HOUSE OF ASSEMBLY

Thursday 19 March 1987

The SPEAKER (Hon. J.P. Trainer) took the Chair at 11 a.m. and read prayers.

LEAVE OF ABSENCE: Mr INGERSON

The Hon. D.J. HOPGOOD (Deputy Premier) obtained suspension of Standing Orders and moved:

That leave of absence be granted to the member for Bragg (Mr Ingerson) to attend today's meeting of the Trotting Control Board.

The Hon. D.J. HOPGOOD: This is private members' morning and I have no desire to delay this morning's business, so I will be very brief because I do not anticipate that the House would long want to debate this measure. Last week the member for Bragg was very concerned that there should be an immediate judicial inquiry into certain matters which he had brought before the House and which he said he had laid before certain other persons.

The member for Bragg has an opportunity right now to appear before the Trotting Control Board, but he is quoted in the press as saying that he is unable to attend that meeting because he is required in Parliament at that very time. Accordingly, I think it is only reasonable that Parliament should extend to the honourable member the courtesy of being able to attend that meeting, if he so desires. I commend the motion to the House.

Mr INGERSON (Bragg): This morning at 10.45 I made a public statement that I do not intend to go before the inquiry.

Members interjecting:

The SPEAKER: Order!

The Hon. M.K. Mayes interjecting:

The SPEAKER: Order! I call the Minister of Recreation and Sport to order.

Mr Hamilton interjecting:

The SPEAKER: I call the member for Albert Park to order. The next member will be warned.

Motion carried.

Members interjecting:

The SPEAKER: Order! I draw the attention of the House to the fact that we are proceeding now with the first item of business. The Chair had attempted to call on the Clerk. I have asked the Clerk to resume his seat because of the gross discourtesy being shown by a substantial minority of members in the House.

PARKLANDS

The Hon. B.C. EASTICK (Light): I move:

That, in the opinion of the Parliament, in the management and development of parklands in council areas of South Australia:

(a) the parklands should be available for use by people;
(b) the public should have free and unrestricted access;
(c) the parklands should be reserved as a place for public recreation, leisure and enjoyment;
(d) every effort should be given to the restoration to public use of areas which have previously been removed from general use;
(e) the character of the parklands as a green belt dividing the City of Adelaide from the suburbs should be preserved;
(f) councils should endeavour to enhance the visual appearance of the parklands and integrate them into the planning design of the respective council area; and
(g) the Crown should be subject to the same development constraints and comply with the same obligations as councils,

and that this view be conveyed to all councils in the State; and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

I have pleasure in moving this motion, which I believe will have the support of the whole Parliament. I presume, on the basis of it being for the whole Parliament, that I can speak for this section of the Parliament, that is, the House of Assembly, because I know that members are of a mind with me on this matter.

The background is that the Hon. Mr Gilfillan in another place sought to intrude Parliament into the affairs of local government, more specifically in relation to the Adelaide parklands. It became apparent that the attitude which was being expressed by the Hon. Mr Gilfillan, whilst of interest to some people in the community, did not have total community support and certainly did not have the support of local government generally and of the Adelaide City Council in particular. The Hon. Mr Gilfillan, in introducing his Bill, in relation to clause 4 indicated:

Clause 4 sets out the principles that are to be observed in the management and development of parklands.

The principles were enunciated there in a form not dissimilar to the clauses *(a)* to *(f)* in the motion that I have put before the House. They are altered to the extent that I believe that what I have offered the House is more positive than the generality of some of the verbiage used by the Hon. Mr Gilfillan in another place. It certainly goes beyond the Adelaide City Council and is inclusive of all local governing body areas throughout the State.

More specifically, we move from a recognition of those matters which should be considered by council to impose upon the Crown, be it the Commonwealth or State, obligations which are not dissimilar to the expectations of local government. We have seen over the years some erosion of the use of parklands for the people, both in the city and elsewhere. Indeed, in a very useful history of the parklands episode as it relates to Adelaide, in a presentation by the Hon. Mr Gilfillan in another place on 25 February 1987, which is recorded at pages 3110-3 of *Hansard*, the honourable member indicated that as early as 1838 Governor Gawler was called upon to make the decision for the actual purchase of the area which had been set aside for parklands for the sum of one pound per acre—a total sum of 2 340 pounds—because he was facing, it is stated:

. . . mounting pressures from within the Colony by private individuals to purchase the parklands for speculative purposes.

