples of this nature have been referred to in this place. The member for Murray and I have spoken about the character of the town of Hahndorf. By having a proper approach to rates, taxes and valuations (I should probably have been stressing "valuations" previously), it may be possible for existing or new owners to maintain, and indeed improve, places such as those at Hahndorf. It would be worth doing so simply because of the genuine desire of those involved to be associated with such a development. However, this desire is often denied to people because they are rated out of the scene.

As many aspects of this Bill need to be discussed in Committee, I do not intend to deal with the Bill clause by clause at this stage. Certainly, I support the second reading, and hope that other members and I can give the Bill our full support right through to the third reading. However, that will depend on the Government's attitude in the discussions that will ensue and to the amendments that are eventually moved.

Mrs. BYRNE (Todd): In common with other members who have spoken, I support the Bill, although some members support only the second reading stage and will say more in Committee. I feel strongly about the subject dealt with in the Bill and I am pleased that the measure is before the House. For 30 000 years or more of Aboriginal occupation, as well as a brief occupation by Europeans, cultural and historic resources have been amassed in this country. The increasing need for land for housing because of population pressures and industrial and commercial needs means that many valuable architectural and historic buildings have been destroyed. The speed of urban growth is an argument for the conservation and management of cultural and historic resources under threat or pressure, and to allow this to occur would be an unnecessary loss of the goods bequeathed to us by our ancestors, and would be a disregard of our history.

However, it is recognised that there must be balance in this matter. This matter has been referred to in the Minister's second reading explanation and in the speech of the member for Light. Regarding tourism alone, the preservation of historic buildings and of whole regions and neighbourhoods is indisputably of immense value, both nationally and locally. In addition, although only a few visitors may be attracted to a particular feature each day, continuing employment may be provided for a person or persons.

The increases in demand for variety in the use of leisure and the educational purpose that can be served are other reasons why immediate action should be taken. Fortunately, in recent years our attitude to and concern for the environment and its conservation have grown. The responsibility to conserve the Australian-built environment, which is judged to be of national importance, is recognised by the Government and is embodied in the Bill in respect of South Australia. Already, the cost involved has been mentioned, and the matter of cost always seems to raise its head. However, the position may be that inevitably the cost will increase as time goes on. A single national area or a single building may seem of little importance in itself, yet it may represent the last available example of an architectural style or an historic link with our past. Any loss is not retrievable and the process can never by reversed to restore what has gone.

Clauses 11 to 15 of the Bill establish the process for identifying important features of the State's building heritage. This involves a register of the State heritage, listing individual buildings and structures of importance in the State's physical, social or cultural heritage.

The district that I represent has building heritage that has conservation value, and research has been done in this regard already. I refer to a report prepared by the

Northern Metropolitan Regional Organisation, entitled *The National Estate Study, Northern Metropolitan Region, South Australia,* and dated June, 1976. I refer to the preface, which states:

> As part of its on-going community development programme, the Northern Metropolitan Regional Organisation (No. 1 South Australia) has undertaken to commission this report on the National Estate in its region.

Later, the preface states:

> This report is a significant document in terms of environmental planning, in that it not only identifies those features of the region which form part of the National Heritage, but it also provides alternative courses of action for the preservation of those features. Its contents are commended to Government departments, local authorities, land developers and planners in the expectation that future development in this region will reflect a sympathetic approach to the historical and aesthetic issues.
>
> Ahead of us now is the task of keeping the report alive. It is a useful document only if it is, in fact, used to attain the objectives inherent in the National Estate programme. It must also be subject to continuous review, on the grounds that the National Heritage is not constant, but is subject to change with the passage of time, in tune with fluctuations in perceived community priorities.

