HOUSE OF ASSEMBLY

Wednesday 25 February 1981

The SPEAKER (Hon. B. C. Eastick) took the Chair at 2 p.m. and read prayers.

PETITION: HOUSING TRUST RENTS

A petition signed by 136 residents of South Australia praying that the House urge the Government to introduce a fair and equitable system of rent payments for all Housing Trust tenants was presented by Mr. Bannon.

Petition received.

PETITION: I.M.V.S.

A petition signed by 43 residents of South Australia praying that the House urge the Government to re-establish the Environmental Mutagen Testing Unit at the Institute of Medical and Veterinary Science, and recognise it as an integral part of the South Australian health services, was presented by Mr. Lynn Arnold.

Petition received.

MINISTERIAL STATEMENT: ASSAULT ON PRISONER

The Hon. D. O. TONKIN (Premier and Treasurer): I seek leave to make a statment.

Leave granted.

The Hon. D. O. TONKIN: Public attention has recently been drawn to the conviction by visting justices of Gregory James Cleland, an inmate of Yatala Labour Prison, for assault on another prisoner. This assault occurred in November 1979. Cleland appeared before two visiting justices and was convicted on the charge of assault. In the course of the hearing before the two visiting justices, Cleland was given the opportunity to call as many witnesses as he chose to support his plea of "not guilty". In fact, he called only one witness, Joseph Tognolini. On 5 January this year, prisoner Cleland requested the Ombudsman to investigate his conviction, contending in his submission to the Ombudsman that another prisoner had committed the assault.

Subsequently, a statutory declaration from that other prisoner, in which he admitted committing the assault, and a statutory declaration from the victim of the assault, impelled the Ombudsman to refer the matter for the Chief Secretary's urgent attention. After discussions between the Chief Secretary, Attorney-General, Crown Law officers and the Ombudsman, the alleged wrongful conviction was referred to the Police Commissioner for urgent investigation.

This course was adopted because the evidence to hand suggested the possibility of an offence of assault occasioning bodily harm and an offence of perjury, each of which required thorough inquiry. The detailed report of the Police Commissioner was delivered to the Government yesterday. In short, the police report concludes that Cleland was the offender and that the detention imposed by the visiting justices was justifiable. Three of the prisoners involved in this inquiry refused to be interviewed by the police. Two maintained their refusal even though the opportunity was offered them to have a solicitor present to act on their behalf. The third prisoner indicated to the police that he would talk to the police in the presence of the solicitor, but when one was available yesterday, stated that he had changed his mind, and did not wish to speak, even in his solicitor's presence.

With regard to the original hearing before the visiting justices, the police report concludes that Cleland's conviction was justified on the evidence, and, further, that Cleland's rights at this hearing to present evidence and to call witnesses were fully protected. Advice is now being sought as to whether sufficient evidence exists to bring charges of perjury.

The Ombudsman has been in touch with me on a number of occasions on this matter. We have discussed the possibility of a review of the existing visiting justices system in prisons. I am also on record as saying that I believe that there is a need to change the arrangements for the visiting justices system, but, because of the intervention of the Royal Commission into Prisons, the Government has deferred decisions on those recommendations. When the Royal Commission reports, the Government will undoubtedly make changes to the visiting justices system.

MINISTERIAL STATEMENT: LEAD-FREE PETROL

The Hon. M. M. WILSON (Minister of Transport): I seek leave to make a statement.

Leave granted.

The Hon. M. M. WILSON: I wish to inform the House of the decision made last Friday by the Australian Transport Advisory Council, which consists of the appropriate Federal, State and Territory Ministers, concerning lead-free petrol. The resolutions of the meeting were as follows:

1. That Australia adopt a nationally uniform policy requiring new vehicles manufactured after 1 January 1986 to be designed to operate on unleaded petrol and to meet the equivalent of United States 1975 emission standards.
2. That measures be introduced on a national basis to require the availability of 91·5 octane unleaded petrol at a significant number of fuel retail petrol outlets from 1 July 1985.
3. That Governments develop a national policy to achieve an early progressive reduction of the lead content in petrol used during the period prior to 1986.

ATAC noted that the Commonwealth, the Territories and most States have adopted 1 January 1986 as the operating date referred to in (1) above. ATAC noted that the New South Wales Cabinet has adopted 1 January 1985 as the introduction date and that the New South Wales Minister for Transport has undertaken to inform the New South Wales Government of the ATAC resolution.

ATAC also noted that, while Western Australia has reservations on the need and cost of (1) and (2) above, the Western Australian Minister will put the resolution before his Government mindful of the benefits of a nationally uniform approach. ATAC further noted that New South Wales, Victoria and South Australia believe that Governments should act to ensure that the price of unleaded petrol is no greater than the price of leaded petrol.

MINISTERIAL STATEMENT: WHYALLA WATER SUPPLY

The Hon. P. B. ARNOLD (Minister of Water Resources): I seek leave to make a statement.

Leave granted.

The Hon. P. B. ARNOLD: In Parliamentary and media statements yesterday the Leader of the Opposition alleged that there was a failure to carry out routine monitoring of Whyalla's water supply during December 1980. To substantiate his allegations, the Leader used stolen Engineering and Water Supply Department papers. These papers were uncompleted working papers. It has since been confirmed that standard monitoring procedures have been conducted without fail in December at Whyalla and in all other locations.

I deplore the Leader's irresponsible use of apparently official documents which can only erode public confidence in the water and health authorities of the State and create unwarranted levels of anxiety in the community.

Members interjecting:

The SPEAKER: Order!

QUESTION TIME

FROZEN FOOD FACTORY

Mr. BANNON: Will the Premier say whether or not the South Australian Development Corporation is to be abolished and, in particular, will he explain why Premier's Department officials and not the S.A.D.C. were involved in negotiations for the sale of the Frozen Food Factory to Heraton Proprietary Limited, a Sydney-based food company?

It has been reported that Heraton by-passed the S.A.D.C., though the corporation had legal and financial control of the factory and had been given the task by the Government of arranging its sale. Indeed, it has been stated that the S.A.D.C. is negotiating with three major interested buyers. We are told the S.A.D.C. was not informed about the negotiations with Heraton until last Thursday, at least a week after talks, described by the General Manager of Heraton (Mr. Stevens), as hush-hush, took place between the company and unnamed Premier's Department officials. The price being negotiated of around $5 500 000, was well over half below the market value of the property.

It has further been reported that the S.A.D.C. Chairman, Mr. Richard Cavill, was not informed about the Heraton negotiations until late Thursday night in a handwritten letter from the Premier hurriedly delivered to his home. That letter, I am told, was prompted by *Advertiser* inquiries on Thursday. The Premier subsequently announced that there was no guarantee that Heraton will be buying the factory, and the Government has belatedly set up a committee to assess private enterprise bids to buy it. Yet, it has been reported that during the Premier's Department negotiations, unknown to the Development Corporation, Mr. Mal Edwards, a Director of Heraton was introduced to factory customers as "the new proposed owner of the factory".

The Hon. D. O. TONKIN: There are a number of particular matters which require answers to the Leader's questions and a number of generalities. I will deal with the particular matters first. I do not know where the Leader thinks he is getting his information from, but I have no knowledge of any handwritten letter which was sent to the Chairman of S.A.D.C. on Thursday last. Certainly, Mr. Cavill was given a letter which set out the arrangements that are to be made for examining the various offers which have been received in relation to the Frozen Food Factory. Certainly, no handwritten letters. I cannot understand quite what is the significance of that.

An honourable member: Hand signed.

The Hon. D. O. TONKIN: "Hand signed", very good. I normally do sign my letters by hand. I certainly do not have a rubber stamp with a cross on it, which some members opposite would seem to require. The other particular point which is made, I think, is that somebody from Heratons was introduced as the new buyer. I have made some inquiries about that matter and suggest to the Leader that there may have been a misapprehension or mishearing. I understand he was introduced as a "potential buyer", and there is a world of difference indeed. Let us talk about the Frozen Food Factory and the negotiations which have taken place. Let us deal with the next layer of allegations which have been made by the Leader.

Mr. Bannon: I asked a question.

The Hon. D. O. TONKIN: The Leader has made a great number of allegations and I am going to answer them as well as the question. First, the Frozen Food Factory has been on the market, as I have advertised in this House on a number of occasions, and publicly. It is the Government's desire to cut the continuing losses which that establishment is causing the Government and the taxpayers of South Australia and to cut those losses as quickly as possible. What honourable members opposite may not realise, although they should, is that to maintain the factory, whether it is making a modest profit or not, is nevertheless costing the Government of the day something like $1 000 000 a year in depreciation and debt servicing charges. That is a sum which can be quite cheerfully left off the calculations when figures are produced to show that it is making a profit. The ultimate cost to the State must inevitably include those figures.

While it is perfectly in order for a private enterprise company to take over that factory, provided it has the money to meet the debts and the capital necessary, then there is no difficulty at all for that company to go ahead, progress and make a profit, as it should. But when there is, as there is at present, a continuing drain on the public purse caused by that organisation, then we have only one option and that is to cut our losses and get rid of it as fast as we can. We are not going to do that without a great deal of thought. Obviously, with a factory that was planned, first of all, to cost something less than $3 000 000, which cost escalated to $4 600 000 (and I am not absolutely certain of the figures, but I am sure of the millions) and then to $9 200 000 and which, with associated costs, was well over $11 000 000, the money that has been wasted in respect of that Frozen Food Factory was wasted at the time. There was no feasibility study done and costs escalated from $2 500 000 to something like $11 000 000. That is when the money was wasted by the previous Administration. It is no good saying that we should hold out for a figure that reflects the $11 000 000 or indeed, as I think I saw the Leader's reported comment, that we should hold out for a figure that represents the replacement value, $18 000 000, of that facility.

Mr. Mathwin: You would have to see Mr. Murdoch about that.

Members interjecting:

The SPEAKER: Order! The House must come back to order.

The Hon. D. O. TONKIN: We must be realistic about these matters. The enormous ineptitude of the previous Administration in allowing the factory to be built in that way means that the money was totally wasted at that time. There is no chance that this Government or any other Government can get that wasted money back.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: We will get a fair market

value for the Frozen Food Factory if it is at all possible but the important thing is that we must dispose of the factory so that we can remove the continual drain on the taxpayers' purse. Regarding the Leader's initial remarks—

Mr. Bannon: What's going on?

The SPEAKER: Order! I have asked the House on three occasions to come to order. The honourable Premier is answering a question directed to him by the Leader of the Opposition. Supplementary questions and interjections are out of order.

The Hon. D. O. TONKIN: The Leader has obviously not been listening. I have said that we will obtain a fair price for the Frozen Food Factory, and it will be a competitive price, because more than one organisation is now interested in buying it. This was not the situation some 12 months ago. Because of the efforts that have been made to publicise the availability of the factory, and because of the efforts of the State Development Office of the S.A.D.C., we have no doubt that the four or five serious contenders for the Frozen Food Factory will now be able to put forward competitive tenders so that we can obtain as good a price as possible.

The Leader initiated his diatribe about the Frozen Food Factory by saying that the S.A.D.C. was to be abolished. It seems that the Leader should know perfectly well that the Government, if it decides to make changes to the system of assistance given to industry in this State (and there is a good case to say that industry should be assisted through the State Bank and the Department of Trade and Industry, if it is small business), will make that announcement in due course. For the Leader to read into apparent discrepancies that he sees in the way negotiations have been conducted for the sale of the Frozen Food Factory some inference that this is the result of a decision to abolish the S.A.D.C. is totally misguided. In due course, an announcement will be made about the future of the S.A.D.C., when full consideration has been given to the possible alternatives that exist.

I must put on record my belief that the members of the S.A.D.C. board over the years since it was first established have been required by previous Administrations to make the most difficult decisions and have been given the most impossible tasks, most of which were based on political decisions made by former Labor Governments. They have not had a chance, and I believe that there is every reason to say that political decisions should be taken, as far as possible, away from decisions whether or not companies can be assisted, bolstered up or indeed helped to short circuit the effect of open market forces. That decision will be made soon and the Leader will be amongst the first to hear about it.

HYDROCARBON RESOURCES

Mr. SCHMIDT: Is the Minister of Mines and Energy aware that at a lunch of the Petroleum Exploration Society of Australia last Friday the Leader of the Opposition made a series of statements about his Party's policies on development of the State's hydrocarbon resources? Can the Deputy Premier say what impact the Leader's policy would have should it be implemented?

Members interjecting:

The SPEAKER: Order!

Mr. Mathwin: This will wipe the smile off their faces.

The SPEAKER: Order! I draw the honourable member for Glenelg's attention to the fact that he is a member of the House, and a general warning given to the House includes him.

The Hon. E. R. GOLDSWORTHY: I find the reaction of Opposition members quite predictable, in view of the obvious embarrassment that that speech would have caused them. The Premier, among other things, did make some reference to the question of uranium mining, but I shall not dwell on that today. We will leave that for another occasion, but I guess his phone rang hot when some of his left-wing colleagues read what he said.

The Hon. D. J. Hopgood: The Premier?

The Hon. E. R. GOLDSWORTHY: I am referring to the "alternative Government, the alternative Premier"—the Leader. It was a most interesting speech, made more interesting by the fact that the Premier—the alternative Premier—

Mr. Trainer: He did it again.

The SPEAKER: Order! I warn the member for Ascot Park.

The Hon. E. R. GOLDSWORTHY: The Leader made his speech more interesting by the fact that he was not prepared to stick to fact. I consider that it is in the interests of South Australians to be informed of some of his utterances on that occasion and the dire consequences that would flow to the State if his policies were implemented. Among other things, he saw fit to give me a bit of gratuitous advice, and he pined for his lost colleague, the member for Brighton, and sang his praises loud and long. I might say that I did not find the advice particularly helpful. The Leader made a number of statements which just do not stand up—I think the polite way to phrase it is that they were not based in fact. In relation to parity pricing of oil, which is the Commonwealth Government's policy, he said:

> Any analysis shows that exploration in Australia has reached a trough under the present Federal Government and has still not returned to what it was in the early 1970's.

That is not a statement of fact. The fact is that there has been a great upsurge in activity in this nation. The Australian Petroleum Exploration Association has forecast that expenditure on petroleum exploration and development activities this year will reach $1 400 000 000—nearly one and a half billion dollars, almost double the level of 1980. The association estimates that 137 on-shore and off-shore exploration wells will be drilled in 1981, compared with 82 actually drilled in 1980. Drilling this year will be at its highest level since 1969. We have recovered from the situation which existed under the Whitlam-Connor regime, which saw only 25 exploration wells drilled in 1975.

It is also pleasing to note that since this Government has come into office there has been a dramatic increase in the approvals and licences granted for petroleum exploration in this State, and currently we have a record level of exploration, both in terms of numbers of licences and money committed to exploration—a record for South Australia. So much for the first significant point made by the Leader. In this context, he also stated:

> The import parity pricing has also done little to encourage energy conservation.

Again, the facts belie that statement. In 1980, the sales of the 10 major petroleum producers were 4·4 per cent lower than in the previous year, and this trend continued, beginning to emerge in 1979.

An honourable member: What were their profits?

The Hon. E. R. GOLDSWORTHY: We are talking about conservation, and when we talk of conservation of a resource we are talking about the amount used. If the honourable member does not understand that, I feel rather more sorry for him than I did. Instead of the growth pattern which had obtained in Australia over the past 30 or 40 years, there has been a decline in the use of petroleum as the result of this policy. The Leader does not share the

view of his colleague who departed this place at the last election, the Hon. Hugh Hudson, in relation to parity pricing policies. About six months before he left this place, the Hon. Mr. Hudson, said, in a submission to the Senate Committee of Inquiry:

> The price of crude oil to refineries should be maintained at a level equal to import parity.

Those are the words of his lost colleague for whom the Leader is pining. The former Minister stated:

> Conservation of petroluem-based fuel; increased substitution of petroleum-based fuels by natural gas and LPG; stimulation of research and development into substitute fuels and alternative technologies.

He believed that this would be the resultant fruit that would flow from such a policy. Another point made by the Leader was that he endorsed the policy of his Federal colleagues in relation to excess profits tax or resource rental tax and the formation of a hydrocarbons corporation. In other words, he is advocating a rerun of the Connor policy, which led to the disastrous results, the down-turn in exploration and all the other problems I have outlined to the House. It would deprive us of the much needed royalties which will flow from some of the developments we are trying to accelerate in South Australia at the moment. We gain about $5 000 000 a year from royalties, whereas in Queensland and Western Australia the figure is about $50 000 000. The Leader is quite happy to allow the Federal Government to siphon off this money. It is the centralist theme again. He is happy to allow the Federal Government to take up the leeway. The State has to gain some revenue. He is happy to hand that to the Commonwealth in terms of the Whitlam and Connor formula.

He talked about South Australian Oil and Gas as an example of this sort of thing, showing a complete misconception, in that S.A.O.G. bears little resemblance to the Federal proposals for this hydrocarbons corporation; in fact, S.A.O.G. was set up by the Hon. Hugh Hudson to increase exploration in South Australia. It was not set up to take over private interests, as was the corporation, or to take over licences and exploration effort mounted by private enterprise companies, as was the Federal scheme. He showed a complete lack of comprehension of what S.A.O.G. is all about.

Then he got on to the most sensitive area in relation to natural gas supplies to New South Wales. He described as an irony the fact that New South Wales, a coal rich State, may be receiving natural gas from South Australia until the year 2006, while South Australia, with comparatively poor quality coal, might not have any natural gas available to it after 1987. I use the words the Premier used earlier today, as I could not find more apt words to describe the negotiations in that case: they illustrate the enormous ineptitude of the Labor Government in safeguarding and planning for this State's future.

Here we have the Leader of the Opposition sounding off at a meeting of people on Friday, in relation to this matter, and giving me gratuitous advice about how to solve these problems. He accused us of dithering and of failing to come to grips with the long-term nature of gas pricing and exploration issues. This is the Party that sold off our gas. The Leader called it an irony, but I prefer the Premier's description of enormous ineptitude. That Party sold off our gas to a resource-rich State, New South Wales, until the year 2006, but looked after South Australia until only 1987.

The Hon. J. D. Wright: Talk to Santos.

The Hon. E. R. GOLDSWORTHY: I talk to Santos regularly. I have read the minutes of meetings during negotiations. I have talked to the public servants advising the Government on that occasion. I talked to Mr. Blair, who does not mind his name quoted, from the Delhi Company, who warned the Government that it was selling South Australia's birthright. I have talked to all the people involved in the negotiations. The Government was warned, yet the Leader has the gall to get up and give me gratuitous advice, talk about irony, and pine for the long lost Mr. Hudson. No wonder we get flabbergasted when we deal with the gall and hide of people like the Leader of the Opposition.

Soon after coming to Government, I set up the Natural Gas Supplies Advisory Committee, headed by Sir Norman Young, with representatives of all the people vitally concerned with this gas question. They have given the Government advice on strategy, which we are following. The Premier and I went to Queensland to see whether we could come to terms with the Queensland part of the Cooper Basin. I have talked to people in the Northern Territory in connection with gas supplies there. I find it particularly insulting that the Leader hands out this gratuitous advice publicly before people who know that he is being quite childish.

Mr. Bannon interjecting:

The Hon. E. R. GOLDSWORTHY: All sorts of things are said in votes of thanks. Finally, I again mention the Leader's reference to the petro-chemical project. Suddenly, the Leader suggest that it should go to Whyalla. He is Leader of a Party that announced this project back in 1973 without any environmental assessment whatsoever. It was a *fait accompli* and was a big election promise then. It has been announced and reannounced *ad nauseum* since then, until as late as April last year. So that the Leader could still claim that it was his Party's project, he was reported in the press as having said that the petro-chemical plant would be announced, and a favourable decision would be given in April. We knew perfectly well that that was nonsense. The Dow Company has been put to considerable expense as a result of the former Government's operation, yet now the Leader is saying, "Shift it around the corner to Whyalla." What credibility does he have? I will give the Leader a bit of advice that is not gratuitous—it is well deserved. I suggest that the Leader stick to matters about which he has some comprehension and knowledge, and then he may be able to keep out of trouble.