Certainly, the action taken as far back as 1838 has been to the betterment of the State of South Australia. However, we have not seen the intrusion by speculators into activities. The concern has been that a number of intrusions—by Federal, State and local government—into the use of parklands have been to the disadvantage of the public as a whole.

In relation to when a parkland, which is providing for the enjoyment of large numbers of people, would be against the best interests of the total public as opposed to just leaving it with no fences and giving it back to the kangaroos, the cows or whatever, the argument could go on for a long time. Since the late Mr Veale, who was the Town Clerk of the City of Adelaide, returned to Adelaide in the early 1940s and outlined a scheme for improvement of the parklands, I believe that the enhancement of the parklands for the benefit of the people of this State has been very dramatic. Areas of the countryside have been changed from being brown and bare to flower gardens.

I give full marks to the benefits that they provide aesthetically to the people of South Australia and to its visitors. I refer not only to the City of Adelaide but also to the country where some places have enhanced their parkland areas over which councils have control. I believe that, throughout the years, local government has acted in a responsible fashion for the benefit of the public. When criticism has been forthcoming because somebody has gone off the rails, it has been quite vehement and has continued in the press for quite long periods.

Gradually, we find a pegging back of the loss. I refer to the E&WS Department premises on the corner of Dequetteville Terrace and North Terrace, which is now a delightful area that has retained a small part of the building in order to display some of the historical aspects of the supply of water to Adelaide in earlier years. A number of other examples could be cited.

I refer briefly to the motion itself. I believe that there is a general opinion that parklands should be for the use of people. There is recognition that, under normal circumstances, there should be free and unrestricted access, but I recognise that for some functions and sporting activities it is necessary that there be a recoupment of the cost of providing the facility and the entertainment. Paragraph *(c)* of the motion states:

> The parklands should be reserved as a place for public recreation, leisure and enjoyment;

More specifically, in the larger towns in the city area a large number of people are enjoying that leisure. Paragraph *(d)* states:

> Every effort should be given to the restoration to public use of areas . . .

The E&WS Department and the railways have moved back to a degree. The area that was under the control of the PMG or, as it is now known, Telecom is now being returned to use by the public. Paragraph *(e)* states:

> The character of the parklands as a green belt dividing the City of Adelaide from the suburbs should be preserved.

South Australia is highly regarded interstate and overseas because of that ring of parklands around the city, and I suggest that every member would support this part of the motion. Paragraph *(f)* states:

> Councils should endeavour to enhance the visual appearance of the parklands . . .

In other words, I believe that councils have the support of the public in spending money on the parklands in order to improve them, rather than leaving them as bare, nondescript pieces of land. I have already referred to the need for the Crown to be so bound.

When this motion is passed, I suggest that its content should be brought to the attention of the individual councils so that they recognise that Parliament is quite serious about this matter and that it supports its efforts. I believe that the message is so important and so clear that it will have rapid passage through this House and through the other place. It is unarguable that everyone in the community who has anything to do with the parklands sees them as an important community asset. The fact that Parliament has been prepared to express support to local government for (to use the Hon. Mr Gilfillan's words) the principles to be observed in the management and development of the parklands is something which not only will satisfy members here and in another place but also should satisfy the Hon. Mr Gilfillan.

Mr DUIGAN (Adelaide): I have much pleasure in seconding the motion moved by the member for Light, and I congratulate him on doing so. It is an object lesson to me on the use of parliamentary procedures and it is one that I will long remember and perhaps use on other occasions. In this motion, the member for Light asks the House to reaffirm a number of very important principles, the most important one being that we give support to the primacy of local government in pursuit of the environmental objectives within its areas and assert that councils have the responsibility to ensure that those parts of the parklands and open space, which have over a period been bequeathed to them, are held by them in trust for public use. Further, local authorities have a responsibility to maintain and look after those areas and to accept the responsibility for the legacy that they have been given to provide for the communities of their areas a variety of passive and active recreational areas. That is the most important principle that is contained in the motion.