I will not go into detail concerning the report, but parts of it trace the history of Torrens Valley, Modbury, Tea Tree Gully, Golden Grove (now part of Newland District), and the Paracombe localities and how they were settled. The report contains an interim inventory listing buildings, objects, and sites within the area of the Corporation of the City of Tea Tree Gully considered to be of real or possible conservation value, together with recommendations and gradings attached to each item. I have referred to the report to keep it alive, to draw attention to its contents, and to ensure that the work already done for the district will not be overlooked. I support the Bill.

Mr. ALLISON (Mount Gambier): By comparison with the ancient world, Greece, Rome, the Middle East, Western Europe, and the country to which the member for Newland referred (Holland), Australia is a relatively young country. Its architectural heritage is recent and, from experience in my own home town, I am certain that many items worth preserving, because of the unusual nature of their pioneer architecture, have already been lost to the community. I support the Bill because the time is long overdue when Governments should take a firm interest in preserving Australia's cultural heritage. For a considerable time it has been within the powers of local government, under the terms of the Local Government Act, to do almost precisely what this Bill sets out to do: to enumerate items that it considers worth preserving. A point made by the member for Murray (a point ridiculed by the member for Newland) related to some form of compensation. This point was taken up by the member for Light, who suggested measures that might be taken to mitigate hardships that could be experienced by people whose properties were listed on the National Heritage register. This question of compensation is not a light one. It was not thrown in simply as an issue of greed, as implied by the member for Newland.

I know of buildings in Mount Gambier which might well have been listed by the council in the last 15 or 20 years for preservation but, because there was no provision under the zoning regulations for spot zoning, because buildings were in the heart of the central business district and because there was a need for the owners to increase their income to meet the high rates and taxes charged simply for being in the central business district, it became necessary for the owners to consider whether they should preserve the buildings as part of the national heritage (in many cases the buildings being fine, old red dolomite structures).

Because expenses were becoming increasingly high and because the land was needed for higher-rise buildings, companies needed to gain sufficient remuneration. They subsequently arrived at the decisive point when it was no longer economic to retain those buildings in their present form, and they were demolished to be replaced by those modern rectangular boxes of stone and steel, which lack any architectural merit, and which are themselves rather impermanent and will be pulled down in due course with very little sorrow on anyone's part. The items which they replaced are, however, lost forever. In many cases it is already too late.

One hardly needs to point out that Tasmania has already taken steps similar to those recommended here. Some fine early Georgian buildings—not all of them mansions, some very simple residences—are being preserved in that State. In Sydney, within the shadow of that massive structure, the Sydney Harbor Bridge, there is a new development where very old early settlement warehouses, residences, banks, shops, and other buildings have been annexed and acquired by the Government, becoming part of a national development scheme. Those buildings have been repaired, refurbished, and leased to commercial and residential tenants, and an extremely successful tourist attraction has now been created.

The member for Murray assured me on one point raised by the member for Newland, concerning who should be included on the membership of the South Australian Heritage Committee, that he had considered an officer of the Environment Department being made a member, but in view of the relatively rapid movement of senior staff there, and the air of impermanence, he was not sure whom to recommend for the position. That is quite understandable. He did say that; I am sorry if he did not. Nevertheless, the lack of compensatory powers within this legislation, the possible lack of funds on the part of the person whose premises might be listed for preservation, the balanced decision that has to be arrived at as to whether to respect the past history or whether one is impeding progress, are all points entering into consideration when the matter of preservation or demolition is brought before the public.

The member for Light suggested that it may be possible to offer some remissions, and I had, as Chairman of Town Planning for the City of Mount Gambier in the early 1970's, considered that it might be possible, for example, to remit rates and taxes to make available some compensatory moneys in the form of repair and maintenance funds so that people who are right on the balance of whether to demolish or retain old buildings can have their minds made up for them with this form of financial assistance. It could be quite critical and, of course, the power to spot zone a building in the centre of a business district to make it eligible for a lower rating is probably an even simpler measure that might be considered.