APPOINTMENTS

The Hon. J. D. WRIGHT: Can the Premier say what new role the Government intends for Mr. G. J. Inns, and when will the appointment of Mr. Max Scriven to the position of Director-General of the Premier's Department be confirmed? I am informed that the futures of Mr. Inns and Mr. Scriven have been in limbo for quite some time. On three occasions, from 10 July 1980, the Government has gazetted temporary arrangements to give Mr. John Holland the powers of acting Director-General. I make no complaint about that, because he is a very competent officer. However, I am told that the Government is dithering about which department Mr. Inns will head at EO6 level. Perhaps the Premier will clarify the position, particularly since the *Advertiser* on Monday described Mr. Scriven as the Permanent Head of the Premier's Department.

The Hon. D. O. TONKIN: I thank the Deputy Leader for his question, because it gives me an opportunity to place on record in this House, and I speak on behalf of the Minister of Agriculture also, our gratitude to Mr. Inns for the work he has done so far in restructuring Samcor. It has

been an enormously difficult task, one that has not been easy at all, and I am grateful that he has spent so much time on it and has been able to come up with what I believe is a solution which, given a fair degree of co-operation and hard work, which I expect from everyone associated with Samcor, will succeed in putting it back on to a financial basis.

As to the other matters, Mr. Inns has not yet, as I understand it, completed his assignment, although it is expected to be complete over the next week or so. He has been overseeing the detailed arrangements which have been made and, indeed, his job would not have been considered to have been completed until legislation had been passed through the Parliament and proclaimed and all the necessary arrangements made.

The Hon. W. E. Chapman: I want him to continue as a part-time Chairman, as well.

The Hon. D. O. TONKIN: Indeed, the Minister of Agriculture makes the point that he wishes Mr. Inns to continue on as Chairman of the Samcor Board, on a part-time basis anyway. As to the other matters which the Deputy Leader has raised, no decisions were possible. I am quite certain he understands the Public Service Act, and no other changes were possible until Mr. Inns had completed his task. Announcements will be made at the appropriate time.

EDUCATION MEETING

Mr. RANDALL: Will the Minister of Education say whether he is able to attend the public meeting at the Thebarton Town Hall tomorrow evening? A large costly advertisement that has appeared in the press not only invites the public but also invites the Minister to attend.

The Hon. H. ALLISON: I must admit I was a little surprised when I saw in the newspaper that I had been invited to attend the Thebarton meeting since it was three weeks ago that I told the Public Service Association that I should be pleased to attend a public meeting at Thebarton, but within two or three days of the invitation. Subsequently, I advised the association that I could attend on Monday 23 February or Thursday 5 March. Neither of those dates was acceptable to the Public Service Association.

ANCILLARY STAFF

The Hon. D. J. HOPGOOD: Has the Minister of Education placed before Cabinet or, if he has not, will he place before Cabinet a recommendation that it reverse its attitude on what it has represented publicly as a 4 per cent cut in ancillary staffing of schools? Last Thursday, when I understand the Minister was in Tasmania at a meeting of the Australian Education Council, the member for Newland addressed a question to the Minister's colleague, the Minister of Industrial Affairs, on this matter.

Among other things, the Minister of Industrial Affairs stressed that the matter of the 4 per cent reduction, as he called it, was not up for renegotiation and that that was indeed a Cabinet decision, which would not be varied. There are people outside who have watched this saga with a great deal of interest and who have suggested to me that there are three strong reasons why the Minister should be placing such a recommendation before his colleagues, if he has not done so already. The three reasons are, first, seeing that the two-to-five ancillary/professional staff ratio recommended in the Karmel committee report, so long ago, irrespective of enrolments has never been achieved and since this Government has never denied the desirability of such a ratio, the present trend is undesirable; secondly, that the Keeves committee is shortly to report to the Minister, and thus I guess to the whole of the State, and therefore the Government is preempting what Keeves might suggest should be done in this matter; and thirdly, seeing that the Minister is about to increase the size of his personal staff, this venture will sit rather peculiarly along side the reduction that is occurring in schools.

The Hon. H. ALLISON: This question is obviously directly related to the previous one in so far as this was the subject to be allegedly discussed tomorrow night at Thebarton. I would repeat that there is no possibility that this issue can be resolved at a public meeting. Three weeks ago, when I was asked to attend that meeting there was no indication that negotiations were or would be in train over the industrial matters to which this whole series of questions relates.

It was simply something which was a trigger, a ginger group which was going to do something. Subsequently, both the Minister of Industrial Affairs and I have undertaken to negotiate at industrial officer level (that is, advocates) on a range of issues relating to the industrial award pertaining to ancillary staff. These negotiations were set in train only yesterday after another stand-over tactic had been employed whereby there was a threat of industrial action. I say "stand-over tactic", because there was a threat of industrial action, and the Minister of Industrial Affairs declined to negotiate in that atmosphere, and quite rightly, too. We conferred on this matter while I was in Tasmania last week on Australian Educational Council business.

Subsequently, the institute and the Public Service Association retracted their support for industrial action (that is strike) in light of the fact that we were negotiating, and that those negotiations were commenced yesterday but are obviously nowhere near finalisation. To suggest that a public meeting tomorrow at Thebarton can contribute in any way towards a satisfactory conclusion is simply a specious argument. As I said, I wrote to the Public Service Association offering three alternative dates (one immediately and two in the near and distant future) during which I could attend a meeting at Thebarton, but none of those dates was satisfactory to the Public Service Association—one because it was too soon to organise a meeting, the second because the matter would have already been resolved as 2 March would have passed.

The whole question of whether we should be inflicting a 4 per cent cut in ancillary staff really dates back not to this year at all but to the beginning of last year when we announced that there would be a rationalisation, nothing new, but very similar to the one that the previous Government brought in in 1978. The previous rationalisation was brought in immediately with no negotiation. In this case, the Public Service Association and the Institute of Teachers asked for a deferral from January until the end of December 1980. We acceded to that request on the basis that both unions would co-operate and ensure that the rationalisation was effectively completed.

What happened was that by 31 December about 950 hours a week of ancillary staff time was not reallocated from schools which were over establishment to schools which were under establishment. It had already cost the Government about $550 000 in additional salaries to defer that decision. To defer it again until the end of June this year would mount that bill to a little short of $1 000 000 on present salary estimates, so the Government has bent over backwards to accede to requests from the two unions.

I will take that a stage further, because it has been only very recently (two weeks ago, in fact) that the Public

Service Association lodged a log of claims with the salaries board requesting that the whole range of issues which were relevant in January 1980 should now be considered. In other words, these issues might well have been addressed during the preceding year. Now that they have come before the Industrial Court, I am asked to have another moratorium for an indefinite period, and that is something to which the Government had already acceded in the previous year.

The 4 per cent reduction is really a catch-up on 1980, plus an attempt to reduce the State Budget for the first half of this year—that is essentially what we are about. So, what was initially a 2 per cent cut was nothing new, because in the budgetary debates and in that yellow book which the Opposition sometimes speaks of in a derogatory manner, it was quite clearly expressed that 64 equivalent staff members would be the reduction for the ancillary staff in 1981. That point was not made very much of during the debate—I do not know why.

The Hon. D. J. Hopgood: We ran out of time.

The Hon. H. ALLISON: The nature of the questions asked probably had a lot to do with why the Opposition ran out of time. I remember debating for almost an hour and a half whether something should or should not have been included in the Budget, and that was a waste of the first hour and a half of debate on the education budget, as members who were there will recall.

So, the position is that the Government has deferred a decision for a year: it is unable to keep deferring indefinitely, and probably the most significant factor of all is that the Education Department anticipated that there would be a reduction of 3 600 youngsters in primary schools and 1 100 in secondary schools for 1981. We are faced not with a 4 700 reduction but with a 7 000 reduction—5 000 in primary schools and 2 000 in secondary schools. We have already obtained mobility.

The Hon. D. J. Hopgood: So what?

The Hon. H. ALLISON: The former Minister was faced with an identical problem. During his term of office, the permanent, professional staff stagnated in positions and did not move very much in the last year or two. We have re-established the fact that movement is quite possible. I believe that an institute meeting recommended, after the aborted strike action, by about 300 to 6 in favour of mobility for staff, which was a significant change of heart on the part of institute members. With that mobility, we are now faced with the fact that, although the ancillary staff come under probably the least satisfactory of all the Public Service awards, which is why they have a log of claims outstanding, they have the most stable employment position. The Government is simply reasserting clause 13, which was the ruling brought down by Judge Stanley, again in the former Government's term of office in 1976-77, and which stated that ancillary staff could be moved, and more than that, they could be retrenched. Their hours could be reduced at the wish of the Government then in office. We have not invoked that retrenchment at all; in fact, we have assured people that we will not do so. However, we insist on the right to reduce hours and to transfer people, just as we can with professional staff.

These issues have been relayed to the Institute of Teachers and the Public Service Association without any change in message quite consistently over the past months. To suggest that the moratorium will do anything other than achieve a short hiatus while we consider the industrial implications would be incorrect. It would be incorrect to give any other impression. The 4 per cent reduction currently is not negotiable, but the industrial improvements are. In the longer term, we have another Budget coming up.

ROCK CONCERTS

Mr. BECKER: Will the Premier say whether the Government is taking action to curb the increase of noise levels and violence associated with rock concerts? Last evening, the rock group *Police* performed at Memorial Drive, and I understand from parents of teenagers who attended the concert that the behaviour of patrons at the concert was excellent. However, as reported in this morning's *Advertiser,* there were brawls involving persons outside the venue. I further understand that two persons were stabbed and several others taken to hospital.

Last week, the rock group AC/DC held a concert at Memorial Drive and complaints in regard to noise were received from my constituents at West Beach. Following the AC/DC concert in Sydney this week, over 100 people were involved in brawls, and seven motor vehicles were burnt. The Sydney city council has now banned all outdoor concerts at the Sydney Showgrounds. I understand that, following last evening's concert, loutish behaviour incited by loud rock music, alcohol and drugs was the cause of violence among persons who congregated outside the concert venue. The police can do little to move these people on, because the previous Government took that power away from them by removing section 63 of the Lottery and Gaming Act.

I wish to make known that I would not like our young people to be denied the opportunity to attend these concerts, but I deplore the loutish behaviour of those outside the concert venues. Several parents contacted me this morning, and they are anxiously awaiting protection for their children in the future. It was suggested to me that perhaps the Government may return to the police the powers contained in section 63 of the Lottery and Gaming Act in regard to loitering so that these people may be moved on if they are suspected of loitering with the intent to cause or create a misdemeanour.

The Hon. D. O. TONKIN: I am rather surprised at the signs of levity that have come from members opposite, because I believe that this is a matter of great concern to the community. As was reported this morning, I have asked for an urgent report from the Police Department on last night's activities. I assure members opposite that this is a matter neither for politicking nor for making fun of. The Chief Secretary has provided me with the following report. On the matter of noise, 22 complaints were received by the Police Department during the AC/DC performance, and a considerable number of complaints (a final total has not yet been collated) were made concerning last night's performance. The monitoring of noise levels gives one great cause for concern. Members will know that 90 decibels or its equivalent over an eight-hour period, is the upper limit of acceptable industrial noise. Last night readings were taken at the level of the stage of 110 decibels; readings were taken from Montefiore Hill at levels of 60 and 70 decibels; and a reading was taken outside of Memorial Drive of 90 decibels. This is not only disturbing and annoying from the point of view of noise level but also it is positively dangerous. That noise level can cause permanent and serious hearing loss, and that is a matter which I believe should concern every member in this Chamber.

The report on behaviour is quite a detailed one. The behaviour inside the concert area was generally good, and there is no question of that. Adequate security guards were provided. There was adequate lighting, and the proceedings within the enclosure were quite satisfactory. However, I am informed that, outside the concert area, because of the trend for crowds of up to 3 000 or 4 000 to congregate outside, behaviour leaves a great deal to be

desired. As an extract from the report shows:

> Liquor plays a predominant part in the behaviour of those people outside. People move about in groups seeking confrontation. Groups of some 30 to 100 young people adopt an aggressive attitude whenever there is any hint of confrontation from a rival group or hint of authority by the police. They indulge in extensive consumption of liquor, throwing empty bottles at random and without consideration for the comfort or safety of other people. Police action so far has been of a general holding pattern, taking action of arrest in extreme cases, but tolerating the situation in other lesser cases where the weight of numbers and aggressiveness makes it a practical impossibility to do otherwise. Seven persons in all were arrested last night. The two youths who were admitted to the Royal Adelaide Hospital after the brawl between three groups of some 60 or so youths at Montefiore Hill are suffering from stab wounds to the stomach and side, respectively. Their condition, in both cases, is serious but stable. The persons responsible for the injuries are unknown.

Obviously, the situation has become out of hand. I do not in any way blame the promoters of the concerts, and I do not blame those people who have been responsible for organising them, but obviously serious consideration needs to be given to the staging of such concerts in the future at Memorial Drive where large numbers of non-paying participants can behave in the fashion that has been reported on two separate occasions now. It is a matter that has concerned the Adelaide City Council—I am aware of that. Certainly, it is a matter which concerns the Police Department and the Government, and it is a matter that will be investigated further.

Mr. CRAFTER: I rise on a point of order, Sir. Can you rule whether that document is a document which is appropriate to be tabled for the benefit of members in the House?

The SPEAKER: Was the honourable Premier quoting from an official document?

The Hon. D. O. TONKIN: I am quoting from a copy of extracts from the Commissioner of Police.

The SPEAKER: In those circumstances, there is no need for the document to be tabled.

LINK COURSES

Mr. TRAINER: Can the Minister of Education explain the disproportionate amount of funds for the 1980 Transition Education Federal Grants for conducting Link courses in the Department of Further Education that was allocated to the South-East Community College at Mount Gambier? On Tuesday 10 February, in reply to Question on Notice No. 869 regarding the allocation of the funds, the Minister did point out that the Department of Further Education has been funding colleges conducting Link courses on the basis of courses run, not on the basis of an overall grant to each. Nevertheless, some further explanation may be in order. The total allocation for these courses was $220 000, of which $30 320 went to overall course evaluation, $10 150 to administration overall, leaving about $180 000 to be distributed amongst the various Department of Further Education institutions. In the electorate of Flinders, for example, the Eyre Peninsula Community College received $380. In the Light District, your electorate, Mr. Speaker, the Gawler College of Further Education received $220, and varying sums were awarded to the other Department of Further Education institutions in this State, of which 21 in all received grants. A disproportionate amount which might merit explanation is the amount of $76 100 which went to the South-East Community College, nearly half of the overall total of $180 000 for the State being spent apparently in the Mount Gambier electorate.

The Hon. H. ALLISON: I detect the obvious inference that the Minister has exercised some special discretion or favour towards the South-East Community College, and I can assure the honourable member that that is not so. Perhaps we can take the allocation of funding for Link courses 18 months or two years further back, when no-one had heard of Link courses. I think it was a former principal of the South-East Community College, John Hill, as one of the people who subscribed to the idea of Link courses, who originally put the idea to the South Australian Education Department some several years ago.

It was a couple of years ago that the idea was taken a step further, and it was put to the Commonwealth Government that perhaps it might like to subscribe to the funding of Link courses on the basis that youngsters coming through from school to work would benefit from some school to Department of Further Education transition, linking in with industry and commerce. The Federal Government, in its wisdom, two years ago decided to allocate $200 000 across the whole of Australia. This was allocated under the previous Labor Government for South Australia, of which $200 000, 10 per cent, or $20 000, went to Mount Gambier for the establishment of a pilot scheme.

I understand from State and Federal comment that that pilot scheme was so successful that it was regarded as a good example for the rest of Australia to follow. The allocation of subsequent Link course funding within South Australia has not been the responsibility of any one Minister, but rather was given over to a joint committee comprising senior administrators from education, further education, and labour and industry. As a team, they decided where to recommend that the funds be allocated. This recommendation came through the various Ministries to Cabinet and to the Federal Government, and it was the Federal Government which finally set the seal of approval on where the money was to go.

I cannot deny that I am very pleased that a successful pilot scheme which set an example for the rest of Australia should continue to be funded, but I did not make any personal decision, either before or subsequent upon the recommendation being handed to Cabinet. I hope that, as Link course funding becomes increasingly recognised, greater allocations will be made across the State.

There is one further point that I should make. The proportion of money which was allocated to further education and secondary education in South Australia has been queried. We allocated the money roughly in the proportion to a little more than two to one in favour of further education. That was a value judgment on the part of this Government, which recognises that South Australia has a higher proportion of unemployed people from 18 to 25 years of age than do most other States in Australia.

I think it is about 24 per cent, compared with the 16 per cent national average. So, we decided that the money would be best employed in providing training (that is, the 700 apprenticeships through D.F.E. and 200 more in industry and commerce) announced by my Ministerial colleague, the Minister of Industrial Affairs: that is, 900 apprenticeships to get youngsters off the streets into training and straight into jobs which we know will be available at the end of that training course. It was a conscious decision, so perhaps, if there has been any detected deficiency in Link course funding in the secondary school sector, this will be addressed in the next year's allocation—I assure the honourable member of that.

MINE DEWATERING

Mr. BLACKER: Can the Minister of Mines and Energy say whether the Government has determined a policy and/or guidelines on dewatering programmes for the open-cut mining of coal? Furthermore, have studies been undertaken to ensure the maintenance of water quality and quantity, and to deal with other possible side effects, for example, the effects of large volumes of fresh water moving into the sea and the mixing of aquifers? In recent years, three large deposits of coal have been identified, one on Eyre Peninsula, one in the Mid-North, and one in the South-East. All of these deposits are either above or below significant aquifers which require the managing or diverting of large volumes of water. The predominant concern of my constituents is for the future of the underground water reserves.

The Hon. E. R. GOLDSWORTHY: The question raised by the honourable member is important, and it will play an increasingly important role in future coal mining activities in South Australia. We have only to think of the two prospects currently being investigated, at Port Wakefield and at Kingston, to know that a major dewatering problem is associated with these activities. A number of members of this House have been to Port Wakefield to see the activity in extracting several hundred tonnes of coal for testing in Germany and America. An integral part of that operation is a ring of pumps around the periphery of the mine. Half-way down, another ring of pumps had to be installed to cater for the dewatering problem. Any mining operation would have as an integral part a continuous dewatering removal of water from the aquifers. In that case, it is saline water. At Kingston it is particularly important because of the matters raised by the honourable member. The effect on the underground water supplying the surrounding areas is of vital concern. We are gaining knowledge, and the Department of Mines and Energy is monitoring the effects of those activities.

I cannot say that we have made a positive policy statement as such in relation to dewatering of coal mines, but we are actively investigating the effects on the environment, with particular reference to the matters raised. We must guard against adverse effects, such as those on aquifers in surrounding areas, on primary production, and also on the sea. I will get a report from the Department of Mines and Energy on the work carried out so far, and I will forward that to the honourable member in the near future.

INTERNATIONAL YEAR OF THE DISABLED

Mr. PETERSON: Will the Minister of Transport say what is the Government's policy regarding disabled persons using walking frames riding on public transport? I have come directly here from a meeting with a group of disabled people, some of whom are forced to use walking aids. One of the group told me about being refused access to public transport. Others reported extreme difficulty in boarding or alighting from buses unassisted. In this year of the disabled, these people are vitally interested in how their problems are viewed by the Government.