The motion goes further to suggest, within the general ambit of responsibility for local government, a number of principles about how that trust ought to be given effect. I give full support to the sentiments expressed in the motion for full, free and unrestricted public access and use of the parklands for a variety of purposes. This deals with all council areas, but the motion goes on to deal specifically with the parklands that have been given in trust by successive Governments to the Adelaide City Council for administration.

The way in which, particularly in recent years, the Adelaide City Council has cared for the parklands and tried to develop and is developing a set of coherent principles and guidelines can only guarantee that those parklands will, in the future, be safe from some of the incursions that have been made upon them in the past. As I understand it, the Adelaide City Council intends to incorporate the city parklands into the City of Adelaide Development Control Plan which will subsequently be endorsed by this House. In doing so, it identifies some 18 particular areas of the parklands and identifies for each of those 18 areas a set of objectives and principles under which each of them should be managed. It looks at the development philosophy for each of them, including the activities, buildings, environment, building design, siting and use that ought to happen in each of those 18 areas, as well as areas of special landscape character, heritage items, car parking, access to the parklands, and the activities that ought to take place on them.

That is all based on a general sentiment of the council to conserve and enhance the parklands as a publicly accessible landscape space with a generally open character available for a diversity of leisure and recreation activities to serve the city's residents, workers and visitors. That general environmental objective is worthy of support and is picked up in the various parts of the motion that has been moved by the member for Light.

The only other comment that I wish to make concerns the principle in the motion that the Crown (in this case the motion refers to the State Government and to local councils) ought to abide by the same obligations as it wishes to impose on others. I think that that is a very important principle and one which this side of the House is happy to endorse. That is the case with respect to the way in which the parklands will be dealt with in the city of Adelaide, with all council and State Government applications for activities on the parklands having to go before the City of Adelaide Planning Commission. I believe that the principles which will be incorporated in that plan have to apply equally to all parties, and that there should be no exemptions for Governments.

Governments have given themselves exemptions in the past, and Governments singularly have been responsible for the greatest alienation of the parklands over the 150 years

of our history. The way in which the city parklands are going to be dealt with henceforth should ensure that there will be no further alienation of that land. I again thank the member for Light for bringing this motion before the House. I have much pleasure in both seconding it and indicating the support of members on this side of the Chamber.

The Hon. JENNIFER CASHMORE (Coles): It is my pleasure, also, to support the motion and congratulate my colleague the Hon. Bruce Eastick for moving it. At the same time it must be acknowledged that the debate has arisen as a result of actions taken in another place by the Hon. Mr Gilfillan, and it is as a result of those actions that public debate on this perennial debatable topic has been generated on this occasion. I agree with the member for Adelaide that the chief villain in the past, in terms of alienation of the city of Adelaide parklands, has been State Government.

I also believe that in recent decades, more particularly in recent years, the intense interest in the parklands, in planning and in the environment generally, has created a climate in which no State Government of whatever persuasion can expect to further alienate part of the parklands and retain the support of the people. Therefore, I have particular enthusiasm in supporting paragraph *(g)* of the motion:

> The Crown should be subject to the same development constraints and comply with the same obligations as councils.

I think that the influence that a motion of this kind will have should not be underestimated. It is true that a motion of both Houses is not an Act of Parliament; therefore, it is not legally binding on anyone. However, I think I am right in saying that there has never been an instance where a motion passed by both Houses of this Parliament has been subsequently violated by any Government authority or, indeed, by anyone who is answerable to the Parliament. I feel that the moral weight that this motion carries has considerable influence and will be observed by all parties.

Inherent in the motion is the recognition that local and not State Government is responsible for the maintenance and control of parklands. It is true that in the past State Government has ridden roughshod over the city council and alienated sections of the parklands. However, I do not believe that that proposition is one that can be contemplated politically by the State Government and, indeed, successive State Governments are redressing the wrongs of the past.