I support this legislation as something that is in principle long overdue. The onus is now on a central governmental body, rather than leaving it to local councils and local historical societies to make *ad hoc* decisions, which are often influenced by sympathy for the owner of the property that might be listed, rather than by real considerations as to the historical value of buildings. Therefore, there is much more chance with this legislation that Australia's and, in particular, South Ausralia's national cultural heritage will be maintained. I support the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Commencement."

Dr. EASTICK: What is the Government's intended programme for this measure? I fully appreciate the need for the preparation of regulations and the like.

The Hon. J. D. CORCORAN (Minister for the Environment): I am anxious to get the measure into effect as quickly as possible for fairly obvious reasons. Once the measure is known attempts may be made by some people, not everyone, to try to avoid what may be a listing or registration by doing certain things. With that in mind I have had discussions with the Public Service Board in order to have staffing arrangements made that will be ready to handle the measure when it comes into effect. Until then I cannot say what the exact programme will be.

Clause passed.

Clauses 3 and 4 passed.

Clause 5—"The Committee."

Mr. WOTTON: I move:

Page 2, line 29—After "Governor" insert as follows: being:

(a) one person nominated by the Local Government Association of South Australia Incorporated;

(b) one person nominated by the National Trust of South Australia;

(c) one person nominated by the Royal Australian Institute of Architects (S.A. Chapter);

(d) one person nominated by the Institution of Engineers, Australia;

(e) the Valuer-General or a person nominated by him;

(f) the Director-General of the Public Buildings Department or a person nominated by him;

(g) a legal practitioner;

(h) a person with a knowledge of the building industry; and

(i) four other persons.

(2a) When the Minister has given to a nominating body referred to in subsection (2) of this section, notice in writing requiring that body, within a time specified in that notice (being not less than six weeks), to nominate a person for the purpose of the appointment a member of the Committee pursuant to subsection (2) of this section and that body fails to nominate a person within the time so specified, the Governor may appoint a suitable person as a member on the recommendation of the Minister and the person so appointed shall be deemed for all purposes to have been appointed on the nomination of that body.

Let me make it quite clear to the Chamber, particularly to the member for Newland, that it is not my intention that the Environment Department be left off the committees; in fact, I would have thought that the honourable member could use his nouse enough to realise that, as this legislation is the responsibility of the Environment Department or the Environment Department is responsible for this legislation, it would automatically place someone responsible on that committee. Provision is made in the amendment for four other persons to be nominated to the committee. It is vitally important that representations to the committee be made on behalf of the Environment Department. It is also important to have representatives on the committee who have a knowledge of real estate development and ownership. I could go on. The Minister responsible for the Bill is the Minister for the Environment. It is the Environment Department's legislation and probably that department should have more than one of the four listed representatives on the committee. That principle is already set out in a certain amount of legislation, particularly the National Trust of South Australia Act. I believe in moving this amendment, that it is in fact writing into the Act the intention of the people I believe should be included in that 12 on the committee.

The Hon. J. D. CORCORAN: I cannot accept the amendment. When introducing this Bill, I explained that it was envisaged that the composition of the committee would follow the model established by the Interim Australian Heritage Commission. That means that some members will be appointed from Government departments. The honourable member mentioned the Environment Department. There is no question in my mind as to whether or not there will be a representative from the Environment Department; it is only natural that there should be. As he knows, so many bodies are interested in historical activities, conservation activities and matters of national heritage that it is impossible to treat every one of those equally and fairly and list them, or list some of them. My experience in the past when I have had a board to set up has been that if one nominates a specific board one is inundated with requests and pressure from other organisations to be named in the Act as well.

It is not possible to do that and be fair about it. I want the greatest of flexibility in appointing this commission. Naturally, I will have people from organisations such as the National Trust and I will have people who are expert in various fields, but I want that flexibility. If they are stipulated, I will lose that flexibility. I do not propose that that be the case in relation to this advisory committee.

Mr. WOTTON: I am sorry that the Minister is not able to accept that amendment. How does the Minister intend to go about selecting members of the committee? Will he call for nominations from various bodies?