The Hon. M. M. WILSON: The Government's attitude is plain, and has been stated by me on several occasions over the past 12 months. We wish to see improvements in the public transport system to cater for the disabled, the elderly, young mothers and the like. I am disturbed to hear the honourable member say that some of these people have been refused access. If the honourable member can get any details for me, I would like him to let me have them, because I will have the matter investigated. There is no doubt of the Government's acceptance of the principle that disabled persons should have access.

In the order for new buses, for which tenders are apparently being examined by the State Transport Authority, provision was made for such things as fold-out steps, wider doors, destination signs, and things like that, which are very much part of access for disabled people. The Government has already announced that priority seating will apply in buses and trains for aged and disabled persons. I assure the honourable member that the Government is committed to providing access for disabled persons, and I ask him to supply me with the details that he has mentioned.

GLENELG TRAMLINE

Mr. OSWALD: Will the Minister of Transport investigate the upgrading of lighting provided at tram stops along the city-Glenelg tramline from the existing single bulbs, installed when the line was constructed, to at least fluorotubes used on street corners today? As members would be aware, the tram route follows an unlit plantation all the way to Glenelg. At night, the tram stops are illuminated by only single or, in some cases, two dimly lit bulbs enclosed in a protective wire cage which, in itself, is an obstruction to illumination. While this provides some help for people boarding trams, the lights do not penetrate the shelter sheds, nor are they bright enough or sufficiently well placed to provide security for passengers waiting for alighting from trams in the dark.

The Hon. M. M. WILSON: I thank the honourable member for his question. His interest in the upgrading of the Glenelg tram is well known. In fact, I believe it was his suggestion that the State Transport Authority should look into the question of building ramps to help aged persons. A pilot project was put into operation, and I believe that the results were very successful.

I will certainly look into the question that he poses. The authority has plans for upgrading the whole of the Glenelg tram system at a cost of about $1 500 000, or slightly more, over the next few years. Certainly, I will make sure that that is taken into account in that upgrading.

SOLAR PONDING

Mr. LYNN ARNOLD: Will the Minister of Mines and Energy say whether the Government will give serious consideration to the experimentation with solar ponding in South Australia for the purpose of electricity generation and desalination? If so, what action will the Government take? Last year on 25 November, in answer to a question from the member for Mitcham, the Minister made some comments about Israeli solar ponding experiments, and said at that time that in his opinion it was not an alternative, and not likely to be able to be harnessed on a large scale suitable for generation of electricity for a State the size of South Australia. He went on to say that it would be very expensive.

I have been studying some information from the solar desalination group of the University of Sydney, which has prepared a paper called "Solar Ponds for South Australia", which I believe has been submitted to various officers of the Government. In that submission it is stated that solar ponding would be suitable for South Australia. In fact, the group believes South Australia would be an

ideal place for experimentation in this area. In linking the solar ponding for electricity generation with desalination, it makes the following comment:

> Solar ponds are a cheap and technically feasible way of collecting solar energy on a large scale, particularly where geographic and climatic conditions are favourable. Such conditions occur in many areas.

Examples are given for South Australia. The submission continues:

> Solar ponds could be used to generate electricity for between 4c and 20c per kilowatt hour making it economic now for regions not connected to the State grid. Solar ponds can be combined with thermal desalination plants to provide fresh water for about $1 per cubic metre, which may be cheaper than the present water supply costs in remote areas.

Indeed, water supply costs are quoted for remote areas of South Australia, even as close in as the northern triangle, which suggest that as a possible source of water for those regions.

The Hon. E. R. GOLDSWORTHY: The fact is, as the member has indicated, that towards the end of last year I visited Israel together with the Deputy Director-General of my department and another member of my staff to look at the work being done on solar ponds. It is true to say, certainly to the best of my knowledge that Israel leads the world in relation to experimental work on the entrapment of solar energy via solar ponds.

Mr. Mathwin: That's right.

The Hon. E. R. GOLDSWORTHY: In fact, it was the member for Glenelg who first drew my attention to this work. This was later reinforced through communication with the former Governor, Sir Mark Oliphant. I am certainly interested in the question and in the information the honourable member gave in relation to some of the activities of a group of people at the University of Sydney.

I also made the observation, if not in this House, certainly it was made somewhere publicly on my return, that I believed some of the outback areas of South Australia could be suitable for the development of solar ponding. I shall certainly be pleased to examine the submission and get my officers from the Energy Division, who are particularly competent officers in this area, to make an assessment on the validity of what the honourable member is claiming could well be useful for South Australia. I repeat the point I made on my return (and this was certainly not to brush solar pond work aside), that the valid conclusion we reached was that when it is a question of generating electricity for a city such as Adelaide with upwards of 1 000 megawatts it would be simply out of the question to do so by solar ponding. When we are talking about base load for South Australia, that is out of the question on a number of grounds, one of which is that it is not feasible economically.

Mr. Lynn Arnold: It is feasible for remote areas.

The Hon. E. R. GOLDSWORTHY: Yes, there have been some interesting developments in this area. In Israel, there is talk of using the whole of the Dead Sea as a great solar pond. That is some years down the track. Such a scheme would certainly generate enough power to service a city. In California a fairly large-scale project is being undertaken using a lake as the solar pond. As I have indicated, we will be watching those developments with much interest. In the meantime, I agree that there could possibly be some application in outback areas that are currently not connected to the grid, and I shall be happy to look at that suggestion and get my officers to comment on it.

PERSONAL EXPLANATION

Mr. SLATER (Gilles): I seek leave to make a personal explanation.

Leave granted.

Mr. SLATER: During the course of his reply to a question this afternoon, the Premier said that the decisions taken by the South Australian Development Corporation were political decisions. Many of those decisions taken by the S.A.D.C. are referred to, and subject to approval by, the Industries Development Committee. I believe that the remarks made by the Premier are a reflection on members of that committee. For some time I was Chairman of that committee which was established under Statute by this Parliament and which comprises members from each side of the House. I resent the suggestion of the Premier that the Industries Development Committee and, consequently, the S.A.D.C. made decisions on political considerations. This is not so.

I wish to assure the Premier and the House that members of the committee approve references made to it on the criteria set down in the Industries Development Act, that is, that the approval given is in the public interest and that employment and so on in South Australia is extended. I therefore deplore the remarks of the Premier this afternoon that decisions were made only on political considerations. That is a reflection on my integrity and on the integrity of members of the Industries Development Committee who are from both sides of the House. The I.D.C. has always approved references made to it on the basis of the criteria contained in the Act, and not on political considerations.

PERSONAL EXPLANATION

The Hon. D. O. TONKIN (Premier and Treasurer): I seek leave to make a personal explanation.

Leave granted.

The Hon. D. O. TONKIN: The member for Gilles has totally misrepresented the situation in his statement. I did not say at any time that the S.A.D.C. had made political decisions, nor did I say that the I.D.C. had made political decisions. I made the point that the S.A.D.C. was asked to undertake tasks which were based on political decisions, and I hold to that.

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

The SPEAKER: Call on the business of the day.

IRRIGATION ACT AMENDMENT BILL

The Hon. P. B. ARNOLD (Minister of Water Resources) obtained leave and introduced a Bill for an Act to amend the Irrigation Act, 1930-1978. Read a first time.

The Hon. P. B. ARNOLD: 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

It replaces Part VI of the Irrigation Act, 1930-1978. Part VI provides for financial assistance to lessees of land under the principal Act. The existing provisions are complicated and prolix and provide unrealistic limits on the amount of money that can be provided. The Leases of Reclaimed

Lands Loan Fund which was the operating fund for assistance given under Part VI was closed in the early nineteen sixties and the present provisions have not been made use of since then.

In 1973, the Parliamentary Standing Committee on Public Works approved an overall programme for rehabilitation of the headworks in the majority of the Government irrigation areas in the Riverland Region. This work has progressed to the point that the Kingston and Waikerie irrigation areas are completed and the Berri irrigation area is approximately one-half completed. Cobdogla, Moorook and Loxton irrigation areas are yet to be commenced.

Throughout the rehabilitation programme the overriding principle has been that no farmer would be disadvantaged by rehabilitation. To meet this requirement Government policy is to install connecting pipework on each farmer's property to deliver water to his existing watering points. The cost of this on-block pipework (referred to as the "farm connection") varies from virtually zero to $15 000 a block, with a total cost to date in the Berri irrigation area estimated at $1 200 000.

The major deficiency of this policy is that it tends to perpetuate the continued use of inefficient irrigation practices. It is widely recognised however that the benefits to the farms and to the public resulting from rehabilitation could be significantly increased by encouraging farmers to convert to improved irrigation practices. Authorities in the U.S.A. have also recognised the potential benefits of such on-farm conversion and have provided significant inducements in the forms of grants to encourage farmers to convert.

The usual method of irrigation at the moment is by the use of open channels. Some of the water flowing along these channels soaks into the subsoil and is eventually drained back into the River Murray. This requires the construction and maintenance of an extensive drainage system and also aggravates the salinity problem in the river. The irrigation water soaking through the soil and finally draining back to the river leaches salts from the soil which then travel with it back to the river. Modern irrigation methods carry the water through pipes and water is directed more efficiently to each individual plant. The amount of water which soaks away and eventually finds its way back to the river is therefore reduced to a minimum.

The amendments will give the Minister the option of granting each farmer a sum of money in lieu of the Government constructing the farm connection, providing that the farmer installs an approved irrigation system and is responsible for its connection to the farm outlet. Alternatively the farmer may still request the Government to construct his farm connection in accordance with existing policy.

The farmers who would be eligible for this grant option would be those whose on-farm irrigation systems have not yet been connected to rehabilitated headworks. The question of assistance to farmers whose irrigation systems have already been connected is being considered by the Government. The new provisions will also allow the provision of finance to farmers for concessional rates of interest for the purpose of modernising the irrigation system on their blocks. The scheme will be administered by the Minister of Agriculture on advice from the Director-General of Agriculture.

Clauses 1 and 2 of the Bill are formal. Clause 3 replaces Part VI of the principal Act with a new Part VI that consists of one section. The new Part gives the Minister a general power to grant financial assistance to a lessee to make improvements to the land, repay an existing loan or to purchase implements, plants and other things necessary for farming. The new provisions have as wide an application as the old provisions but have the advantage of being much shorter and less complicated to administer.

The Hon. J. D. WRIGHT secured the adjournment of the debate.

STATE TRANSPORT AUTHORITY ACT AMENDMENT BILL AND ROAD TRAFFIC ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 February. Pages 2879 and 2880.)

The Hon. M. M. WILSON (Minister of Transport): I move:

That in relation to the State Transport Authority Act Amendment Bill, 1981, and the Road Traffic Act Amendment Bill, 1981—

(a) one motion be moved and one question be put in regard to, respectively, the second readings, the Committee's report stage and the third readings of both Bills together; and

(b) both Bills be considered in one Committee of the whole.

Motion carried.

The Hon. J. D. WRIGHT (Adelaide): Before dealing with the subject matter of these Bills, I want to place on record the fact that, having reached an agreement with the Minister in regard to making the Bills cognate, my remarks will be directed to the first part of the proposal and not to the second part. The second part is quite obviously consequential on the first part. I have no argument with the second part of the proposition, but I do have strong arguments about the first portion of it. I want recorded clearly that the Opposition is not opposing the actual implementation; it is opposing the transferring of the powers.

These two Bills at first glance seem simply to propose the transfer of authority from the State Transport Authority to the Minister to license bus services. The Minister has previously talked about the establishment of a division of road safety and motor transport within the Department of Transport. In his second reading explanation, he said this establishment was in process. I have no doubt at all about that. It appears to be a simple exercise of having power in the right place; that is, until one looks in some detail at the Bill and the State Transport Authority Act.

When this is done a different picture emerges, although the picture is rather blurred, because it appears that the Minister has not told the House of the whole reason for the Bill. The first question the Minister should answer is why he has sought Parliamentary approval to change the present procedures without telling the Parliament why the changes are necessary. Simply to say, as he does in his second reading speech, that it is not appropriate for the State Transport Authority to carry out the function of licensing road transport can scarcely be called providing a reason for these Bills. I would prefer to say it is an excuse for these Bills. I am surprised that the Minister expects the Opposition to be so gullible. I am sure that he would not have accepted such a weak explanation from his predecessor, and he may be equally sure that we are not prepared to accept it from him on this occasion. Unless the Minister comes up with something a little more positive, a little more concrete, he is going to leave me very suspicious about the circumstances of this transfer of control.

Let me take this point a little further. In his second reading speech, the Minister says that the powers will in future rest with the Minister of Transport. This statement obviously presumes that the Minister at present has no authority in the issue of licences and the other functions performed by the State Transport Authority. The Minister knows full well, if he has examined his Act, that that is just not the case, as do his officers. One wonders whether the Minister has ever read the Acts for which he is responsible and, in particular, whether he has ever read the State Transport Authority Act, because if he has he would have seen in section 13 that the authority is subject to his general control and direction. For the benefit of the Minister and the House, and as the Minister has not bothered to read this section, I would like to place it on record. Section 13 of the State Transport Authority Act, 1974-1975, provides:

> In the exercise and discharge of its powers, duties, functions and authorities, the authority shall, except where it makes or is required to make a recommendation to the Minister, be subject to the general control and direction of the Minister.

That is extremely explicit, and I would argue that the Minister has entirely sufficient powers at this juncture without going to the trouble he is going to with this Bill. So why is the Minister now telling Parliament that he wants this Bill passed so that in future the powers will rest with him, when in actual fact he already possesses those powers by virtue of section 13 of the State Transport Authority Act? I would like an explanation from the Minister regarding that particular statement.

So, we must keep looking for the ulterior motive that spurred the Minister to introduce these Bills into the Parliament. I said earlier that in his second reading speech the Minister said that the powers are not appropriate for the State Transport Authority, and he went on and added:

> . . . since its functions centre around the running of the metropolitan public transport system.

Here again, we have an indication of the Minister's abysmal ignorance of the role of the State Transport Authority. I must direct the Minister's attention to Division II of the State Transport Authority Act, the division that sets out the powers and functions of the Authority. Let me place those provisions on record. Section 5 provides:

> (1) There shall be an authority entitled the "State Transport Authority".
>
> (2) The authority—
>
> *(a)* shall be a body corporate with perpetual succession and a common seal;
>
> *(b)* shall be capable of suing and of being sued;
>
> *(c)* shall be capable of holding, dealing with, and disposing of real and personal property;
>
> *(d)* shall be capable of acquiring or incurring any other rights or liabilities;
>
> *(e)* shall hold all its property for and on behalf of the Crown;
>
> and
>
> *(f)* shall have the powers, duties, functions and authorities conferred, imposed or prescribed by or under this Act or by or under any other Act.

They are pretty wide powers. I hope the Minister noted that in section 12 (1) *(a)* the authority is required by law to co-ordinate all systems of public transport within the State and not just simply to concern itself with running the metropolitan public transport system. Again in *(b)* of this same section the authority is required by law to ensure as far as practicable that adequate public transport services are provided within the State. I want the Minister to tell this House how the S.T.A. can continue to carry out the functions the Act requires it to do if the Bills presently before us become law. If they do become law, we will have laws which are contradictory, all because the Minister brought into the Parliament Bills to alter the *status quo* that have not been properly thought through. This was evidenced earlier when the Bills were hastily withdrawn because the instructions the Minister gave the Parliamentary Counsel resulted in a Bill that was obviously hopeless. Unfortunately, the amended instructions the Minister has given still provide a Bill that contradicts existing legislation.

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The further one probes these Bills in an effort to find the real reasons for their introduction, the clearer it becomes that the Minister has not done his homework, or he is deliberately setting out to destroy the State Transport Authority, or at the very least some of its senior officers. Perhaps these Bills are the reason why at least one (and I suspect there are others) of the most senior S.T.A. Officers is quitting his job. I have already referred to subclauses *(a)* and *(b)* of section 12 of the State Transport Authority Act. I now want just briefly to refer to subclauses *(c)* and *(d)* and section 12 (2) of that Act. For time immemorial, the former Municipal Tramways Trust regulated the operations of the formerly privately-owned bus services that operated within what then was the metropolitan area, while the former transport Control Board controlled services outside the metropolitan area.

This division of responsibility did not produce the unified transport system that the public needed and, after numerous complaints from the travelling public, the former Government did two things: it established the State Transport Authority and gave it power to run and own the rail, bus and tram services and at the same time to regulate other privately-owned services so that all public transport operations were co-ordinated in a single authority. At a later stage, when the former Government successfully negotiated the transfer of the non-metropolitan railway to the Commonwealth, the overview of these services was domiciled in the S.T.A. by the appointment of the Chairman of the S.T.A. to be South Australia's representative on the Australian National Railways Commission. I would like to place on record the appreciation of the Opposition for the sterling work performed by Mr. Flint whilst he was commissioner in always advancing the interests of this State. I would go further and express sincere regret that the Minister recently sacked Mr. Flint when his term of office was up. I had doubts then, and these present Bills confirm those doubts, that the Minister is trying to get Mr. Flint one way or another.

If the Minister had justifiable reasons for these Bills he

would most certainly have given them to the House in his second reading. The fact that he failed to do so proves beyond any reasonable doubt that he has an ulterior reason in his mind. When the Minister, less than 18 months ago, had greatness thrust upon him by being appointed Minister of Transport, he faced a dilemma. I think he is honest enough to admit this. He knew absolutely nothing about transport—

The Hon. M. M. Wilson: How about you, Jack?

The Hon. J. D. WRIGHT: Not very much. I am learning from you all the time while trying to dodge the shoddy tricks you are getting up to. The Minister was saddled with the wild and irresponsible policy that the Liberals had published during the election campaign. The Minister got through for the first few months, because he was able to claim renewed activity in the transport area by opening the various projects of the former Government.

The Hon. M. M. Wilson: I usually acknowledged them, too.

The Hon. J. D. WRIGHT: Projects like the Regency Park S.T.A. workshops, the Noarlunga interchange, the Cavan Bridge and his latest jumping on the band waggon of the former Government was his opening of the new Lonsdale Depot. If I might just interpose there, as the Minister says, he usually recognises this. I was not, as shadow Minister in this area, invited to the first running of the new trains, ordered by my friend and colleague the Hon. G. T. Virgo. If the Minister checks the lists he will find that I was not invited, so I do not know about the recognition there of the previous Government's performance.

The Hon. M. M. Wilson: Geoff Virgo was there.

The Hon. J. D. WRIGHT: Geoff Virgo may have been invited, but I was not. Geoff Virgo had a right to be invited. The only act of the Minister for which he can claim full responsibility is something that will in time be his memorial. I refer, of course, to incompetence and political folly, to the apology for public transport—the O'Bahn that he has chosen to replace the l.r.t. adopted by the former Government.

The Hon. M. M. WILSON: I rise on a point of order, Mr. Deputy Speaker. I am quite happy to debate the O'Bahn or any other public transport system with the Deputy Leader, but I draw your attention, Sir, to the fact that this Bill involves the transfer of the licensing clauses from the State Transport Authority Act to the Road Traffic Act. I cannot see what the question of the O'Bahn system has to do with the Bill.

The DEPUTY SPEAKER: I uphold the point of order, and I suggest that the Deputy Leader relate his remarks to the Bill currently before the House.

The Hon. J. D. WRIGHT: I will do my best to steer clear of that subject and obey your instructions, Sir, but I believe that these matters are all bound up in the transport system situation. I think it is worth reflecting for a moment on the way in which the Minister made the decision on the O'Bahn as it provides a possible link with his thinking on these Bills.

The Minister has already stated that, just prior to the last election, he went to Melbourne to see Mercedes-Benz for ideas for the Liberal Party policy speech. Mercedes, obviously delighted with an opportunity to sell its products, had no difficulty in selling the O'Bahn concept to the Minister. After all, the Minister did not expect that he would ever have to give effect to the proposal. But the trouble started when he suddenly was faced with an election win.