The efforts of the former Minister of Water Resources (Hon. Peter Arnold) in initiating the return to parklands of that section of the east parklands which was under the administration of the Engineering and Water Supply Department is one example; the goodwill and the continuing efforts of both the Tonkin and Bannon Governments in restoring the State Transport Authority land (formerly Municipal Tramways Trust land) to the Botanic Park is another. It should be noted that the Botanic Gardens and the Botanic Park are not under the control of the Adelaide City Council and operate under a statute passed by this Parliament.

It was on those grounds that I was able to successfully move, in 1979 I think, that no section of the Botanic Park should be alienated from the park without the support of both Houses of Parliament. The Minister at the time (Hon. Dr Hopgood) accepted that amendment, which in itself prohibited any possibility that was then, I believe, in the mind of the Hon. Geoff Virgo, as Minister of Transport, that a section of the park would be alienated for use by the north-east busway. That was of great concern to people at the time.

In conclusion, I would like to reinforce the remarks of the member for Light in congratulating the Adelaide City Council for the progressive beautification of the parklands. In my lifetime I have seen the west and south parklands (I am not so familiar through my childhood travels with the north and east parklands) change from cow paddocks to very pleasant green parks. The establishment of Rymill and Bonython Parks and Veale Gardens and the beautification of the Torrens River are very much to the credit of the Adelaide City Council and to the benefit of the people of South Australia.

The clauses in the resolution embody principles which I believe all citizens espouse and which I am pleased to see placed on the permanent record as an expression of the view of this Parliament. I believe that it will carry very strong authority and weight with all relevant bodies and which can be pointed to in the future should there be any suggestion of any violation of these principles.

Ms GAYLER (Newland): I would like to heartily endorse this motion and regret that I have only a few minutes in which to do so. I particularly point out that this is an issue not confined to the Adelaide City Council and its parkland and open space areas. It is particularly appropriate now in the Tea Tree Gully area, where there is a breach of a number of the principles set out in the motion—particularly that these parklands and open space areas should be available for use by the people; that people should have free and unrestricted access to them; and that councils should enhance the visual appearance of those areas and integrate them with surrounding areas.

I refer in particular to the dispute going on at the moment regarding Tilley Park Recreation Reserve adjacent to the Golden Grove residential area. That reserve has two functions: active recreation purposes and the annual Golden Grove show as well as being an open space area for the local residents. A decision was taken recently to approve an 8ft high cyclone fence around the park; that fence was erected only last week and gates are to be added shortly. It is also suggested that, in the case of this open space area, residents may be charged for use of the recreation facilities of the park.

In this instance residents were not consulted and understandably they are outraged at the decision that has been taken. It seems to me that the council has a responsibility in this matter in spite of there being a committee set up for day-to-day management of the recreation park. In this case the land is council land; the management committee is set up by the council under the Local Government Act; and the council is, of course, responsible to local residents for the stewardship of such parks and it is responsible to park user groups and individual clubs. I hope with the passage of this motion in the House and the Legislative Council that all councils will set about observing the principles incorporated in this motion. I hope that, specifically in the case of Tea Tree Gully council, it will negotiate with residents and the Tilley Park Management Committee with goodwill to find a solution acceptable to all parties, one compatible with the solutions set out in the motion.

Mr M.J. EVANS (Elizabeth): I fully support the motion. One could hardly not do so, given its terms. However, I believe that the House should be aware that, in fact, this is not the complete solution to the problem which this resolution addresses. It is, indeed, an excellent start and the mover should be congratulated on laying down a framework like this, which I hope will set the scene for more comprehensive ground rules to be laid by this Parliament in a meaningful form that will provide the public with guarantees rather than assurances.

While I take the point made by the member for Coles that no organisation accountable to this Parliament would step outside the boundaries of a resolution of this Parliament, I believe that the motion, as appropriate for motions, is in very broad and general terms and lacks accountability which legislation would provide. Therefore, while I fully support the motion, and while I certainly will cooperate to facilitate its immediate passage through this House (and I hope through another place) I personally view it as laying the groundwork for more stringent controls in the future.