The Hon. J. D. CORCORAN: The usual thing is to call for nominations from interested bodies. Again, there is the difficulty of deciding who they will be and what organisations should be contacted. I think what I have to demonstrate in the appointment of this committee is that I have got a proper representation of a cross-section of interests in this area. This can be done by me or my officers selecting the people from whom I would ask or request nominations. I am not likely to go to an organisation such as the National Trust and say, "I want so and so." I would probably ask for a panel of names from which I would select one person. That is the way I envisage that this would happen.

With Government departments, of course, it is usual for the permanent head of the department, on request, to nominate a person he considers to meet the requirements of the committee. I can assure the honourable member that every care will be taken with the selection of the members because they will have an important, and probably heavy and onerous, task at the beginning.

Dr. EASTICK: I am disappointed that the Minister has not seen fit to accept the amendment. I certainly accept the detail that he has given us in a description of the type of person he is going to include on this committee. I ask him, in all seriousness (although it may be somewhat provocative), whether we can be assured that a prerequisite of committee membership, at least in part, will not be that the person is a president or secretary of an A.L.P. branch. I say this having regard to the situation in respect of the president and secretary of the two Wells A.L.P. being members of the Water Resources Tribunal.

The Hon. J. D. Corcoran: I did not appoint them.

Dr. EASTICK: I appreciate that the Minister did not appoint them, but they got through the system, and it sticks out like a sore toe, rankling with people in the industry, just as it would rankle with people who are genuinely interested in historical activity if this were to

intrude into this important committee. I still accept the point made by my colleague, and having regard to the numbers on the committee I should like the Minister to take my comment seriously.

The Hon. J. D. CORCORAN: I can assure the honourable member that I will not be selecting the president or secretary of a sub-branch of the Liberal Party, the Labor Party, or any other Party. The politics of the person I shall be appointing will not be a subject of inquiry by me. If it so happens that he is president of a sub-branch of the Liberal Party or the Labor Party, and that is unknown to me, I hope the honourable member will forgive me. I will not be seeking out people to put on this committee for that purpose.

Amendment negatived; clause passed.

Clauses 6 to 11 passed.

Clause 12—"Entry of Items in the Register."

Mr. WOTTON: I move:

Page 5, after line 17—Insert:

(4a) Forthwith after the giving of the public notice referred to in subsection (3) of the section the Minister shall cause to be served by post on the owner of each item referred to in that notice a notice setting out the substance of the public notice so far as it relates to that item.

I believe that it is fundamentally correct that the person who owns a property should be notified in writing that the property has been considered. Originally, I thought that this written contact should be made before consideration of the property's being placed on the register. I have thought about it since then, and I can see problems. There would always be someone who, rather than have the property put on the register, would rip the building down or sell it. I believe that each person who owns a property should be notified in writing so that he is aware of the action being taken.

The Hon. J. D. CORCORAN: The amendment is acceptable to the Government.

Amendment carried; clause as amended passed.

Clause 13—"Designation of State Heritage Areas."

Mr. WOTTON: What is meant by "an area of land"? What size is the area envisaged? Is there to be a maximum area?

The Hon. J. D. CORCORAN: No. The aim of the clause is to facilitate the identification of those streetscapes and areas where individual buildings or structures might not be of sufficient merit individually to qualify but collectively are. I cite the main street of Hahndorf, Burra, and certain parts of Robe, and Port Adelaide is a good example of what is meant by a designated area.

Clause passed.

Clauses 14 to 22 passed.

Clause 23—"Enactment of Part, heading and sections of principal Act."

Mr. WOTTON: I move:

Page 10—

Line 22—After "Minister" insert "or until the expiration of the third month next following the day on which it so informed the Minister of its receipt of the application, whichever event first occurs".

Line 24—After "of this section" insert "or, as the case may be, upon the expiration of the period of three months referred to in subsection (1) of this section".