So, he sent off two officers (both relatively junior) to Germany to see for the first time the gimmick to which the Minister had committed the people of the North-East suburbs. They reported that the system was experimental only and may or may not work, but it would be interesting to try it. They also reported that it was not possible accurately to forecast the cost. Later the Minister sent the Director-General to Germany, and he came back and said that the system would work and would surprise many of its critics. Very strong words! I should point out that this was a complete reversal of the advice that this officer gave the former Government, so I am left wondering which Government he has misled. I say that quite advisedly.

The Hon. M. M. Wilson: That's four people you've attacked so far.

The Hon. J. D. WRIGHT: Whether or not I am attacking him, I am telling the truth about that officer.

The Hon. M. M. Wilson: This speech is not one of your better efforts.

The Hon. J. D. WRIGHT: You may not like it, but it is what I feel like saying, and I am saying it. The important point is that, in all this time and with a firm commitment of the Government, the Minister has never seen the toy that he has bought. He has never set eyes on it. Now, with the die cast, we learn that both the Minister and the Premier will trip off to Germany soon to see what they have already committed the State to.

The DEPUTY SPEAKER: Order! I point out to the Deputy Leader that I have already ruled that he must relate his remarks to the Bill before the House. The Bill relates to the matters contained in the second reading explanation and deals with the licensing operations of the State Transport Authority. I suggest that the Deputy Leader should not continue on the track he has pursued.

The Hon. J. D. WRIGHT: Thank you, Sir. I have nearly finished that section, anyway. No-one, in my view, would buy an article without first having tried it. No-one except the Minister would bring into this House a Bill that seeks to destroy the State Transport Authority and its very satisfactory arrangements for licensing public transport without first thinking through what he was doing. I suspect very strongly that these Bills smell of a very eager Public Service hell bent on the worst of all evils—empire building. If this is not empire building by the Minister, it is empire building by someone in the department. Let us be sure of that point. We are constantly faced with this sort of thing in Government, and, having had Ministerial experience, I know that it is not hard to recognise.

Unless the Minister can provide the House with justifiable reasons for these Bills, they should not be passed. Indeed, if they are passed by sheer weight of numbers and logic is disregarded, the way will be paved for the dissolution of the Taxi Board, which I understand has been given only a temporary reprieve. This will probably be followed by the Highways Department losing its autonomy. I know that that is in the pipeline. I intend, in dealing with these two cognate Bills, to support the second reading, because that is essential to ensure the safe passage of the second part of the legislation, with which we have no complaint. It is virtually mandatory that the authority lies somewhere. If it is transferred from the S.T.A., there must be some control somewhere. I intend to vote against clause 5 of the first Bill, which is essentially the power-giving section of the Bill wherein the Minister seeks the right to transfer the present power.

The Hon. M. M. Wilson: Repealing.

The Hon. J. D. WRIGHT: I suppose that "repealing" is a better word. The Opposition opposes clause 5 as well as the general principle and philosophy involved. I challenge the Minister to give more valid reasons than he has given in the past. The Minister has said that this speech is not one of my better efforts, but that does not worry me: the Minister's second reading explanation was not one of his

better efforts. In the past, I have found the Minister to be relatively co-operative, but on this occasion he is holding something back. The State, the Parliament and the Opposition are entitled to know the Minister's ulterior motives in this action. On whose recommendation is the Minister taking this action? Who is empire building? Is it the Minister, or is it someone within his department? Let us have the facts about this situation. Quite clearly, the Minister has not come clean, and I challenge him to do so.

Mr. WHITTEN (Price): I support the Deputy Leader, and I express my concern about the Bill. If the two Bills had been separated, the situation might have been a little different.

The Hon. M. M. Wilson: You are not imputing anything sinister to that?

Mr. WHITTEN: I am not suggesting that there is anything sinister in this: I am suggesting that, if the Bills had been dealt with separately, the second one might have gone through without delay. The Minister said that the Deputy Leader was not giving one of his better speeches, but, if the Minister had given a better second reading explanation, the Opposition would have known the full reasons behind the Minister's move. We are greatly concerned about what the Minister is endeavouring to do.

When the State Transport Authority was set up, its functions included passenger transport licensing and the co-ordination of all forms of public transport. Fortunately, the member for Goyder is in the House at present: he was the only speaker from that side when the former Minister of Transport introduced that Bill. On 11 November 1975 (on which date things happened in this House as well as in Canberra), the honourable member stated:

> We support the Bill, because we believe it is a good idea to have the co-ordination and administration of public transport in the metropolitan area under the control of one authority.

The Minister has not really explained why he wants to transfer the sole power to license vehicles from the S.T.A. to the Minister. The Minister said that these powers will, in the future, rest with the Minister of Transport, and that it is not appropriate for the S.T.A. to carry out this function, because its functions centre around the running of the metropolitan public transport system. I suggest that the licensing of vehicles, particularly buses, involves the public transport in the metropolitan area.

The Opposition cannot oppose the section of the Bill that deals with the licensing of vehicles used for transport of passengers. In fact, we support it, because we believe that the inspection and control of vehicles in the past has not always been what it should have been; perhaps we should take some responsibility for that. In his second reading explanation the Minister mentions the serious accidents that have occurred interstate. I know of the concern that the Government Motor Garage has about some of the inspections which took place in all good faith, but at a later stage the vehicles were found to be not of the standard that existed in the past. I express by concern about why the Minister is trying to do this. He has not really explained it, and I am sure he does not want it said outside that perhaps there is some aura that perhaps the Minister is the sole controller of licensing. I would not like such reflections made on the Minister, but that will be the case if he does not give a logical explanation to our questions.

Mr. HAMILTON (Albert Park): I support the statements made by my Deputy Leader, particularly in relation to the powers which are to be vested in the Minister. Having read the Railways Transfer Agreement Act and the Bills put forward by the Minister, I view with some concern the reason why these Bills have to be discussed conjointly. The Deputy Leader read out section 13 of the State Transport Authority Act, which enables the State Transport Authority to call tenders for the operation of other bus services in South Australia. It is my view that the reasons why this Bill was introduced are in line with the intentions of Australian National, as it is now known, namely, to do away with all country rail passenger services. The Minister may scoff at me, but I was contacted by telephone last Friday by a person living outside my electorate, previously unknown to me, who informed me that he had been advised when speaking to Australian National representatives that within three years there would be no country rail passenger services in South Australia.

The Hon. M. M. WILSON: On a point of order, Mr. Deputy Speaker. This Bill does not concern the Australian National Railways Commission, or Australian National, as it now calls itself. It has nothing to do with the reduction of passenger services that Australian National from time to time has put before the Government and the people of this State. The Bill is merely designed to transfer the licensing provisions from the present State Transport Authority Act to the Road Traffic Act.

Mr. Hamilton interjecting:

The DEPUTY SPEAKER: Order!

The Hon. M. M. WILSON: It is merely shifting one section of that Act to another Act.

The DEPUTY SPEAKER: I have to uphold the point of order. I point out to the honourable member that this is not the opportunity for a general debate on transport, or any other matter which members may wish to raise. So, I have to ask the honourable member to confine his remarks to the matters which are currently before the House in relation to the two Bills.

Mr. HAMILTON: In line with your ruling, which I would not challenge, Sir, I simply request the reasons why the Minister does not want this brought to the attention of the House. Does this amendment to both Acts permit the Minister to give away the most profitable charter bus services in South Australia to private enterprise? I will question the Minister later (if need be, by way of a Question on Notice) as to what is the intention of the Government. I view this matter with concern. I spoke to a number of union officials last evening and asked whether any contact had been made with them by the Minister and they assured me that no contact had been made. I would have thought, in line with the statements made by the Minister of Industrial Affairs and by the Premier, that consultations would have occurred with the unions concerned, but I find to my dismay from information supplied to me that that has not occurred. Can the Minister give the reason why?

The Hon. M. M. Wilson: That is relevant?

Mr. HAMILTON: Indeed, it is relevant. I would certainly like to know whether the Minister intends to allow other bus operators to operate services in lieu of Australian National rail services.

The Hon. M. M. WILSON (Minister of Transport): We have had the most extraordinary debate on these cognate Bills. The Deputy Leader has fired bullets all around the place at almost everyone in the Transport Department under my control. These Bills are designed merely to transfer the licensing provisions of the State Transport Authority to the new Department of Road Safety and Motor Transport, and, because that is a division which will be under my control, the Bill states "transferred to the Minister of Transport". The Deputy Leader of the Opposition knows full well that that is the correct way of

expressing that sort of action in legislation.

I am not objecting to the fact that the Deputy Leader attacked me: there is no reason why he should not attack me. That is what I am here for, as I am the Government spokesman on transport and I am here to be attacked. I am very happy to be attacked by the Deputy Leader, who said that he did not think that I knew very much about transport. I say that the Deputy Leader has got a lot to learn about transport. In fact, I am reminded that my predecessor, the Hon. G. T. Virgo, told me in this House when I was appointed shadow Minister of Transport that it would take me three years before I learned anything about transport. Let me say, Sir, that if the performance of members of the Opposition in this House on matters of transport is anything to go by, it will take them 10 years to learn anything about transport. The Deputy Leader attacked not only me but also the present Chairman of the State Transport Authority, Mr. Flint. He attacked the Director-General of Transport—

The Hon. J. D. WRIGHT: On a point of order, Mr. Deputy Speaker. I did not attack Mr. Flint at all.

The DEPUTY SPEAKER: Order! There is no point of order.

The Hon. J. D. WRIGHT: I ask for a withdrawal.

The DEPUTY SPEAKER: The honourable Deputy Leader, if he feels that improper motives were imputed to him, has the opportunity to ask for a withdrawal or, at the conclusion of the speech, he is entitled to make a personal explanation.

The Hon. J. D. WRIGHT: I choose the former course. I ask, through you, Sir, whether the Minister will withdraw the statement he made that I attacked Mr. Flint. I did not attack Mr. Flint personally, nor did I attack his competence. If one looks at *Hansard,* it will be found that, on behalf of the Opposition, I commended Mr. Flint on his performance as Chairman of the commission.

The Hon. M. M. WILSON: The Deputy Leader seems aggrieved at what I said. I will withdraw that remark.

Mr. Keneally: He should, too.

The DEPUTY SPEAKER: Order!

The Hon. M. M. WILSON: I will withdraw that remark, if the member for Stuart will stop interjecting in the middle of my withdrawal, and go on with what I was saying. The Deputy Leader attacked not only me, but also the Director-General of Transport, Dr. Scrafton, by implication, and he attacked the competence of two of my officers whom I despatched to Germany to investigate the O'Bahn system soon after this Government came to power. He called them junior officers, thereby attacking their competence. One of those officers is now the Project Director of the O'Bahn project, the North-East busway.

The other officer who went with Mr. Alan Wait was Mr. Miller, from the State Transport Authority, who is very much an expert in his field. I am sure that the Deputy Leader would not have wanted me to send just one professional officer from my department, not taking anyone who is an expert in buses from the State Transport Authority, and that is why the two officers were sent. The Deputy Leader asked for reasons for this transfer, and I shall give them. We have had in this State and in other States a series of unfortunate bus accidents. Two of them happened under the aegis of the former Government, and one has occurred since I have been Minister. I hope the member for Albert Park is not laughing at what I am saying.

Mr. Hamilton: No, I was laughing at what my colleague said.

The Hon. M. M. WILSON: Then I apologise. There is nothing more upsetting in the life of a Minister than lives being lost when the Minister feels that something could have been done to prevent it. I am sure that members opposite who were Ministers will agree with that. The present system is that private buses are inspected by the Government Motor Garage. It is the central inspection authority, really only a legislative authority, nothing more, because the organisation that does the work is the Government Motor Garage. Then, they are licensed by another authority, the State Transport Authority. They are also inspected by inspectors of the Road Traffic Board, and you, Mr. Deputy Speaker, have mentioned those inspectors from time to time. They are also inspected by the police and other inspectors from the Highways Department in administering the legislation covering hours of driving.

Private bus operators are now subject to inspection by four different sets of inspectors under four different Acts. That cannot be allowed to continue if we are to rationalise the safety inspection procedures in this State. I should not have to mention to members opposite what the New South Wales Coroner said about safety inspection procedures in this State. He was most critical of them when he conducted the inquest into the Hay bus accident. Let me tell the Deputy Leader that I do not like being Minister of Transport in this State when such criticism is levelled at this State and at my officers. I am trying to do something about it and we are, first, drawing up a new code of maintenance inspection which will be incorporated into regulations under the Road Traffic Act, so that there will be compulsory maintenance schedules for private bus operators.

The Hon. J. D. Wright: What's all this got to do with licensing?

The Hon. M. M. WILSON: It is very much to do with licensing. We are also forming a new Division of Road Safety and Motor Transport, which will not only administer the road safety organisations under the Government, including the Road Safety Council, but will also draw together the safety inspection procedures required in this State especially in relation to private buses.

The Hon. J. D. Wright: Do you mean to tell me that that couldn't be done if you didn't change the licensing provisions?

The DEPUTY SPEAKER: Order!

The Hon. M. M. WILSON: I will come to that. The whole thrust of this legislation is to do that. The Deputy Leader has tried to say that there is something sinister in this, but we are only trying to rationalise the situation. There are two things: the safety inspection procedures need to be correlated, and the licensing.

The Hon. J. D. Wright: It's in the next Bill.

The Hon. M. M. WILSON: It is a cognate debate. The other matter is that private operators are now subject to four different types of inspection by different agencies. We are trying to ameliorate that situation. We cannot do the job properly, but by bringing this merger into effect we are at least doing that.

There is one other reason—and this refers to the Deputy Leader's speech. He mentioned the provision under which the Minister has the power of direction. When I became Minister, I gave the State Transport Authority a set of guidelines, amongst which was that its main purposes was to get on with the job of running the metropolitan public transport system. That is what it is. This Government agrees with the action of the former Government and the Hon. Mr. Virgo in setting up the State Transport Authority. There are significant advantages in having a separate statutory authority to run an undertaking as massive—

Mr. Hamilton: You didn't agree—

The DEPUTY SPEAKER: Order!

The Hon. M. M. WILSON: —as that undertaking now run by the State Transport Authority. It does it very well. We agree with that action. However, I will venture to say that it would be more attuned to the philosophy of members opposite if in fact it was absorbed in the future into a Government department—a centralist action. That is something that this Government does not want to do. I have said to the board of the State Transport Authority that I want to interfere with what it does as little as possible, even though I have the power of direction. There is no point in having a separate statutory authority if the Minister is always going to interfere with it. There are some things about which any Government must have a say, and that is where the public is affected; the Government must have an input, and the matter of fares is one of them.

The Hon. J. D. Wright: Do you have a say in fares?

The Hon. M. M. WILSON: The matter of fares is one of them—I said that.

The Hon. J. D. Wright: That's the basis of the whole operation—the fare structure.

The Hon. M. M. WILSON: No Minister would take other than advice from an authority on the setting of fares, because it is a Cabinet decision, as the honourable member knows. We want the authority to get on with the job and to run Adelaide's metropolitan public transport system, and there is nothing sinister in removing the Licensing Division from that authority and placing it in the new Division of Road Safety and Motor Transport. The Deputy Leader will find, if he talks to senior management, that they have no objection to that happening. The General Manager told me only yesterday that there is no objection to that.

Mr. Hamilton: What about the unions?

The Hon. J. D. Wright: It wouldn't matter if they did.

The Hon. M. M. WILSON: The Government has to govern. The management of the State Transport Authority has no objection, because they realise that that is not really part of the authority's operation. It is an operating authority, not a licensing authority, and there is nothing sinister in that.

I want to deal with a relevant point that the member for Albert Park raised about Roadliner, which is a bus service run in competition with private industry. His insinuation about Australian National Railways has nothing to do with this. There is nothing sinister in this measure.

Mr. Hamilton: It has got something to do with it, in relation to the licensing of operators.

The Hon. M. M. WILSON: Yes, the licensing of private bus operators, and that will be done by my division now. It makes no difference.

Mr. Hamilton: That is what I am talking about.

The Hon. M. M. WILSON: It has nothing to do with any collusion with A.N.R. whatever. On the question of Roadliner, one of the reasons that philosophically this Government finds repugnant is that the State Transport Authority licenses its own competition, so to speak. It is not a serious matter. I am not saying it would be worth this legislation on its own, but philosophically we are opposed to someone licensing their own competition.

The Hon. J. D. Wright: It is a philosophical reason?

The Hon. M. M. WILSON: Would the honourable member wish me to be less than honest with him? If the honourable member looks carefully, it is in the second reading explanation. I make it quite plain that I do not like the authority licensing its own competition. But that does not mean that we will wipe out Roadliner. It will make no difference to Roadliner. It will still be run by the State Transport Authority. It is an excellent operation. I have just given permission for replacement buses to be purchased.

The Hon. J. D. Wright interjecting:

The DEPUTY SPEAKER: Order! I suggest that interjections are completely out of order. I want the Minister to be heard in silence.

The Hon. M. M. WILSON: There is nothing sinister in that. I have made it quite plain before. If the Deputy Leader had read my speeches, he would have noticed I said that the authority should not be in competition with its competitors. But that is not the main reason for these two Bills. The main reasons, as I enumerated, are connected with road safety and protection of the public. There is nothing sinister in this whatsoever. I hope that members opposite will accept that as an assurance, and support the Bills.

Bills read a second time.

STATE TRANSPORT AUTHORITY ACT AMENDMENT BILL

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Repeal of Part IIA."

The Hon. J. D. WRIGHT: This is the only clause in the two Bills that we intend to oppose. I agree with most of the Minister's remarks regarding safety. According to the Minister, safety inspections are not working. We have no quarrel with those matters whatsoever. Safety regulations, inspectorates, and all those things previously under the S.T.A. are now being transferred to the new authority. Obviously, they have to operate somewhere, and the Minister has chosen where to put them, and I do not complain about that, because it is his decision.

However, I do object to taking away licensing from the S.T.A., because it has no connection whatsoever with the second matter. If the Minister was completely honest about it, he need not repeal that part of the legislation so far as licensing operators is concerned. Sensibly and historically that could remain with the S.T.A. In his outburst a few moments ago, the Minister at least admitted for the first time that there was a philosophical reason for the transfer. We are now aware of the real reason why he is taking it away from the S.T.A., because he has now said that that body should be competing with its competitors. I hope that licences are passed out cautiously in the future. The Minister had a clear right to control the situation, under the Act. He is now getting it into his own castle, and licences could easily be passed out in direct competition to the S.T.A. I will watch the Minister's activities very closely. If an over supply of licenses is handed out, I will expose that.

The Minister has clearly indicated that private enterprise will compete with the State Transport Authority. The Minister wants this is his own domain so that he can deal personally with it, and look after private enterprise. One has only to remember the recent statement, where the Minister said:

> Under the guidelines given by the Government, the State Planning Authority was required to operate a commercially—

The Hon. M. M. WILSON: I rise on a point of order. I am happy to debate that speech with the Deputy Leader, but clause 5 requests that Part IIA of the principal Act be repealed. That deals with the Transport Control Board, its rights, powers, and duties, and all sorts of other things to do with licensing. It has nothing to do with whether the S.T.A. is to act one way or another.

The CHAIRMAN: I suggest that, if the honourable member wants to continue, he will have to link up his remarks. Otherwise, I will have to rule him out of order.

The Hon. J. D. WRIGHT: I could have raised the point in my second reading speech, had I desired. I thought about it and changed my mind. However, when the Minister, on his own admission, told us that, for philosophical purposes, he was making this decision, I could see that he brought it into the debate, not I. I felt obliged to have my comments recorded in *Hansard*. I am concerned about clause 5 and, as I said, it is the only clause we will oppose. We will divide on it, because we do not feel that it is proper or needed.