While I have supported the right of local government to manage its own parklands, I believe that this Parliament, on behalf of the people of the State, has the right to lay down the fundamental framework within which that management should take place. This motion certainly goes a long way towards achieving that end. I would be looking in future for something to make more legal accountability out of those guidelines. I congratulate the mover, give the motion my full support, wish it a speedy passage and hope that the future will hold more stringent and accountable controls for the parklands of the public of South Australia.

Mr S.G. EVANS (Davenport): I support the motion and congratulate the person who moved it. I do not necessarily agree with all that the member for Elizabeth has said. I believe that where land has been bought by local government for open space, or has been made available as part of a subdivision as open space, then that should be in the hands of the local council. Where it is land such as the Adelaide parklands, which have been made available by the State for the City Council to control, the comments made by the member for Elizabeth are spot on and that is the approach that we should be trying to take in the long term.

I will pick up on the honourable member's comments relating to parks in the north-eastern suburbs. It was stated that an eight foot fence is being erected around a council property which will deny the public free and unrestricted access to that land. I ask the honourable member and others to remember that one cannot, and should not, become hypocritical while in this place. We should state the reasons why we do things. In the case of the Belair Recreation Park (as it is now called) people are prepared to erect a fence with a barbed wire top to stop free and unrestricted access of people to that park, access which has been available for nigh on 100 years and which was made available by the State Government for the people of the State. Now they want to charge for motor cars entering the park.

I support such a charge, because of the cost of maintaining that property. I would change my mind if I were a hypocrite as it would suit me to do so, because some of the people in my electorate are not happy about the Government applying such a charge. However, I advocated such a charge in 1976 and stick by what I said then, because I did not do so for political advantage then and will not try to take a political advantage now. Let us not stand here and say that people should have free and unrestricted access to all parklands or all public lands that are available for recreation, because we do not advocate that as a Parliament, a State Government or an Opposition.

If a council decides to control property use because of vandalism—an example being what happened at Windy Point Reserve during the past couple of weeks—and to get what it thinks is proper management of land that it has acquired, then let it make that decision and not be criticised for doing so. Let us be brave enough to stand up in the community and say that it is a local government decision. The council concerned has to sort out such matters with the ratepayers. I believe that the suggestion of the member for Elizabeth, in relation to land that has been passed over by the State for the people of the State, such as the city parklands, is the correct approach. I support the motion.

Mr PETERSON (Semaphore): I fully support the motion. My support is based on recent actions in my own council area, where the council put forward a proposal to resume recreational or park areas. It did a complete survey of the Port Adelaide council area, focusing on the areas in which expenses could be cut back by resuming land or changing the use to housing or commercial activity. As part of that survey, it looked at areas that had been granted under indenture. In particular, the North Haven indenture Act provided that certain areas were to be allocated for recreational purposes.

The Hon. Jennifer Cashmore interjecting:

Mr PETERSON: They were dedicated as areas for recreation. Anyhow, public recreation areas were to be resumed by the council. I agree with the comments of the previous speaker. An assessment such as this caused great disruption in the community. Many protest meetings by residents were held. The right was there, as I could see it, for the council to actually cut out these areas. I do not believe that that should be so. Those areas are there for people's recreational purposes and they should be left for that purpose. I will not take any longer in the debate, as I know we want to get on with the business of the day. I support the motion in its principle and in its application.

The Hon. B.C. EASTICK (Light): I thank members for their acceptance of the motion and the spirit of their contributions. I take up the point made by the member for Elizabeth that it might not go far enough. One has to start somewhere, and I see this as a very positive start. One could argue that the term 'parklands' should have been better defined and in essence we are looking at dedicated parklands, and it has been quite obvious from some of the contributions that there is a disparity between the actions taken by some councils or groups in relation to land which is not dedicated parkland. If this motion acts as a catalyst to have further investigation or to bring forward further suggestions which seek to clarify our purpose—and I believe there will be a positive response in the community at large—it will have assisted in helping the people whom we represent collectively and whom each of the councils represent individually.

I accept the point made by the member for Elizabeth, and I acknowledge that we are crawling before we necessarily walk, and that is a fairly useful position to start from. I indicate that the method of approach adopted here is not to be intrusive to local government but supportive of it, and my knowledge of local government is that it will accept it in that light and will respond accordingly. I thank members.