Lines 24 and 25—Leave out "that recommendation" and insert "the recommendation, if any,"

The amendment relating to compensation is most important, and I am sorry that the Government has omitted this provision from the Bill. I believe that it is a basic right of an individual to be compensated for any loss he may suffer as a result of the legislation. Believing that South Australians want our heritage to be preserved, I also believe that most of them would be prepared to pay for that heritage. I believe that the private person who is disadvantaged in any way should be compensated.

As regards the first amendment, the Bill does not set any time limit, and it is important that a time be fixed. In that amendment, three months is fixed. My second amendment is consequential, and so is my third amendment. I think it is necessary for a time limit to be fixed.

The Hon. J. D. CORCORAN: There are good reasons why the Government should not accept the amendments relating to the expiration of the third month. There will be great difficulty in certain cases that will require very much longer than three months to deal with. I assure the Committee, first, that there will be no unnecessary dilly-dallying with these things, but I point to the case of the Ruthven Mansions, which has been going on now for three years because there were propositions to do this and that which fell through, and we are still negotiating to save those buildings. If this provision had been in the Act, I would not have been able to do that. Under the interim development control, there is no time limit. If it went from me in the three-month period, there would be no time limit there if something had to be handled as a result of a decision by me under this Act.

So there is good reason why there should be no time limit placed on it, because there are and will be some very complex and difficult things to discuss and negotiate which could take months. Indeed, I would want them to take months so that a proper decision is made; I would not want to hurry a decision because of this three-month provision, as a wrong decision could be made as a result of a time limit. I assure the Committee that nothing will be done unnecessarily to delay whatever procedure we are involved in.

Dr. EASTICK: I appreciate the point that the Deputy Premier has made. Whilst it may well be hypothetical, would the Premier consider, on the defeat of this amendment, a measure requiring a report to the people involved at least once every three months?

This amendment has been moved bearing in mind the many cases of lost files, the various difficulties associated with an officer's taking leave, and similar matters of which the Minister has knowledge. I refer to the loss of correspondence between members and Ministers. People could be in a difficult situation if the matter dragged on but, if a provision existed whereby there was guaranteed contact at least once every three months, that could satisfactorily resolve this problem.

The Hon. J. D. CORCORAN: I am pleased that the honourable member can see the point I am making, as it is important that we have no limitation regarding difficult and complex negotiations. The honourable member is concerned that negotiations could come to a standstill or for no apparent reason the files could get lost. Therefore, there should be a report or contact made once every three months with the party with whom the Minister is negotiating. As I cannot see anything wrong with that suggestion, I will check it out with my officers. I cannot see any difficulties.

Dr. EASTICK: Can we accept that subsequently, in another place if this suggestion is practicable the Minister will have it included in the legislation? If that were the case, we could put these amendments aside.

The Hon. J. D. CORCORAN: I am happy to look at the matter.

Amendments negatived.

Mr. WOTTON moved:

Page 10, after line 29—insert:

42g (1) Where, pursuant to section 42f of this Act, a planning authority has—

(a) refused its consent; or

(b) granted its consent subject to conditions, any person having an interest in the relevant item who suffers loss or incurs expenditure in respect of that interest in consequence of the refusal or the granting subject to conditions of such consent, shall be entitled to receive from the corporation, as defined for the purpose of the South Australian Heritage Act, 1978, compensation in respect of that loss or expenditure as may be agreed upon between that person and the corporation.

(2) In default of agreement under subsection (1) of this section the amount of compensation shall be determined by the Land and Valuation Court.

The Hon. J. D. CORCORAN: The Government cannot accept this amendment. No comparable measure applies in either New South Wales or Victoria where such legislation exists. The Adelaide City Council is a classic example of a body that does have control over demolition, that control being under the City of Adelaide Planning Commission. No compensation is involved there. In the second reading explanation, I indicated that the provision in the Planning and Development Act for compensation is one reason why the regulations under that Act have never been drawn. Also, where planning or zoning regulations have an effect (and they often do one way or the other), no compensation is involved. Often a building listed does not depreciate in value, but it increases in value. I am not suggesting that is so for commercial buildings, but it is certainly the case for residential buildings.