The Hon. M. M. WILSON: In some respects, the Deputy Leader contradicts himself. He says that I have power of direction, and therefore there is no need for removal of the provision. Yet, if and when this measure is passed and the Licensing Division is in the new department, he says I might hand out licences willy nilly to the private sector. I point out that the same people will be doing the job.

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

The Hon. M. M. WILSON: Does the Deputy Leader think I would sack the people in the Licensing Division of the S.T.A. and bring in a new set of public servants to do the job?

The Hon. J. D. Wright: You transfer; you do not sack.

The Hon. M. M. WILSON: Those officers in the regulation division of the S.T.A. who now do the job will be offered the chance to come across to the new division. They will not even be forced; they will be offered the chance, and I am sure the Deputy Leader from his experience in industrial affairs will realise is the correct way to go about it. They will have a choice: they can stay with the authority or they can come across to the new division. I understand most of them will come across because that is their job and they will be doing exactly the same job as they were doing before, except this time, when they are with the new division, they will be working hand in hand with the inspectors who inspect the private bus operators. The inspectorate will be working shoulder to shoulder with the licensing people. As a consequence, there will be less red tape and a far more efficient operation. If we can get the new premises that I hope we will be able to get for this central inspection authority, then it—

Mr. Hamilton: Whereabouts?

The Hon. M. M. WILSON: The honourable member will hear in good time. I do not think it is in the electorate of Albert Park. The problem before, as I explained to the Deputy Leader, was that at one stage there were inspectors under the Central Inspection Authority in the Government Motor Garage who would inspect and make various recommendations, and then the bus operator would have to go to the authority to get his licence, based on that inspection. Now it will be done together. There is nothing sinister in it. The Deputy Leader has expressed his intention to oppose the clause, but I do commend it to the Committee and ask that it be passed.

The Committee divided on the clause:

Ayes (23)—Mrs. Adamson, and Messrs. Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson (teller), and Wotton.

Noes (20)—Messrs. Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright (teller).

Pair—Aye—Mr. Chapman. No—Mr. Corcoran.

Majority of 3 for the Ayes.

Clause passed.

Title passed.

Road Traffic Act Amendment Bill

Taken through Committee without amendment.

Bills reported without amendment.

Bills read a third time and passed.

FOOD AND DRUGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 February. Page 3030.)

Mr. HEMMINGS (Napier): The Opposition supports the Bill and recognises the need for this amendment to be made. We are a bit disappointed that the Minister did not grasp the nettle and that, when this amendment was being considered, the Government did not take steps to include other amendments which we feel are necessary to this Act. I refer in particular to the problems of insufficient labelling of drugs under this provision. I draw the attention of the House to an article which appeared in the *Sun Herald* on 15 February 1981 that dealt with the insufficient labelling of drugs prescribed by doctors or hospitals, as well as those freely available in chemist's shops. Under the heading "One in four hospital patients misuse prescribed drugs", the article states:

> A survey in a major Sydney hospital suggests one in four patients is there because prescribed drugs were misused. The survey information has become part of a campaign by the Australian Consumers Association to force Governments to introduce laws requiring more detailed labelling of drugs.
>
> The association claims lives are at risk because of lack of patient knowledge of drug dangers and because chemists and doctors are often forced to prescribe drugs in situations where they cannot be sure what the adverse effects may be.
>
> The association also believes doctors are failing to report cases of patients suffering bad drug reactions.
>
> It is estimated that fewer than 10 per cent of doctors have ever reported even one adverse reaction, although the Australian Adverse Drug Reaction Committee inside the Federal Department of Health has been urging them to pass on vital information from such cases.

The article reports Beverley Eley, Marketing Manager of the Consumers Association, as describing the failure of the pharmaceutical industry and Governments to improve drug labelling as "lamentable", and as saying:

> Without an explicit warning on the packet, how are consumers to know that even the simple medications like laxatives, antacids, cough and cold mixtures have the potential to interact with prescribed drugs or that they may have adverse effects if taken with alcohol or during pregnancy?

The Opposition feels that this is a problem that could have be dealt with in this Bill. This Bill is of only two clauses. It is, in effect, designed to make it perfectly clear that the Governor may proclaim certain articles to be poisonous, or may vary or revoke such proclamations.

I recall that the Minister, many times in this House, and quite correctly so, has stated that there should be more detailed labelling of drugs, and that there should be more detailed descriptions on certain items sold in chemist shops that clearly list what the ingredients are. The Opposition

believes that the time of bringing that Bill forward was a time when the Minister could have perhaps included that point. If it is true that one in four hospital patients are in hospital because of the misuse of prescribed drugs, then the Minister would have perhaps been more amenable to amending the Act to include detailed labelling. If that survey is correct, and the Minister at some future date introduces amendments concerning this matter, then the time of the House will be wasted. The Opposition believes that the time to incorporate those amendments is now. The Bill before the House is simple, and the Opposition supports it. I make the point that there are other areas in which the Food and Drugs Act should be amended. Detailed labelling is one of those areas.

The Opposition is also concerned that local councils can opt out of the Metropolitan County board. It has been said by people on that board that, if there is this continuing dropping out from the board, the Food and Drugs Act will be hard to police. Those are the only points I wish to canvass, I have chided the Minister for not using this time to put forward other important amendments. We support the Bill and hope that the Minister will take the points I have made seriously and will, shortly, introduce legislation under this Act to cover detailed labelling of drugs.

The Hon. JENNIFER ADAMSON (Minister of Health): I am glad to know that the Opposition supports what is basically a simple, technical Bill. The member for Napier has chided me for not including additional amendments in this Bill. In return, I think it may be appropriate for me to chide him on his failure to do his homework and to read the multitude of press reports which have indicated that the Food and Drugs Act will be repealed in the next session of Parliament, that it will be replaced by a new Uniform Food Act, and that the drug section of the existing Act will be replaced by a Controlled Substances Act. The time to take account of the matters he has raised is when both of those Bills are introduced into this Parliament. It would obviously be inappropriate to include matters of substance in old legislation, one might even say an antiquated Act, when it is about to be repealed.

Nevertheless, on the advice of the Crown Solicitor, we are obliged to amend the Act in order to ensure the legitimacy of acts that have already been taken in the past, and any that might be taken in the immediate future, to vary proclamations. If the honourable member was not aware of what is being proposed, I can only say that he demonstrates a quite extraordinary lack of interest in and awareness of what has been a talking point among health professionals, particularly in relation to food and drugs, for quite some time in South Australia. I will not deal with the matters he has raised, because they are not pertinent to this Bill, but they will certainly be pertinent to the new Bills that will be introduced in the next session.

Mr. Hemmings: Detailed labelling of drugs will be dealt with in the new Bills?

The Hon. JENNIFER ADAMSON: Detailed matters of labelling will be dealt with in some detail in that proposed new legislation, but they are certainly not appropriate to be included in this Bill.

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

RESIDENTIAL TENANCIES ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. JENNIFER ADAMSON (Minister of Health): I move:

That this Bill be now read a second time.

This Bill overcomes several anomalies and clarifies various technical sections of the Residential Tenancies Act which have presented difficulties in the administration of the Act since it came into operation on 1 December 1978.

This Bill incorporates many of the recommendations which were made by an interdepartmental working party which was set up in December 1979 to review the Act and its administration. The report of the working party, which was completed in May 1980, contained extensive recommendations to amend the Act, regulations, procedures and staffing arrangements under the Act. The recommendations were made after detailed consultation and discussion with interested parties including the Real Estate Institute, the Landlords Association, the Tenants Association, the South Australian Council for Social Services and Government departments and authorities involved in renting premises.

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

Leave granted.

Remainder of Explanation of Bill

The Government recognises that the Residential Tenancies Act has substantially simplified and modernised the law relating to residential tenancies, by defining the rights and duties of landlords and tenants, establishing a system for the resolution of disputes and providing for the control of bond moneys. The Bill seeks to overcome the practical difficulties which have hampered the effective day to day operation and administration of the Act, while at the same time adhering to the spirit of the legislation.

The amendments to the Act reflect three basic premises. First, there is a need to maintain an adequate supply of rental accommodation in South Australia. It is a Government responsibility to ensure reasonable accommodation is available to all people in our society. Secondly, the Bill recognises that unnecessary restrictions and burdens placed on landlords of residential premises should be avoided. Thirdly, every effort has been made to ensure that a proper balance is struck and maintained between the rights and obligations of both landlords and tenants.

Several of the amendments are of a technical nature or relate to the administration of the Act. The Crown is to be bound by the provisions of the Act with the exception of the Housing Trust of South Australia. While there is no justification to exempt the Crown from compliance with the Act, the trust is of a unique nature in that it operates as a welfare housing organisation, charging rents usually below market levels in order to assist tenants in financial difficulties. In practice, the trust provides security of tenure beyond that afforded by the Act.

Several definitions in the Act have caused difficulty in their interpretation. The Act does not apply to premises ordinarily used for holiday purposes. What premises constitute "holiday premises" has been difficult to define and an amendment clarifies this definition. The definition of a residential tenancy agreement has also been clarified to include the occupation of part of premises. This amendment is necessary to make it clear that a landlord may set aside a room of the premises for storage purposes. This right is subject to the landlord's obligation to give the tenant quiet enjoyment of the premises.

Section 7 (1) of the Act sets out those residential tenancy agreements to which the Act applies. It was originally intended that a periodic tenancy would be regarded as being renewed for each period and would therefore be covered by the Act as from the commencement of the first period after the Act came into

operation. A Supreme Court decision has since ruled that this is not the case and many tenants do not have the protections that the Act was designed to provide. The amendment proposed has the effect that a periodic tenancy should be deemed to create a fresh tenancy for each period. However, the amendment has no retrospective application.

At present the Act does not deal with holding deposits, and these have been a major source of concern. It is reasonable for a landlord to be entitled to retain so much of a holding deposit as is reasonable to compensate him for leaving premises vacant, and disputes in this area should be resolved by the tribunal. Therefore section 22 (1) of the Act will be amended to provide the tribunal with the power to hear disputes relating to deposits paid prior to a residential tenancy agreement being entered into.

An amendment to section 22 (4) provides that the person to whom a certificate of an order of the tribunal is issued shall be responsible for registering it at the appropriate Local Court rather than the Registrar or Deputy Registrar of the tribunal. This amendment was proposed by the clerk of the Local Court, Adelaide, to facilitate registration or certificates of orders of the tribunal. This procedure would be in line with other legal processes under which it is the responsibility of a party to complete a praecipe and pay a fee to have a judgment or order registered in the appropriate court.

Several amendments are proposed dealing with security bonds. Section 32 (1) *(b)* is to be amended to provide for the payment of a security bond not exceeding four weeks rent. The section has been the subject of much criticism by landlords as the presently permitted amount of bond is insufficient to recoup losses when tenants abandon premises and there are arrears of rent. The proposed amendment to section 63 (3) to provide for only seven days notice by a landlord for non-payment of rent, together with this amendment, will enable a landlord to mitigate his financial loss in these circumstances. Section 32 (1) *(b)* is also to be amended to provide that it is not to apply where the weekly rental exceeds a prescribed amount. Security bonds for high rent properties are not appropriate as usually the parties are in a better position to negotiate the amount of a security bond without any restrictions imposed by the Act. Detailed consideration will be given and further consultation will be held with interested parties in setting the amount when regulations are prepared under the Act. If the prescribed amount were to be set at too low a level, the protection of the Act might be denied to large families or groups who need to rent large premises. The Government is aware of exercising care in prescribing the amount of rental.

Additional protection will be given to landlords by prohibiting tenants undertaking any renovations, repairs, painting or alterations to premises without the landlord's written consent unless the tenancy agreement provides otherwise. This will ensure that any such work is carried out in a proper and workmanlike manner and further that the work conforms with reasonable and acceptable tastes. As a balance to the situation, a landlord is not to arbitrarily or unreasonably withhold his consent. If both parties cannot resolve their subjective values, the tribunal will be able to determine the matter before any work is undertaken.

The question of the termination of residential tenancy agreements has been a major source of criticism by landlords. The working party paid particular attention to the problems which occur because of the present wording of the Act and recommended several amendments. In the case of a fixed term agreement the agreement will terminate if the tenant delivers up vacant possession of the premises on or after the expiration of the term or the tribunal terminates the agreement. At present a landlord must give 120 days notice if the tenant does not vacate on the agreed day. The proposed amendment will recognise what the parties have agreed to.

The Bill provides that where a landlord is party to a contract for sale of the premises he may give 60 days notice of termination on or after the date of signing the contract for sale. This amendment will prevent hardship to a landlord who wants to sell his premises and who must presently give 120 days notice. Cases have arisen, where hardship is caused by the longer period, and 60 days is sufficient time within which a tenant might find alternative accommodation.

A major provision of the Bill relates to goods which are abandoned by tenants. The existing common law is unsatisfactory in that a landlord may become a bailee of the goods, left on premises by tenants and thus unable to dispose of them. The new provision provides that where a tenancy agreement is terminated and certain goods are left on the premises they may either be destroyed or removed if for example they are perishable goods. If the value of the goods is less than the total estimated cost of removal, storage and sale, the landlord may also dispose of these goods after storing them for two days. In all other cases the landlord must store the goods for not less than 60 days and machinery is provided for the landlord to dispossess himself of these goods. Any money received from the sale of the goods is to be dealt with as unclaimed moneys after allowing for the landlord's reasonable costs of removing, storing and selling the goods or any other amount owed to him under the former residential tenancy agreement.

Several further amendments to Part IV of the Act have clarified the obligations of landlords. The consideration for a tenancy agreement is expressed in positive terms to clarify the intention of section 30. A further amendment to section 31 is designed to overcome the practice of some landlords who, at any time after the first two weeks of a tenancy, seek an advanced rental payment which results in a tenant perpetually being a period in advance. This practice also establishes an additional security bond over which the tribunal and tenant have no control. A penalty of $200 is created.

The practice of some landlords who secure an additional bond by circumventing the Act, is further prohibited by inserting a new subsection 32 (1b) to overcome the practice of a landlord who fixes rent at say $100 per week for the first four weeks of the tenancy and $50 per week thereafter. The amount by which the higher rent exceeds the lesser will be deemed to be a security bond for the purposes of the Act. A further method used by some landlords to circumvent the Act is prevented by prohibiting schemes which impose a penalty for late payment of rent by way of rebate. An offence is created for any landlord who engages in such a practice.

Several provisions of the Bill deal with the administration of the Act. The general administration of the Act has been vested in the Commissioner pursuant to section 9 of the Act. It is proposed that the Commissioner will now have statutory responsibility for the total administration of the Act, excluding the judicial function. This is necessary to avoid a lack of co-ordination and inefficient use of resources resulting from the high demand on staff at both the tribunal and the Consumer Affairs Branch of the Department of Public and Consumer Affairs who are both required to answer inquiries and advise landlords and tenants. The Registrar's responsibility for the administration of the Residential Tenancies Fund will pass to the Commissioner with the tribunal retaining its independence and judicial responsibility. Provision is made for the

appointment of a legal practitioner to be Chairman of the tribunal. The Commissioner will be responsible for the administration of the Act including the finance, administration, investigation and advisory functions. The Registrar will no longer have a judicial function to avoid the present confusion as to whether he is acting as a tribunal member or in his capacity as Registrar. These amendments will foster the efficient administration of the Act.

The Bill proposes that the time limit for prosecutions be altered by providing that a complaint in respect of any offence against the Act may be made within two years of the commission of the alleged offence. At present, section 94 requires offences to be prosecuted summarily, which means that a complaint must be laid within six months after the alleged offence. This is unsatisfactory as most tenancies are for a period of more than six months and often the offences occur at the beginning of the tenancy but do not come to light until its termination. Sections 52 (2), 58 (3), and 58 (4) of the Act are to be repealed. The sections serve no practical purpose and have in some cases acted as obstacles to landlords and tenants in negotiating agreements.

Clause 1 is formal. Clause 2 provides for the commencement of operation of the measure. Clause 3 amends the definition of residential tenancy agreement contained in section 5 with the intention of making it quite clear that a landlord may reserve a part of premises let under a residential tenancy agreement for his own use or any use other than the tenant's use.

Clause 4 substitutes a new section 6 providing that the Crown, including its agencies, but not including the South Australian Housing Trust, is to be bound by the Act. Clause 5 makes an amendment to section 7 of the principal Act relating to the application of the Act to letting for holiday purposes. The clause removes paragraph *(b)* of section 7 (3). This paragraph was designed to exclude holiday flats and other premises ordinarily used for holiday purposes from the application of the Act, whether or not a particular letting during the off-season was for residential purposes. The clause instead inserts new subsections (2a) and (2b) which provide a test that is related to the purpose of each particular letting and not to the purpose for which the premises are ordinarily used. Under proposed subsection (2a) the Act is not to apply to any agreement that is entered into in good faith for the purpose of conferring a right to occupy premises for a holiday. Clause (2b) provides that a letting for a term of two months or more will be deemed not to have been for holiday purposes in the absence of proof to the contrary.

Clause 6 inserts a new section 7a designed to bring any existing periodic tenancy that commenced before the commencement of the principal Act within the scope of the Act on and from the first rental payment day occurring after the commencement of the new section. Subsection (2) of proposed section 7a preserves existing rights and ensures that no liability is incurred under the transition in respect of anything that took place before the transition.

Clause 7 makes an amendment to section 11 of the principal Act correcting a wrong reference. Clause 8 amends section 14 of the principal Act relating to the constitution of the Residential Tenancies Tribunal. The clause provides for the appointment of a Chairman of the tribunal who is a legal practitioner. Clause 9 removes the requirement from section 16 that the Registrar of the tribunal be a legal practitioner. Clause 10 amends section 17 of the principal Act so that it provides that the duties of the Registrar shall be as directed by the Chairman of the tribunal instead of the tribunal.

Clause 11 substitutes references to the Minister for references to the Attorney-General in section 19 which relates to the declaration of declared areas. Clause 12 amends section 20 so that it provides that the tribunal will be constituted of one or more members at the direction of the Chairman of the tribunal. The clause removes present subsection (4) which empowers the Attorney-General to nominate the member of the tribunal who is to constitute the tribunal in a declared area. The clause also provides that the Minister and not, as at present, the Attorney-General may direct the times and places at which the tribunal is to hear proceedings.

Clause 13 amends section 22 of the principal Act which provides for the jurisdictional and other basic powers of the tribunal. The clause amends the section so that a party to an agreement for an option to enter into a residential tenancy agreement may bring proceedings before the tribunal. The clause also amends subsection (4) so that it will not be the duty of the tribunal to register certificates of its orders with the Local Court but this will instead be left for the party who required the tribunal to issue the certificate. Clause 14 inserts a new section 22a providing that a party or former party to proceedings before the tribunal may, within three months after the making of an order, vary or set aside the order.

Clause 15 amends section 23 to make it clear that there need not be a fee for applications to the tribunal. Clause 16 substitutes a new section 30 providing that it will be an offence for any person to receive any monetary consideration from a tenant or prospective tenant for entering into, renewing or continuing a residential tenancy agreement other than rent and a security bond. Proposed subsection (2) of this new section is designed to make it clear that this prohibition does not apply to consideration for an option to enter into a residential tenancy agreement if, upon the option being exercised, the amount is repaid or applied towards the rent.

Clause 17 amends section 31 which prohibits the requirement at the commencement of a tenancy of more than two weeks' rent under the agreement. The clause inserts a new subsection which prohibits a person from requiring a tenant to make any payment of rent until the period of the tenancy in respect of which any previous payment has been made has elapsed. Clause 18 amends section 32 so that it provides that the maximum amount of a security bond will be an amount equal to four weeks' rent under the agreement instead of the present three weeks' rent. The clause amends the section so that the maximum will not apply in the case of any agreement with a rental exceeding an amount fixed by regulation. The clause also inserts a new subsection providing that, where the rent under an agreement decreases or is decreased during the first six months of a tenancy, the amount paid in excess of the lower rent shall be deemed to have been paid as a security bond.