Motion carried.

LAND TAX

Mr S.J. BAKER (Mitcham): I move:

That this House urges the Government to immediately launch an inquiry into the impact of escalating land tax charges on the small business sector.

It is of considerable concern to me and especially to every small corporation in South Australia that they are battling against the odds of the taxation system, against the vagaries of the economy, and are continuing to be loaded with enormous charges emanating from the State Government area. One of the most pernicious charges in recent years has

been land tax, and it is relevant for the House to be informed of the extent to which that tax is impacting particularly on the small business sector at a time when it can least afford it.

No doubt members will recall a speech by the Leader of the Opposition on 28 October 1986, outlining the increases in land tax from 1980-81 to 1986-87. In 1980-81 the land tax take to the State Government was some $17.3 million, and its estimated revenue for 1986-87 is some $45 million—an increase of 160 per cent. I have other details and seek leave to insert purely statistical tables in *Hansard* showing increases in land tax over those years in South Australia, New South Wales and Victoria.

Leave granted.

ALL STATES—LAND TAX REVENUE 1980-81 TO 1986-87

	S.A.		N.S.W.		Vic.	
	Money ($M)	Real *(a)*	Money ($M)	Real *(a)*	Money ($M)	Real *(a)*
1980-81	17.3	17.3	138.8	135.8	120.9	120.9
1981-82	19.3	17.5	143.8	130.5	115.9	104.9
1982-83	23.7	19.2	186.2	150.9	139.3	113.4
1983-84	28.0	21.2	189.0	144.4	143.2	108.4
1984-85	33.2	23.9	226.0	166.2	153.3	111.1
1985-86	38.5	25.6	295.9	200.6	183.0	122.2
1986-87 *(b)*	45.0	27.7	324.0	203.4	192.5	119.0
Annual movement	+16.9%	+8.2%	+9.5%	+1.4%	+5.2%	−2.6%
7 Year movement	+160.1%	+60.1%	+133.4%	+49.9%	+59.2%	−1.6%

(a) Deflated by CPI for respective States 1980-81 = 100
(b) Estimates 1986-87 and historical revenue from budget papers of respective States

Mr S.J. BAKER: It is important to look at land tax in the context of what is happening in the economy today. Everybody would be aware that South Australia has suffered the worst retail trading position possibly for the last 15 years. Certainly as far as the national economy is concerned we finished on the bottom rung in terms of retail trade.

It is useful to record that figures gathered by the Retail Traders Association show that for the December 1985 Christmas period some $493.6 million was spent by consumers in Adelaide, compared to some $509.9 million in December 1986. In real terms, taking account of inflation, there was an 8.4 per cent decrease in takings by retail traders in this State, and that is a disastrous situation coupled with the burden of costs and charges imposed on the small business sector. Other elements in the economy have also been affected by these changes. Commercial sectors have been affected. Members would realise that there has been a significant downturn in the real estate market and a rationalisation in the finance market. In almost all sectors there has been a real decrease or stagnation in the trading situation.

My colleague in another place, the Hon. Legh Davis, has stated that on 12 indicators of State health we have finished either bottom or close to bottom on every indicator affecting the economy. We find that business right across South Australia is suffering more severely than elsewhere in Australia, being aware that Australia as a whole is suffering severely from the current economic decline causing such enormous problems in Canberra. To put it in context, at a time when the business sector can afford it least, the rate of land tax has increased the most.

Referring to the table which shows that in 1986-87 the increase in charges or tax take by the Government will be some 28 per cent, I point out that in the retail sector alone there has been a diminution of the order of 8.4 per cent. The Christmas period was typical of the trading situation for this financial year—it is not an aberration. Traders are struggling to make wages and are so close to bankruptcy, because of charges such as these, that they need assistance. The best way that the Government can assist in this regard is, first, to understand the problem and then take immediate action. My motion does not condemn the Government but urges that it at least understand what is happening to the small business sector.