Mr. WOTTON: I am sorry that the Minister cannot accept the amendment. I understand that the Victorian Government is considering the inclusion of references to compensation in its legislation. I doubt whether many buildings used for commercial purposes would increase in value, and many private houses would decrease in value, as a result of this legislation.

The Committee divided on the amendment:

Ayes (17)—Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Rodda, Russack, Tonkin, Venning, Wilson, and Wotton (teller).

Noes (23)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran (teller), Drury, Duncan, Groom, Groth, Harrison, Hemmings, Hopgood, Hudson, Klunder, McRae, Olson, Payne, Simmons, Slater, Virgo, Whitten, and Wright.

Pairs—Ayes—Mrs. Adamson and Mr. Nankivell. Noes—Messrs. Dunstan and Wells.

Majority of 6 for the Noes.

Amendment thus negatived; clause passed.

Remaining clauses (24 to 28) and title passed.

Bill read a third time and passed.

MOTOR FUEL RATIONING BILL

Consideration in Committee of the Legislative Council's message intimating that it insisted on its amendments.

The Hon. J. D. WRIGHT (Minister of Labour and Industry) moved:

That the House of Assembly insist on its disagreement to the Legislative Council's amendments.

Motion carried.

A message was sent to the Legislative Council requesting a conference, at which the House of Assembly would be represented by Messrs. Abbott, Bannon, Becker, Dean Brown, and Wright.

NATIONAL PARKS AND WILDLIFE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 14. Page 2166.)

Mr. WOTTON (Murray): I support the Bill, which deals with the setting up of trusts. In his second reading explanation, the Minister referred specifically to the Black Hill national park, which is a unique and beautiful park. The visitation figures for near-city parks indicate that there is a need to have additional national parks easily accessible, and Black Hill is ideal for this purpose.

It is unfortunate, however, that, whilst existing parks are starved of staff and resources, the trust should be established and generous resources provided for a new area. I do not need to say that there is concern regarding the situation that the National Parks and Wildlife Division is in at present in regard to lack of finance and staff and because of the problems caused by that. I agree that the setting up of trusts will help to pay for the many essential services of our national parks.

I believe that we are getting close to the time when people will be expected to pay for the privilege of entering recreation parks and taking part in activities there. I believe that this probably is one of the only ways that we can provide finance for maintenance required, particularly for recreation parks.

I believe that the formation of trusts will be welcomed generally by all those who have respect and regard for conservation and the environment. The Bill is a step in the right direction, and I support it.

Bill read a second time and taken through its remaining stages.

ENFORCEMENT OF JUDGMENTS BILL

Adjourned debate on second reading.

(Continued from March 7. Page 1983.)

Mr. ALLISON (Mount Gambier): As we said yesterday, five Bills, including the Debts Repayment Bill, have been opposed, not in principle but because they were introduced with such haste. They have been opposed by a number of people outside the House, including the Law Society, which has written to the Attorney-General and to Opposition members requesting that the passage of the Bills be delayed to give the Law Society and others some chance to consider them and, if possible, to recommend amendments. The Opposition has studied these five Bills in a cognate manner, since they are related. I sought the adjournment of the debate on three Bills, which would probably be better debated cognately, although I understand that they are to be considered separately by the House. The first Bill, which provides for the execution and enforcement of judgments of the Supreme Court and of local courts and which seeks to amend the Mercantile Law Act, is the one we are now considering. In 1974, the Law Reform Committee of South Australia recommended the reform of the law on the execution of civil judgments. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 5.58 p.m. the House adjourned until Tuesday, March 21, at 2 p.m.