Clause 19 amends section 33 which sets out the procedure for recovery of security bond money held by the tribunal. The clause makes provision for payment without a hearing where an application is not contested. Clause 20 amends section 34 of the principal Act which regulates the manner and circumstances in which rent may be varied. The clause amends the section so that rent may be increased in any case where the rent has been fixed under the Housing Improvement Act and the rent fixing order is subsequently revoked. In these circumstances the rent may, under the clause, be increased by not less than 14 days' notice instead of the present minimum of 60 days' notice.

Clause 21 makes an amendment to section 35 that is consequential to the amendment under clause 18 increasing the maximum amount of a security bond.

Clause 22 amends section 37 so that it will not be necessary to give a receipt for rent if the rent is paid into an account at a bank, building society or other similar body pursuant to an agreement between the landlord and the tenant. Clause 23 substitutes a new section 39 prohibiting any person from requiring rent to be paid by postdated cheques. At present this prohibition is directed to landlords only.

Clause 24 amends section 48 so that the prohibition of any interference with the locks attached to premises subject to a residential tenancy agreement applies not only to the landlord and tenant but also to the landlord's agent. Clause 25 amends section 50 of the principal Act which presently regulates the removal by the tenant of fixtures affixed to the premises by him during his continued occupation of the premises. The clause amends the section so that it also regulates the right of the tenant to affix fixtures. Under the clause a tenant shall not affix a fixture to or alter or renovate the premises unless he is authorised to do so under the agreement or by the consent of the landlord which the landlord shall not unreasonably withhold.

Clause 26 deletes subsection (2) of section 52 which reverses the onus of proof in relation to the issue whether a landlord withheld his consent to a proposed assignment or subletting unreasonably. Clause 27 amends section 56 of the principal Act which requires a landlord to deliver to his tenant a copy of any written residential tenancy agreement entered into by the parties. The clause amends this section so that the obligation applies to an agent of a landlord. Clause 28 deletes subsections (3) and (4) of section 58. These subsections prohibit any inquiry being made of a prospective tenant whether he has children or proposes to have children live in the premises if they are let to him, if the inquiry is made for the purpose of determining whether to grant the tenancy.

Clause 29 amends section 59 so that it provides that a tenant shall have the benefit of a clause that provides for a reduction in rent if the tenant does not breach the agreement whether he breaches the agreement or not and that a landlord who inserts such a clause in an agreement shall be guilty of an offence. Clause 30 amends section 61 which specifies the circumstances and ways in which a residential tenancy agreement terminates or may be terminated. The clause amends this section so that a residential tenancy agreement that creates a tenancy for a fixed term comes to an end at the end of the term without a notice being required to be given as is presently the position but only if, as is the case with a periodic tenancy, the tenant then gives up possession of the premises or is ordered to do so by the tribunal. Clause 31 amends section 64 of the principal Act so that the shorter 60 days' notice of termination under the section may be given in circumstances where the landlord has entered into a contract for the sale of the premises under which he is required to give vacant possession of the premises. The clause also makes amendments consequential to the amendment made by clause 30.

Clauses 32 and 33 also make amendments consequential to the amendment made by clause 30. Clause 34 requires any landlord who enters into a residential tenancy agreement for a fixed term of less than 120 days, that is, less than the period of the ordinary notice of termination, must notify the registrar of the basic details of the agreement.

Clause 35 inserts a new section 73a which empowers the tribunal to terminate and make an order for possession in respect of a residential tenancy agreement for a fixed term. Under the new section the tribunal may suspend the operation of such orders on the grounds of hardship as is the case under section 73 in relation to periodic tenancies. The tribunal may also under proposed subsection (3) *(a)* of the new section refuse to make the orders where the fixed term tenancy was for less than 120 days unless the tribunal is satisfied that the landlord genuinely proposed at the time he entered into the agreement to use the premises after the expiration of the term for purposes inconsistent with the tenant continuing to occupy the premises or that the tenant of his own initiative sought a tenancy of a term of less than 120 days.

Clause 36 inserts a new section 79a providing a procedure under which landlords may dispose of goods abandoned on their premises by tenants. Under the section, perishable foodstuffs or goods of less value than the cost of their removal, storage and sale may be destroyed or disposed of at any time after the expiration of two days after the termination of the agreement. Under the section, valuable goods must be stored for not less than 60 days, during which time notice must be given. At the expiration of that period the goods must, if unclaimed, be sold by public auction.

Clause 37 corrects a typographical error. Clause 38 amends section 82 so that it provides that a bailiff of the tribunal shall be entitled to such remuneration and expenses as the Minister may determine. Clause 39 amends section 84 relating to the Residential Tenancies Fund. Under the clause, the fund is to be kept by the Commissioner instead of, as is presently the case, the registrar. Clause 40 amends section 86 so that certain payments contemplated by clause 36 may be made from the income derived from investment of the fund. The clause also amends the section so that the income derived from investment of the fund may be applied towards the cost of administration of the Act.

Clause 41 amends section 87 of the principal Act. Under the clause the accounts of the receipts and payments of the fund are to be kept by the Commissioner instead of the registrar. Clause 42 amends section 88 so that the annual report relating to the administration of the fund is to be prepared by the Commissioner and not the registrar. Clause 43 amends section 93 so that service of documents shall be deemed to have been effected on a landlord if the documents are given to a person apparently over the age of 16 years apparently residing at the place of residence of the landlord. Clause 44 makes an amendment to section 94 enabling any prosecution for an offence to be commenced within two years after the offence is alleged to have been committed.

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

NATIONAL PARKS AND WILDLIFE ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 19 February. Page 3029.)

The Hon. R. G. PAYNE (Mitchell): The Minister, in introducing this short Bill, stated that it dealt with the seizure and forfeiture of firearms or other objects used in the commission of offences against the principal Act. He explained that the requirement in the Act is that the Minister in certain conditions may order the forfeiture of objects that are prescribed, such as firearms. This has not been a simple procedure. The Minister has been required to return objects that it has been decided are not to be confiscated. This has been a difficult procedure also in that it means that the Minister can be subjected to many submissions about an object that may be seized under the

Act, which may be a $600 shotgun or some other expensive firearm. One can understand a person who, although having committed an offence, wants to take all steps possible to try to achieve the return of that item.

There are better uses for a Minister's time than being called upon continually to determine who did what and who said what, and there are proper bodies set up to make decisions in this area, such as courts. The proposed provision that this matter be settled by the courts, where action takes place within three months from the date of seizure of the object, is a sensible way to change the existing provision. The Opposition supports that area of the Bill. The Bill also provides that, if an order for forfeiture has not been heard by a court within the three months specified, the object must be returned to the owner. The Bill further provides:

> If the Minister, after causing reasonable inquiries to be made, is unable to ascertain the whereabouts of a person to whom an object is to be returned under subsection (3), the Minister may sell or dispose of the object . . .

This sort of provision appears in other legislation. It is not uncommon. It is fair to provide that the Minister shall cause reasonable inquiries to be made in regard to an object that might have been confiscated. The only area that I thought might have provided some awkwardness has been catered for, because the Bill provides a clearer definition of "owner", as follows:

> "owner" in relation to a prescribed object seized under this section means either or both of the following persons:
> (a) a person who has legal title to the object;
> (b) a person who was, immediately before seizure of the object, in possession or control of the object.

There may be a good reason for the latter provision in the definition of "owner". There could be some difficulty in an owner proving that he met legal ownership requirements. However, considering the new weapon legislation, one would think that no-one would be in possession of a weapon that has not been properly registered and licensed for the purpose for which it was being carried. However, just as in the old days in the Old Country people were poachers, these days people enter national parks and wildlife areas for reasons that are not lawful, so they may not be lawful persons in respect of the firearms or the objects that they carry. The Opposition is prepared to support this provision in the Bill.

The remainder of the Bill provides, by way of an amending schedule, alterations to many of the penalties that are presently listed in the Act. Those that I have checked show fairly steep increases, but I understand that there has been little change in those penalties since 1974.

The Hon. D. C. Wotton: 1973, I think.

The Hon. R. G. PAYNE: The last amendment was made in 1974. I have not checked this fact, but the last change to penalties was made seven or eight years ago. I do not know whether there has been a 100 per cent increase in inflation during that time. One is constantly told by the Government Party in this House about the great job the present Government in Canberra has done in keeping inflation down to very low levels. I would have thought that, if the increases were based on the apparent money loss that has occurred in the period concerned, there might have been an increase of 50 per cent, or something of that order. Many of the offences for which the penalty has been increased sharply are offences that most members regard with concern, such as interference with protected animals and birds. Protection of these animals and birds has been supported in the past by members on both sides, and there is as much need to continue the degree of protection provided by the structure of the legislation and the penalties provided. However, I draw to the Minister's attention the first two penalties in the schedule. The penalty under section 24 (1) is to be increased from $200 to $500. This section provides:

> A person shall not hinder a warden in the exercise of his powers or functions under this Act.

The amendment of the second penalty provides for an increase from $100 to $500. I believe that it is possible that an error has been made. I cannot see the reason in providing a five-fold increase in the penalty, when for the immediately preceding offence, that is, a hindrance offence, the penalty has been increased by a factor of 2½. The very next offence is as follows:

> A person shall not use abusive, threatening or insulting language to a warden acting in pursuance of his powers . . .

It seems that there is very little difference between hindering a person in the way described in section 24 (1) and the hindrance that might well apply in the commission of the offence described in section 24 (2). Certainly, the original Act recognised a difference in this matter, as the penalty in the first case was $200 and in the second it was $100. Therefore, I would have thought that the indication from the principal Act is that a direct hindrance is a more serious offence than the indirect hindrance occasioned by the use of abusive, threatening or insulting language. I suggest to the Minister that he might alter that second penalty to be increased by a similar factor. It seems to me that that would make more sense and the two offences will then be more equally equated, rather than there being such a difference. The laws are made in this place, but many people must live under them, and in any response the Minister might make I will accept an assurance from him that he will do something when the Bill is before the other place about the matters I have raised. In general, the Opposition supports the Bill. There are other areas about which I could have spoken, but those areas will be covered by my colleague, the member for Elizabeth.

Mr. GUNN (Eyre): I am pleased to have the opportunity to make some comments about this Bill. Many sections of the National Parks and Wildlife Act urgently require considerable amendment. In my view, this Act has some of the most Draconian provisions that one could find. The current situation is such that citizens who are convicted of a relatively minor offence and fined a very small amount can have a decision taken not by the court that convicts them, where at least they have a right of appeal, but by the Minister's department which has the power to seize private property. I believe that this should have been rectified a long time ago. There have been numerous cases in my electorate of people committing the most trivial offences against the Act and who have had very valuable firearms seized. I might say that I have had the most difficult job to get justice for these people.

I am not advocating that people should have the right to go around the country irresponsibly using firearms. However, I believe that people have a right to have firearms, and I have made that clear over a number of years, particularly in relation to the matter of licensing and registration of firearms. I am concerned when cases have been brought to my attention such as that of a person who has the permission of a landholder to go out on a property and shoot a number of kangaroos (particularly when in fact they may be in plague proportions), but, because the person did not have permission in writing, he was apprehended by an officer of the National Parks and Wildlife Service, fined $20 (this was a considerable time ago) and we are still battling to get justice for him and to get his firearms back.

I am pleased that the Minister has brought the amendments in this Bill into the House, because this

matter is, I think, long overdue. I have had lengthy discussions with the Minister—we have not always agreed, but that is part of a democratic situation.

The Hon. D. C. Wotton: That is human nature.

Mr. GUNN: That is right. After reading through this lengthy schedule of amendments, I am concerned about the maximum fines that the courts will have the right to impose if they desire. At a guess, I would say that some of the penalties under this legislation are far more severe than are the penalties for what I believe are far more serious offences. If some innocent person walking down the street is accosted by villains or thugs, the offenders are often let out with a suspended sentence, yet there are provisions in the Act for someone to be apprehended for shooting a kangaroo when kangaroos may be in plague proportions and to be fined over $500. That sort of provision is absolutely ridiculous.

There are other provisions which fall into this category. I believe the Minister has not gone anywhere near far enough. It should not be within the power of the court to order the seizure of firearms on a first offence except where the offence involves rare species. I put it to you, Sir, as a practical person that there are hundreds of people each month who would be technically committing offences against this Act in the course of their daily duties, and I say it would be ridiculous if they were brought before the courts. All that happens when these people are apprehended or interfered with by officers is that, unfortunately, a great deal of disrespect is felt towards the National Parks and Wildlife Service.

There are a number of other things that the National Parks and Wildlife Service could be doing to improve relations with the people that it has to work with and steps that could be taken in the genuine interests of the people of this State. I believe there is an urgent need for the repeal of this legislation as soon as possible. Unfortunately, in the past there has been on the part of the department a great deal of reluctance to issue permits for the destruction of vermin.

The other matter I want to point out is that it is all very well to concentrate on and chase after people who may occasionally shoot a kangaroo or some other animal, but I really believe that, if the authorities are concerned with the protection of National Parks, the first thing that the National Parks and Wildlife Service ought to do is get rid of rabbits, which are in plague proportions in many of the national parks. In one case that I saw the other day, if a private owner had been involved he would have been prosecuted, and those involved should have been prosecuted. That is the first step.

The Hon. R. G. Payne: You have always been a bit crooked on the National Parks and Wildlife Service.

Mr. GUNN: I do not know that I have been crooked on the National Parks and Wildlife Service. I try to look at these matters as a practical person. I try to be reasonable. I know that I have been painted as some sort of villain by certain people. I make no apologies for the comments that I am making. Members are elected to this place to do a job, to represent the people, and to look at things in a constructive manner. As a practical person, I have come into contact with problems with the Act we are dealing with on a number of occasions. The comments I am making are based on some experience I have had in dealing with the matters that I have mentioned. The member for Elizabeth is smiling at what I am having to say. I think that his practical knowledge in these things would be very very limited. The management of national parks should be recieving the most serious consideration and attention by the people within that organisation.

I have regular discussions with officers of the department, and on most occasions we get on very well. We do not always agree, but that is not a bad thing, because a useful exchange of views usually does a great deal of good. The Minister of Lands, as a practical person, would be aware of problems in his electorate similar to those I have mentioned.

I believe that the basic function of the National Parks and Wildlife Service is to manage the parks. The administration of this Act and the service should be transferred to the Department of Lands, because we are looking at a matter of land management. The honourable member opposite can shake his head. He can support his greedy friends and the academics who make uninformed and irresponsible statements from time to time, but that will not rectify the problems people are facing. There is a place for well organised national parks in this State, as every responsible person will agree, but better management and more supervision are required to ensure that the problems of adjoining landholders are alleviated without delay.

The public should be encouraged to make more use of our national parks. Had it not been for the actions of this Government, one large conservation park in this State would have been lost to the people. I refer to the unnamed conservation park, which has some special areas, and which could have been lost to us. Although I have never visited the park, I have flown over it a couple of times.

I hope the Minister will give serious consideration to the penalties that he intends to incorporate in the Act. If it is brought to my attention that people are prosecuted and that unreasonable penalties are inflicted on them, we will have some fun on the floor of the House. I will support the Bill, although I believe it contains some unsatisfactory areas.

The Hon. PETER DUNCAN (Elizabeth): I intend to join my friend the member for Eyre in supporting the Bill. I have been listening with some interest to his comments and, although I am almost in agreement with about 90 per cent of them, we are so far apart on the other 10 per cent that I imagine the gulf could not be bridged. If he had been around at the time, I am sure the honourable member would have been an architect of the Sahara Desert, because that is the sort of situation that his approach would lead to. I will link my remarks to the Bill, Sir. I believe that the Bill in itself cannot be criticised. It is a measure of only minor consequence when one considers the number of problems confronting the National Parks and Wildlife Service and the legislation in this area.

It is useless to have legislation which increases penalties and provides certain protections if the number of officers available is not adequate to police the legislation properly. It is a bit of a sham for the Government to produce the schedule showing how the penalties will be increased when so few of the offences provisions of the Act are being enforced at present. Whether or not there are penalties does not really matter in that situation. The appalling situation in terms of manning numbers is leading to quite grave problems.

The member for Eyre has already referred to the problems of uncontrolled rabbit numbers in national parks, and I agree that the position is serious. Landowners in the Hills have referred many times to the problems of noxious weeds in national parks—another serious problem that needs to be looked at. Instead of a gradual increase in the number of park rangers and other officers in South Australian national parks, the numbers have been declining since this Government has come to power.

The Hon. D. C. Wotton: Can you explain that?

The Hon. PETER DUNCAN: The Minister is in charge

of the department, and he has the information before him. Would he like to say whether or not there is a ranger at Loxton at present?

The Hon. D. C. Wotton: That doesn't relate to a decline in numbers, does it?

The Hon. PETER DUNCAN: If there is no ranger in the Loxton area, then clearly the manning of the national parks is on the decline. Recently, we have seen considerable discussion in the press about the obelisk, or Flinders Tower, and its manning by officers of the department. I have some information on it which shows the department in a very poor light.

The Hon. D. C. Wotton: Stick to the Bill.

The Hon. PETER DUNCAN: The member for Eyre was able to talk about rabbits in national parks, so surely I am entitled to talk about manning of the department, which relates directly to this Bill in that it clearly has a bearing on whether or not the legislation is being enforced. One problem is that the fire situation in the Hills is quite serious. (I shall be brief, so honourable members can relax. I will take only two or three minutes.) As I understand it, the tower, unsatisfactory as it is, is manned only on days of extreme fire danger. The amount of potential property damage through fire in the Adelaide Hills is vast, and something needs to be done about the position. I do not suggest necessarily that more National Parks and Wildlife Service officers should be made available to man fire observation posts in the Adelaide Hills, but there is a need for more manning of fire protection services, whether the C.F.S. or N.P.W.S. The situation is critical, given that the park keepers and rangers who undertake that work on days of extreme fire danger are taken away from other work. I am told that recently, on a day where there was a fire in the Keith-Coonalpyn area, crews from Belair and Cleland were sent there. It would be interesting to know how many crews were left in the Belair, Cleland and Para Wirra parks. I understand that, had there been a fire on that day, the situation in the parks would have been disastrous, because there were no fire crews available.

Temporary maintenance officers are called in in emergencies, especially on Saturdays and Sundays, but in many cases they are basically untrained. They are not highly skilled in fire fighting or fire prevention, or in other associated duties, such as first aid and warden duties. Especially in relation to Cleland National Park, it is all very well to talk about additional penalties for a whole range of things, but I understand that during some weekends in the summer the Cleland National Park has been so poorly manned that, if a fire had developed in the park, there would have been insufficient officers to clear the park of visitors.

That is a very serious situation that the Government needs to consider in relation to the manning question. On hot days the Cleland National Park is a time bomb. Let us hope that we do not have to wait for a major fire to occur with loss of life before this tardy Government takes action. We need far more National Parks and Wildlife Service officers. Something needs to be done about the position of temporary officers, many of whom have been there for many years. They should be made permanent. More officers ought to be made available to man the fire-fighting and fire-watching facilities.

I understand that the Minister has recently agreed that a new tower needs to be built. However, one tower will not be sufficient; two towers are needed. From the tower used at present, it is not possible to see quite important areas. There are blind spots, such as Heathfield, Aldgate and Stirling. I am sure that Hills residents do not appreciate that situation. As I said, something ought to be done urgently to improve the situation so that fire-spotting in the Adelaide Hills can be upgraded. Hopefully, any subsequent fires can be fought and brought under control at the earliest possible time. I support the Bill.

The Hon. D. C. WOTTON (Minister of Environment): I thank members for their support of this legislation. I have been concerned for some time, as I understand previous Ministers have been concerned, about whether the Minister should be responsible for determining whether a firearm should be forfeited to the Crown. I believe that the decision should be made in the courts. I am pleased that the House will support this legislation. The member for Mitchell has drawn my attention, in the schedule, to section 24 (2), and has suggested that there may have been a mistake in the Bill. I will move an amendment at the Committee stage in regard to that.

The member for Elizabeth raised certain matters regarding staffing and, in particular, fire control within the National Parks and Wildlife Service. We have very similar problems to those experienced by the previous Government regarding officers and personnel serving within national parks. I dare say that the previous Ministers would have liked to double the size of the National Parks and Wildlife Service, just as I would. They were not able to do so, and neither am I. Like them, we have staff ceilings, which we are determined to stand by.

As the result of the amalgamation between the Department of Environment and the Department of Urban and Regional Affairs, we hope to be able to free people, particularly from the administrative side of the two departments, to enable them to become more involved in service sections. I presume that it will mean that we will have to look at retraining in a number of cases, but I hope that more staff can go into national parks as a result of that amalgamation. I have the highest regard for the officers presently working in the National Parks and Wildlife Service. Many very dedicated people are doing that work, and doing it well.

The member for Elizabeth also referred to fire control, particularly the matter brought to the South Australian public's attention in the press regarding the towers in the Mount Lofty Ranges, especially the obelisk on the summit. I have discussed this with officers and members of the A.G.W.U., in which I made clear that we will not upgrade the obelisk because of problems with the structure, which is under the National Trust. It has been suggested that it might not be in the most appropriate place, in any case. I have said that we will look at alternatives.

Discussions have taken place between officers of my department and the C.F.S. to see what can be achieved. We have said that we do not intend to put up a new structure, if a structure is already there that can be used. I think members opposite would appreciate the concern expressed by members of the public about the number of structures appearing on the Hills face. We do not want to put a new structure there if we can use a facility that is already there. However, if that is not possible, I have committed the Government to going in fifty-fifty, as far as cost is concerned, with the C.F.S., in a new tower construction.

The member for Elizabeth also said that it is necessary to have two towers. I will not suggest that the National Parks and Wildlife Service be involved in financing two towers. We recognise our responsibility, as far as national parks are concerned, and I believe that we will carry out our responsibility if we can finance half of one tower. I am delighted with negotiations taking place between officers of the National Parks and Wildlife Service and the C.F.S.

There is a very close working relationship that I want to promote, because both are carrying out extremely valuable work in fire control.

This is another example of the National Parks and Wildlife Service and the C.F.S. getting together to solve what could be a problem. We all recognise, as the member for Elizabeth said, that there are always problems associated with fires in the Adelaide Hills. This Government is aware of staffing problems, and we hope to improve that situation. Again, I commend the officers with whom I work in the National Parks and Wildlife Service for the work that they are doing.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Schedule.

The Hon. D. C. WOTTON: In relation to section 24 (2) in the schedule, I move:

Leave out the words "five hundred dollars" second occurring, and insert "three hundred dollars".

The Hon. R. G. PAYNE: I wish to thank the Minister for accepting the suggestion I made to him that there had been an error in the schedule. The amount now provided seems possibly a little out of kilter but it is certainly better than it was. On behalf of the Opposition, I thank the Minister for being so reasonable and sensible.

Amendment carried; schedule as amended passed.

Title passed.

Bill read a third time and passed.

BUILDING SOCIETIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 February. Page 3152.)

Mr. CRAFTER (Norwood): The Opposition supports this Bill, which has been amended in another place, and accepts those amendments. The Bill provides for many matters that have been sought, as I understand, for several years by the building societies themselves and their association. This matter was being attended to by the previous Government and it has been continued by the present Government. These amendments will assist building societies and the Government to provide for a more efficient service by the societies to the community. I wish to take this opportunity briefly to state the desire of the Opposition in this State to see building societies flourish and to continue the work they are doing.

The nature of the building society is one of a co-operative venture, and service is provided out of a concern of the community for others in the community who have specific needs, in particular, the provision of adequate housing. It is determined by the ability of people with money to lend to others who need to borrow to provide funds whereby they can purchase their own home. As has been said in recent debates in this House, in Australian society, an ability much enjoyed by many people is the ability to own one's own home. It is only through the co-operative nature of building societies and the faith that the community has in them that this has been made possible to many people in the community, particularly young people, and building societies have been able to offer terms and conditions on loans that the other traditional lending institutions have not been able to offer. In particular, they have been able to lend up to 95 per cent of a loan, and they have been able to accommodate certain cases that the banks have not been able to accommodate.

The building societies have gained confidence as they have grown in the community. There have been attempts, unfortunately, from time to time to undermine the confidence of the community in building societies, and rumour is one of the most effective ways of doing that. We had the unfortunate experience in this State some years ago of the Premier's having to go down to a building society office and to give, in effect, a guarantee to contributors, investors and shareholders in that institution, an undertaking that the Government would support that institution. Of course, we know that it has gone on from strength to strength in its operations. A similar incident occurred in New South Wales. We need only look at the statistics to see how that confidence in building societies has grown. I seek leave to incorporate in *Hansard* a statistical report on housing approvals of major lending institutions, prepared by the Australian Association of Permanent Building Societies.

The SPEAKER: Can the honourable member assure the Chair the material is purely statistical?

Mr. CRAFTER: Yes, Sir.

Leave granted.

HOUSING APPROVALS—MAJOR INSTITUTIONS

			1979-80	1978-79	1977-78	1976-77	1975-76
Number	Building Societies	No.	79·4	75·8	65·3	64·4	71·9
in 000's	Savings Banks	No.	112·7	111·4	104·0	106·7	124·5
	Trading Banks	No.	43·7	44·0	38·4	41·2	45·3
Value	Building Societies	$M	2 365	2 096	1 700	1 555	1 549
	Savings Banks	$M	2 697	2 533	2 140	1 997	2 082
	Trading Banks	$M	833	816	675	645	669
Average Loan	Building Societies	$	29 800	27 650	26 000	24 100	21 550
	Savings Bank	$	23 950	22 750	20 600	18 700	16 700
	Trading Banks	$	19 050	18 550	17 600	15 650	14 800

Mr. CRAFTER: I wish also to incorporate in *Hansard* another chart of statistics of loans approved by permanent building societies in this State for 1975-76 to 1979-80.

Leave granted.

LOANS APPROVED SOUTH AUSTRALIA

		1979-80	1978-79	1977-78	1976-77	1975-76
Loans Approved by Permanents						
Number						
Total Dwellings	No.	4 972	4 680	3 904	2 981	2 721
New Dwellings	No.	575	671	970	748	566
Dwellings Previously Occupied	No.	4 397	4 009	2 934	2 233	2 155
% New to Total Dwellings	%	12	14	25	25	21
Value						
Grand Total	$M	144	132	105	81	63
Total for Dwellings	$M	136	123	99	74	59
New Dwellings	$M	18	20	27	19	14
Dwellings Previously Occupied	$M	118	103	72	55	45
% New to Total Dwellings	%	13	16	28	26	24
Average Value of Loans Approved						
Houses—New	$	30 586	29 638	28 330	25 630	24 965
Previously Occupied	$	26 930	25 802	24 536	24 414	20 947
Loans on Mortgage						
Principal Owing at 30 June	$M	444	367	276	206	154
Loans Advanced	$M	136	127	99	69	56
Loan Repayment Received	$M	103	74	52	40	34
Principal	$M	58	38	27	20	22
Interest	$M	44	36	25	19	12
Assets						
Total Assets at 30 June	$M	570*	456	349	263	210

Mr. CRAFTER: Members can see from those charts that indeed the recent history of building societies in Australia and interstate is an admirable one indeed, and they are now a major financial institution in our community. Thus, this Bill and the legislation under which they were established, which was greatly modified some years ago by the previous Government, are an indication of the respect the Government has for building societies in this State.

However, some disturbing trends are occurring in this area. I think the banks may be over-reacting to the growth in the worth of building societies, and may fear their competition. I refer to a recent advertising campaign conducted by one bank, which I think said that there is nothing as safe as a bank as a bank, and then went on in that poster to portray a number of newspaper headlines which were less than favourable to building societies. I think that type of advertising campaign is most undesirable in the community and in a free enterprise system. However, it does show the rate at which building societies are becoming the most acceptable form of provider of housing finance to a large section of our community.

One concern is that there will be a large injection of funds from traditional financial institutions into building societies. I know that there are, currently, restrictions on this practice, and it is subject to stringent conditions in current legislation. However, this may well be a concern for the future. Because of economies of scale and because of the escalating costs generally in the commercial sector, it may be that we have take-overs of smaller societies by the larger societies. This Bill before the House provides the machinery whereby this practice can be facilitated, but there can be some checks and balances when this does happen.

One would hope that smaller societies will not be absorbed in this way, but I am afraid that that might be inevitable. The real danger is that the smaller societies are based very much on a co-operative venture, and there is a community of interest that provides the very source of revenue for those societies. One would hope that that will be able to continue and that, in fact, more building societies will be commenced on that basis. The very fact that this Bill does not provide what I would call high levels of guaranteed funds before a society can commence, I think is an indication that there is a desire to allow smaller communities to form building societies. I think that that is to be encouraged. There are, as I have mentioned, safeguards for the community already in legislation to provide for the safety of investments.

The other disturbing trend that is occurring is that there may well be link-ups between the building societies of the various States and, once again, the essence of a co-operative venture may well be diluted. This is another matter that must be monitored in coming years. The provision in this Bill for an advisory committee to be commenced is commendable. I understand that an advisory committee is already in existence and providing a useful function, not only to the building societies but also to the Government. This provision will formalise that advisory committee and provide for its representation. That can only strengthen the work of building societies in the community.

The Bill also provides that building societies may make charitable contributions. I suppose there is always some concern where members' money is being used for a purpose other than that for which they believe they gave that money. I believe that the management of building societies, and the safeguards provided in this amended section, are desirable indeed. I refer to one area which concerns me—the inability of the public sector now to provide low income housing in the community. I believe that it is very much within the province of building societies to concern themselves with this matter. It may well be that some inroads can be made into alternative forms of provision of low income housing and shelters in the community by co-operation between building societies and the public and private sector. There are already some interesting initiatives being undertaken by at least one building society in this area. I hope that other building societies will concern themselves with this pressing problem in our community. It will, of course, allow building societies to set up a trust, for example, for

education purposes or to research particular areas of housing and other matters that are, indeed, very commendable. With those few comments, the Opposition supports this measure.

The Hon. JENNIFER ADAMSON (Minister of Health): The member for Norwood has made some pertinent comments about building societies and has indicated that the Opposition supports the Bill, which is essentially a non-contentious, technical Bill. He referred to the role of building societies in the financial system *vis-a-vis* the banks and the banks' attitude to building societies, which is not altogether supportive at all times, as he indicated, and as is understandable. Questions relating to the Government's policy concerning the growth rate of societies and their involvement in Government-directed areas of investment and insurance of deposit proposals, and so forth, are, whilst of general interest, not strictly relevant to this Bill. They are matters of Government fiscal policy and are being considered by a committee established by the Government to make a general review of the Act. That will take some time. In the meantime, we are concerned solely with these technical amendments which will facilitate the operation of the Act, which should assist the societies, and which, as the honourable member pointed out, have been supported by the South Australian Association of Building Societies.

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

STATUTES AMENDMENT (ADMINISTRATION OF COURTS AND TRIBUNALS) BILL

Received from the Legislative Council and read a first time.

The SPEAKER: The Legislative Council draws the attention of the House of Assembly to clause 11, printed in erased type, which clause, being a money clause, cannot originate in the Legislative Council but is deemed necessary to the Bill.

HISTORY TRUST OF SOUTH AUSTRALIA BILL

Adjourned debate on second reading.

(Continued from 24 February. Page 3144.)

Mr. BANNON (Leader of the Opposition): The Opposition supports this Bill, as it did in the Upper House, and I will not canvass it at great length. The important thing is not so much that the Government has moved to establish the History Trust and proposed a wide range of activities for it to undertake but whether it will be given the resources to do so. That is the crucial question. Whether the conversion of the Constitutional Museum into the broader History Trust is the best way in which to tackle this area could be debated, but I do not see any major problem.

It appears that there is a need to co-ordinate the various museum and historical activities in this State, and the sooner that is started the better, because, as was pointed out in the second reading explanation, 1986 will be the jubilee of the State and by then we hope that these organisations will be co-ordinated and organised in such a way as to make the celebration of that year even more effective.

I have a very strong personal interest in this matter, because in the brief time during which I was the Minister I commissioned a report from Mr. Edwards and I made a number of submissions to Cabinet about the extreme urgency of dealing particularly with the South Australian Museum and the deterioration of its collection. On a number of occasions, I visited the Birdwood Mill museum and I was considerably disturbed by the state of that museum collection of a general nature, much of it being the residue from the old Institute of Technology museum. While stressing that the state of the vintage car collection is fine (it is well housed and well displayed, and it is a premier museum in that sense), I point out that, when one enters the mill, because of lack of proper curating, display space and general expenditure, one finds that the collection has deteriorated to the point of not being terribly useful to the public of South Australia, and one realises the urgency of doing something about it. Should the Birdwood Mill and its management structure be subsumed into this trust? That question could be debated, but the Opposition, after examining this Bill and the Minister's second reading explanation, is satisfied that the Bill provides a reasonable way in which to handle the administrative and other problems.

The first Edwards Report is extremely important and historic, and we look forward eagerly to Mr. Edward's final report, which the Minister tells us should be available in three months. The Edwards Report is full of splendid ideas, and it is a matter of gratification and congratulation that the Government has decided to implement that report. The extent to which it does so has not been fully revealed, but the Government's acceptance in principle and the one or two steps that it has already taken indicate that it is prepared to move in this area. Regarding the South Australian Museum in particular, I might say that this action is not before time. As a general co-ordinating body, this trust has a great potential. I am particularly interested in the powers that it will be given, which will allow it to become involved in conservation throughout the State and, in particular, with local and regional museums.

For instance, clause 14 refers to accrediting or otherwise evaluating museums and advising the Minister on the operation of museums and the allocation of funds and forms of assistance. That is something that our network of local and regional museums could well do with. It was my intention (and I had taken steps prior to the last election) to commission a further report specifically on the needs of local, regional and specialist museums in the State. While that exercise has not been advanced, I believe that the History Trust will provide a basis, and that will be welcomed throughout the State. I will not add very much to what the Hon. Anne Levy said in the Upper House, and I have noted the Minister's reply.

I refer now to resources. There is absolutely no point in establishing a structure such as this and laying down a range of activities, many of which are necessary and urgent if some progress is to be made before 1986, and not providing the trust with the resources to carry out those activities. If the intention involves some sort of cost saving device that says, "We will pick up the Constitutional Museum and its staff and give them expanded functions and see how they get on", the Bill and this whole exercise will fail. It will simply be seen as window dressing.

The most important thing the Minister can tell us today is what precisely the Government has in mind in terms of resources, what extra staff is to be provided, how they are to be deployed, and what sort of budgetary allocation the trust is likely to be given when it begins to operate during the next few months following its constitution. The Opposition is very keen to support the Bill, and we are keen to see it go into operation, but we would like firm and definite assurances that resources will be put into this area.

Mr. RANDALL (Henley Beach): I wish to speak briefly on this Bill to give recognition to people who have had the foresight to attempt to preserve history in our community with the limited resources which were available. I welcome this Bill because it will give true recognition to those concerned with preserving the history of South Australia. It will bring under one umbrella all those groups in our community that have actively involved themselves in the history of this State.

The first telegraph transmission in Australia, and certainly in South Australia, took place from the shores of Henley Beach to the site where the old Adelaide Bureau of Meteorology once stood. Credit should be given to those who were experimenting in electronics at that time. One has only to go to see the historical museum set up by Telecom to appreciate the type of equipment that was around in those days, and to see how that equipment has been gathered and restored and put on proper display. I wish to give recognition to the former Mayor of Henley and Grange, Mr. Don Newlands, who had the foresight to see that a dilapidated property in an area known as Reed Beds needed to be restored and preserved. There is a description of this property and how it was built in 1841 in a book titled *Sturt: The Chipped Idol.* Author Beale describes the property as follows:

> Pleasingly simple in design, its main rooms—dining and drawing rooms, main bedroom and the captain's dressing room—opened by shuttered French windows upon a terrace whence one could look eastwards to the hills. With spreading eucalypts, casuarinas and tea-trees at the back towards the sea, and intersected by the reedy Port River, the grounds appeared park-like. Half a mile or so westwards were sandhills across which was a long beach where the gentle waters of the gulf lapped. It was an impressive beginning, for obviously he [referring to Sturt] was not finished with it.

The building in the days when it was built was classified as one of the colony's show places. It was the place to go and see on a Sunday afternoon drive, or should I say on a horse ride. When Captain Sturt finished his business in town he was able to ride 5½ miles home on his horse to what in those days was a secluded area, and his property included 389 acres, then known as the Reed Beds.

Mr. Slater: What significance has that to the Bill?

Mr. RANDALL: The significance is that many South Australians do not even know where the home of Captain Sturt is. The average South Australian has not even been to see it and is not aware that it exists, yet Captain Sturt was a prominent South Australian and an explorer. It takes a Bill like this to highlight such things, for the History Trust to promote Sturt's house and South Australian heritage in this State. Once facilities are available, schoolchildren will be able to go and see where Captain Sturt built his house, where Captain Sturt's fourth child, known as Missy, was born, and they will be able to walk through the bedrooms and see in the bedrooms the children's toys on display. This is possible due to former Henley and Grange Mayors, Don Newlands and Bronte Edwards, both of whom had the foresight to put council finance into the restoration of that home.

Members interjecting:

The SPEAKER: Order! The member for Henley Beach has the call.

Mr. RANDALL: That restoration has taken place with finance raised by volunteers who worked hard for the restoration of Sturt's historical home. Unfortunately, in this day and age many historical objects are held within various homes throughout South Australia. They are not on public display because there is nowhere to display them. Under this Act we have an opportunity to get these items together for public display.

The other issue that I want to raise is that under this Bill small local displays can be set up. The Henley and Grange Council has got together a historical society, and it is gathering information to record the history of one of the older suburbs of the city of Adelaide. I am glad to stand here and be a representative of an area which is steeped in history, and as that electorate's representative I will be promoting, pushing, and working hard to see that the history of the area is preserved.

Mr. MILLHOUSE (Mitcham): I fail to see the relevance of the member for Henley Beach's speech. If I remember correctly, almost 20 years ago I had some part in the opening of the Grange at Henley Beach. Why the member should suddenly latch on to that matter, Mr. Speaker, I fail to understand, unless he wants something to put in his local paper next week.

The SPEAKER: Order! I ask the honourable member to come back to the clause.

Mr. MILLHOUSE: I was taking my speech immediately on from that which was made by the member for Henley Beach.

The SPEAKER: Order! The member for Henley Beach made no mention of newspapers.

Mr. MILLHOUSE: No, I am just surmising as to why he made the speech at all. I did not know when I jumped up a moment ago to make a speech that I was putting a spoke in the wheel, and that we are supposed to get this Bill through by 6 o'clock so we can all go home.

Mr. Gunn: You normally go home.

Mr. MILLHOUSE: No, I was looking forward to a long evening of interesting debate. I came specially to take part.

The Hon. J. D. Wright: Good of you to call.

Mr. MILLHOUSE: I think it is very good of me to call, yes. I wish to speak on this Bill for only two reasons. The first reason is to congratulate whoever wrote the Minister's second reading speech, which I notice he simply put into *Hansard* yesterday and did not bother to read.

The Hon. D. C. Wotton: If you had been here you would have realised why.

Mr. MILLHOUSE: I don't know about that. It was a good second reading explanation, but it really is a lot of words and nothing else, because all this Bill does (and I waited in vain to hear something about this from the Leader of the Opposition when he bumbled through a speech to take up a bit of time) is, as I understand it, to put together the Constitutional Museum and the Birdwood Mill. There does not seem to be anything else in the Bill apart from that. It is dressed up in a lot of clauses, and my suspicion is that the present Government does not really approve of the way in which the Constitutional Museum is run, and that is why we have this Bill. If there is anything more to it than putting together the Birdwood Mill (the Birdwood Mill is run by a friend of mine and I think it is a good place; I know he is looking forward to getting a bit of help—he doesn't mind the Bill) and the Constitutional Museum, I will be glad to hear about it.

Members interjecting:

Mr. MILLHOUSE: There is not, is there? There is nothing more to it than that. Let us understand what we are doing. It is not this portentous damn thing that the Minister would have us believe.

The Hon. D. C. Wotton: Have you read the second reading explanation?

Mr. MILLHOUSE: I have glanced through it. It was not too easy to get, because the Bill was brought in only yesterday. It is still in draft form, and I was not favoured on this occasion with a copy of the second reading explanation, as I often am.

I suspect that the Bill was hatched up so that the Premier would have something to say at the Commemoration Day proceedings on 28 December last year. We were told that there would be an announcement of great moment to the State, that something very important was to be announced by the Premier. Blow me down if, when he makes his speech, all that is in it is the creation of a historical trust. If ever there were a damp squib, that was it, except for the Bill itself, when it came in, because all it does is put together the Birdwood Mill and the Constitutional Museum, and no doubt it will give the Liberal Government an opportunity to appoint its political friends to the trust and remove some of the Labor Party's political friends who are at present on the Constitutional Museum Trust.

That has been happening ever since this Government has come to office. I look at the *Gazette* every week—I get it at Bar Chambers and look through it. The Government is taking off any Labor appointees, whether good, bad or indifferent, and its own political friends are put on in their places, whether they are good, bad or indifferent. I guess that that will happen with this body, too, and that is a pity. Although I think too much money was spent on the Constitutional Museum at a time when we could not afford it, it is a great achievement, and I think that those who run it deserve some credit for it. I do not propose to take any more time if you, Mr. Speaker, and other members want to get home.

Mr. Peterson: No, we have an adjournment debate yet.

Mr. MILLHOUSE: Are we having an adjournment debate? Then we will be here for a long time yet, and I do not have to be short. However, I never speak longer than I need to. I have said all that I want to say. I think this Bill is just a squib, a bit of window dressing. I congratulate whoever wrote the speech, but that is about all it comes to.

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

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

Motion carried.

Mr. PETERSON (Semaphore): I am running the risk of incurring the wrath of the member for Mitcham by making some comments in this debate.

Mr. Millhouse: But yours will be good, and relevant.

Mr. PETERSON: I will try my best, Robin.

The SPEAKER: Order!

Mr. PETERSON: I am sorry, Sir. I have read the Bill and the second reading explanation, and I hope sincerely that the Bill is not a squib, as has been suggested. Its purpose is to pull together the wide-ranging functions of people in the area of historical institutions and historical artifacts, and I would like to refer to the area of my interest in Port Adelaide. I am a member of the Port Adelaide Historical Society, and have been for some time. Work has been proceeding in that area over the years with very limited resources and limited assistance, trying to keep together items of maritime historical significance in the State's history. The area is full of maritime history; it is spread all over the district, because we have not had any co-ordinating body to help us with it.

The Minister said that private organisations and individuals have laboured long and mightily, but that their efforts have lacked co-ordination. I would say that that body has had organisation but has not had assistance, and it is to be hoped that this is the beginning of it. It has a wide-ranging scope of artifacts, from a floating tug—

Mr. Millhouse: The *Annie Watt*?

Mr. PETERSON: I think the *Annie Watt* might be at the end of her days. I doubt whether she will float again, although there are plans for that.

Mr. Millhouse: Did the Government give you any money?

Mr. PETERSON: That will be the testing of the mettle, when we can see what is available to organisations such as the Port Adelaide Historical Society. It has been granted land in the area for a maritime museum. It has tried, through the Government, to get room in an old wool store for storage, which could be part of a larger scheme where a much wider range of historic items can be stored. I believe that we are running out of time, so I shall say simply that I support the Bill and hope that it produces what it promises.

The Hon. D. C. WOTTON (Minister of Environment): We have heard some interesting comments from the Opposition. I am pleased that the Opposition supports the legislation—and that is about all the Leader said; we have to be thankful for small mercies. The suspicious member for Mitcham gave a suspicious and supercilious speech about the Bill's being a squib. He congratulated the speech writer and said that he had had great difficulty in reading it. I suggest that he did not look at it. If he had, he could not have asked the questions and made the comments that he made. He suggested that all that the Bill will be doing is to bring together the Birdwood Mill and the Constitutional Museum. He did not read the rest of it, and I will not go through it again, because it would mean going through the second reading explanation again, and I have no intention of doing that.

The Government is very pleased with this worthwhile initiative. For a long time, we have lacked the amount of work that can be done as a result of this legislation regarding the State's history. We have lacked the ability to do that. This Bill will be welcomed by the people of South Australia. The member for Semaphore made some good points. I am aware of his real interest in heritage and historic matters; I receive probably more correspondence from him on matters relating to heritage than I do from anyone else in the House. As Minister responsible for heritage matters, I know that there has been a close working relationship between my officers and the officers of the Minister of Arts. It has been a good relationship in the preparation of this legislation. This trust will work very well with what my department is doing in its responsibility for heritage matters.

Bill read a second time.

The SPEAKER: When this Bill was before the Legislative Council, the President ruled that it was a hybrid Bill, and Standing Orders were then suspended to enable the Bill to proceed without referral to a Select Committee. Subsequently, the provisions which attracted the President's attention were removed from the Bill. I am satisfied that the Bill is not now a hybrid, and I rule accordingly.

In Committee.

Clauses 1 to 13 passed.

Clause 14—"General functions and powers of the trust."

The Hon. D. C. WOTTON: I move:

Page 6, after line 6, insert subclause as follows:

(6) Where the trust accepts a gift or bequest of an object of historical or cultural interest, it shall not, without the consent of the Minister, sell or dispose of that object.

Amendment carried; clause as amended passed.

Remaining clauses (15 to 24) and title passed.

Bill read a third time and passed.

ADJOURNMENT

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

That the House do now adjourn.

Mr. RANDALL (Henley Beach): I want to remind the member for Albert Park of comments he made in this House late last year. I want to bring to his attention an article which appeared in Saturday's *Advertiser*. In relation to my comments that the unions were being manipulated by the Labor Party, the member for Albert Park said:

> Once again, that shows gross ignorance. To me, some of his remarks are insufferable. One could say he was *non compos mentis,* but once again not one iota of proof has he put to the Parliament. He makes loud-mouthed assertions in this Chamber, but he is not prepared, or does not have the guts, to make them outside the Chamber. When talking about the rank and file employees, he said . . .

He went on to quote another comment I had made. The member for Albert Park established in that speech a basis for the following comment:

> I want to say this (and I am not a vindictive sort of person) clearly to the member for Henley Beach, because I feel so strongly about his vitriolic remarks: I will not, inside or outside this Chamber, recognise him until such time as he is prepared to withdraw his remarks. That is how strongly I feel on this issue. I believe that he has degraded his position. There are many trade unionists in his district and he forgets that fact. Many of those members he referred to in his inane remarks in his contribution on 5 November.

I believe that we need to look back and see what I said on 5 November and what I tried to indicate to this House. At that time I did not put any factual evidence before the House to support my statement, but I am prepared to do that today.

I tried to point out to the House the large number of strikes occurring in our community. There were about three, four or five in one week; they were running hot and pressure was being put on this Government in all sorts of areas. The evidence I have before me was gathered over a period of years, from my experience as a trade unionist and seeing trade unions in operation. I pause to say that I wish that members of the Australian Labor Party were in the House to listen to this debate, because I believe their future and the future of the Australian Labor Party rests on their approach and their relationship to the trade union movement. It is unfortunate that not one elected representative of the A.L.P. is in this House at the moment. It is good fortune that the Independant member for Semaphore has taken the time to sit and listen to this debate, because he is the only member opposite. I want to bring to his attention, as no doubt he is one of the reformers of the future from that side of politics, an article which appeared in the *Advertiser* of Saturday last and which was headed, "Fed-up leader quits as union wrangle erupts". I would like to quote some of the comments reported by the industrial reporter, Bill Rust, in relation to this union wrangle. The article refers to a Mr. Bob Mack who suddenly resigned because of internal trouble that suddenly flared up in the 12 000 member Australian Workers Union. The article states:

> A few hours later, Mr. Bob Mack made an accusation of "political interference" in the union's affairs. He is believed to have been referring to at least two of its former officials who are Labor M.P.'s.
>
> "I got fed up with it—too much political interference in the union from the Labor Party", he said. "A couple of their politicians attempt to interfere all the time. It got that way you just could not work because of the in-fighting. When they use the union to go into politics they should be prepared to bow out of it."

I have observed, as a union member, the political manipulation of unions by the A.L.P. I referred to this in my previous speech, but I did not provide evidence. I have given some of the evidence I have gathered. However, I believe that up-to-date evidence was needed. The article I have referred to was from Saturday, 21 February 1981. No doubt Mr. Bob Mack will suffer because he was prepared to publicly criticise his union. No doubt the knives will be out and the pressure will be on. I know only too well that, when one stands up publicly, as a trade unionist, and makes comments about the union of which one is a member, it is frowned on. It is not the done thing. There is one spokesman only—the President. The members have little say. I speak from experience.

The union movement should look closely at its involvement in the community. Members of the unions must take up the challenge and look at their leaders, how they became elected, and where they are going. Are they aiming for the A.L.P. benches opposite? Is that their only motive for becoming leaders of the union? Or are they in the union to serve the members who elect them? This is a current issue because it is time for union elections. I challenge members of the union who read or hear of this speech to look seriously at their involvement in the movement. I know it is difficult when one has a point of view to stand up publicly and put that view, but it must be done for the sake of the union movement in this country. For the sake of change, people must stand up and express a viewpoint: that may be different from the A.L.P. philosophy, but it must be said, otherwise the unions will stagnate and will become manipulated by the A.L.P.

The A.L.P. must examine its relationship with the unions to see whether the union movement has not manoeuvred itself into a position of trying to gain total control. As I said on 5 December (the speech of which the member for Albert Park was so critical), over the years the unions have been slowly manipulated into a position of affiliation with the A.L.P. in order to gain muscle and finances. Now, that is under question. The challenge to union members is—consider your role in the union. Are you playing an active role? Do not be scared if your politics or philosophy are not the same as that of the A.L.P. Become involved. Participate in union elections. Stand for positions of president, secretary and treasurer. Be involved so that some changes will be made to the union movement in this country.

Mr. HEMMINGS (Napier): Ever since 1 January 1981, members of both sides have been inundated with reminders that this year is the International Year of the Disabled Person. We have received glossy calendars from the Minister of Community Welfare depicting 12 scenes of disabled children in this country. What has happened over the past week has convinced me that no-one is really interested in the plight of the handicapped in this State. On Monday 16 February, I received a telephone call in my electoral office from a member of the public who has a granddaughter at Strathmont Centre. This gentleman's granddaughter had become violently ill the previous day through drinking the water from the cold water tap. Members may recall that that Sunday was an extremely hot day, with a maximum temperature around 40 degrees. The gentleman informed me that his granddaughter's parents had been told that the temperature in the villa on that Sunday reached 51·6 degrees celsius.

I checked out that complaint and found that there are 20 villas at Strathmont, 17 of which are not air-conditioned. The design of the windows is such that they wind out from

the bottom and, therefore, no cool breeze passes through. The plumbing is such that the hot and cold water pipes are laid together; consequently, even on a normal summer day, the temperature of the drinking water is far too hot for the children to drink it. During a recent hot spell, it has been impossible for the children at Strathmont to have cold baths or showers at any time. In fact, when the baths were filled with so-called cold water, the nurses had to wait at least half an hour before they were allowed to put the children into the bath. In each villa, which houses 32 children, there is only one water cooler and one domestic fridge. During the hot weather, that water cooler, which takes nearly two hours to cool about three litres of water, was empty within a few minutes.

I understand that on 18 February the water temperature was monitored over a 24-hour period. The monitoring was carried out by nurses on a voluntary basis, because it seems that the administration had not even bothered to let the Minister know the situation at Strathmont. On that day, the recorded temperature variations ranged from 20 degrees celsius to 48 degrees celsius, yet the maximum temperature recorded for that day was 24·7 degrees. For the children to have their morning bath, the sprinklers had to be turned on for at least two hours before the cold water was reduced to a temperature at which it could be used.

The SPEAKER: Order! I ask honourable members to reduce the level of audible comment.

Mr. HEMMINGS: This year is supposed to be the International Year of the Disabled Person, yet at Strathmont intellectually handicapped children are forced to live in conditions that would not be tolerated by people in any public hospital or other institution. I was so appalled by the conditions at Strathmont that, as Opposition spokesman for health, I issued a statement to the media. However, it seems that the plight of the intellectually handicapped was not newsworthy, and only the A.B.C. news ran the story. It seems that no-one cares a damn about the intellectually handicapped kids in public institutions. The big news story put out by the *Advertiser* that day was in regard to the noise of a rock concert by the group AC/DC. It makes me question the intelligence of people who report what goes on in this Parliament, when the noise of a rock concert is considered of far greater importance than 200 kids at Strathmont being forced to live in conditions that we as normal (if I can use that word) people would not tolerate.

In my statement, I called on the Minister to inspect conditions at Strathmont, to correct the situation as a matter of priority, and to implement immediate short-term relief for those children. I checked today, and the Minister assured me that she had no knowledge of the situation at Strathmont. Neither she nor her officers had heard the Friday morning news broadcast. I have supplied the Minister with information that details exactly what I have told the House tonight and, if this Government is dinkum in regard to its concern for the intellectually handicapped (and we have had lots of invitations from different Ministers to attend seminars), I expect the Minister to take some action.

I am sure that some people will be inclined to say that the previous Administration built the centre, so it should take the blame. If 1981 is the year that we should care for the disabled, then we should be prepared to put our money where our mouth is. That is all I intend to say on the matter. I want to place on record the concern that the nursing staff have for the children there. They are all members of the Australian Government Workers Association, and I think it might be relevant to place on record my thanks to them for carrying out this monitoring and caring for the kids. Perhaps it is something of which the member for Henley Beach should take note, because he has spent the last 10 minutes telling us what a rabble the trade union movement is. I only hope that the concern of those who care for the kids can spread to the administration and to the Minister of Health.

Mr. MATHWIN (Glenelg): I want to refer to a shocking situation that is now developing along Brighton Road, Brighton, and to the long history of the problems of that road. The people in the area, after waiting 10 or more years for a good, strong, wide road, are now to be faced with a situation in which the Highways Department, on some sort of principle, insists that there must be a median strip right along Brighton Road from one end to the other. Of course, this will affect the local traders. Moreover, the main problem is that the median strip will be between 8ft. and 10ft. wide. Indeed, that is a shocking situation.

The Hon. W. A. Rodda: How high?

Mr. MATHWIN: It is high, and I am glad to the Chief Secretary agrees with me. It is too high for the majority of people living in my electorate, as many elderly people live in my district, who are not always as healthy as the Minister. First, they have a problem getting to the median strip at places that the Highways Department designates as safety zones. People are said to be safe if they can get on to one of these strips. It is difficult for old people to stagger on there in the first place, because of the vast amount of traffic on Brighton Road, a result of the lack of foresight by the previous Labor Government, which opened the sluice gates from right down south and made the Lonsdale link. We now have a massive amount of traffic on that road, and we will get a lot more.

It is very interesting to see that there is not one member of the Opposition Party on the benches opposite. Even the front bench is completely bare—not that that adds anything, of course, because there is not much intelligence there, anyway. I want to outline the problem of the people in my area. These median strips are inflexible. Once they are there they cannot be moved. At the moment there are many areas marked by white paint, and this means that cars going from north to south, or south to north can go over this white painted area. Once the interference of the Highways Department occurs then the cars will not be able to pull over to the left or the right to allow traffic to go through on the inside.

I believe this will be a very big blunder and will cause a lot of problems to my constituents, and certainly it will cause a lot of problems to traders in my electorate, and they are people I am most concerned about at the present time. They will suffer great hardship and loss of custom and, indeed, I can see that a number of them will possibly be forced out of business as a result of the high-handed attitude of the Highways Department. People in the Highways Department well know the situation in relation to the type of zoning along Brighton Road. Perhaps if they read *Hansard* they will learn a bit more. Maybe, I can remind them, in case they have forgotten, that Brighton Road is a local shopping area and it has strip shopping from one end to the other. The effect of the department's erecting these monstrosities along the centre of the road will be that it is quite possible that there will no parking at all in front of any of those shops, which will put them out of business.

Travelling from south to north, from the Brighton electorate into my electorate, which includes a lot of Brighton residents, drivers must negotiate Ocean Boulevard, and a series of traffic lights and pedestrian crossings before eventually arriving at Brighton proper. Today I went along Brighton Road and I saw that the Highways Department has given some indication of what

its intention is for the area which comprises the middle of Brighton. There, believe it or not (and perhaps the member for Brighton has not seen it, but he is in for a shock), the Highways Department will have the audacity to put a median strip there, 10ft wide, in what was once a village street! One can realise the chaos that will occur.

The authorities say that it will take 18 months to put traffic lights at the Jetty Road, Brighton intersection, eventually, when the traffic lights are installed at Jetty Road, the pedestrian crossing 20 yards north will be retained. That will be quite a feat for any motorist—even a pedestrian would find it very difficult to catch the lights in a situation like that. If one continues travelling down Brighton Road, the next hazard is the Hove crossing. There is a feat of engineering if ever I saw one.

Some years ago the Highways Department went against all local knowledge, something a department is entitled to do, I suppose. Departments are full of people of high intellect and learning who have spent many years studying, so why take notice of the locals. That is precisely what happened. They took no notice at all of the local people who told them of the situation at the Hove crossing, with the erection of boom gates and traffic lights over the years. They told them that it was important that Addison Road and The Crescent should remain closed. But did that happen? The Highways Department said, "No, we must open them, we must allow more people to flow on to Brighton Road. Let's create a bit of chaos, so that the local members will have something to talk about in Parliament."

Therefore, Addison Road and the Crescent were opened, and we have a free flow of traffic through there right and left. The situation is shocking. Officers of the Highways Department have been told in no mean manner by the member for Brighton and me, on numerous occasions, but they have closed their eyes and their ears to it—to their disgrace, I believe. When we really get into the swing of things, and when the trains and thousands of vehicles are running freely, the level crossing at Brighton will be closed for 30 minutes in every hour. What a situation! We will be able to take the train to Seacliff, leaving the car at the Hove crossing, otherwise it will be a waste of time going home to tea!

I have only a minute left in which to speak, but in that time I shall refer to an occasion many years ago when an infants school was being built at Seacliff. I was on the council at the time and I thought there should have been a road where the school was to be built. After the school was built, it was found to be in the middle of Brighton Road. That is how efficient the situation is. We cannot get away from the fact that there will be chaos on Brighton Road. I would hope that the Highways Department will heed my last-ditch attempt to convince its officers to take notice of the locals who know the scene, who have some responsibility. I will not see my local traders go down. I will stand up for them against the department.

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

Motion carried.

At 6.32 p.m. the House adjourned until Thursday 26 February at 2 p.m.