Accompanying the changes that are taking place in land tax and the trading situation, members must realise that over a period of three years the value of properties has increased dramatically. With that increase, there has also been a commensurate increase in rentals right across the market. Also, the capital gains tax has had a profound impact on the provision of new space in South Australia. There is no doubt that rentals were traded off against capital gains.

Everyone here would be aware that if people are going to make some capital gain from a property the demand for them to charge the proper opportunity cost for the lease of that property will be diminished because they will get their return through other means. That mechanism is no longer available. I refer to a table which was presented to Parliament previously and which I believe is worth having included in *Hansard* again to ensure that everyone understands what has happened over such a short period. I seek leave to have this statistical table inserted in *Hansard* without my reading it.

The DEPUTY SPEAKER: Does the honourable member assure me that the table is of a purely statistical nature?

Mr S.J. BAKER: Yes, Sir.

Leave granted.

EXAMPLES OF LAND TAX BILLS—1980-81 TO 1984-85

Location	Tax Paid 1980-81 $	Tax Paid 1983-84 $	Tax Paid 1984-85 $	Percentage Increase over Year 1983-84–1984-85	Percentage Increase since 1980-81
Warehouse					
College Road, Kent Town	80.68	112.90	186.26	+65.0	+130.9
	*(33 920)	(41 580)	(54 810)	(+31.8)	(+61.6)
Factory					
Bacon Street, Hindmarsh	804.10	1 285.00	2 158.24	+68.0	+168.4
	*(112 200)	(140 250)	(179 200)	(+27.7)	(+59.7)
Factory					
Manton Street, Hindmarsh	108.00	159.88	259.68	+62.4	+140.4
	*(40 600)	(50 750)	(64 960)	(+28.0)	(+60.0)
Retail Premises					
Goodwood Road, Kings Park	399.40	693.28	1 294.00	+86.6	+223.0
	*(80 400)	(104 520)	(140 700)	(+34.6)	(+75.0)
Retail Premises					
Main North Road, Prospect	1 745.60	2 528.68	4 913.02	+94.3	+181.5
	*(162 200)	(194 640)	(291 960)	(+50.0)	(+80.0)
Retail Premises					
Main North Road, Nailsworth	187.50	268.00	617.50	+130.4	+229.3
	*(55 000)	(66 000)	(99 000)	(+50.0)	(+80.0)
Factory					
King William Street, Kent Town	816.50	1 463.20	2 577.19	+76.0	+215.6
	*(113 000)	(149 160)	(196 620)	(+31.8)	(+74.0)
Office Block					
Greenhill Road, Eastwood	8 435.87	15 081.50	18 545.80	+23.0	+119.8
	*(434 750)	(707 000)	(848 400)	(+20.0)	(+94.7)
Factory					
Glenside	2 905.00	4 865.00	6 286.00	+29.2	+116.0
	*(210 000)	(290 000)	(348 000)	(+20.0)	(+65.7)
Shops					
Mount Barker Road, Stirling	27.84	35.96	52.40	+45.7	+88.2
	*(16 420)	(20 320)	(25 800)	(+30.0)	(+57.0)
Shops					
Mount Barker Road, Aldgate	24 40	38.32	65.00	+69.6	+166.4
	*(14 700)	(18 200)	(30 000)	(+64.8)	(+104.0)
Shop					
Unley Road, Unley	347.50	598.75	1 118.12	+86.7	+221.8
	*(75 000)	(97 500)	(131 250)	(+34.6)	(+75.0)
Factory					
Somerton Park	267.99	296.80	408.20	+37.5	+52.0
	*(66 000)	(69 600)	(81 200)	(+16.7)	(+23.0)

*Indicates site value.

Mr S.J. BAKER: The figures in the table refer, for example, to a warehouse establishment and show the increase since 1980-81 of 61.6 per cent in real terms. In absolute money terms it is an increase of 130.9 per cent. A factory at Kent Town reveals an increase of 215.6 per cent over the period 1980-81 to 1984-85. There are a number of examples. Indeed, my office has been flooded and I am sure all members have been receiving calls from small business people who say, 'We cannot pay the bills.' Indeed, people cannot pay their land tax if it has suddenly increased from $500 to $2 000. All members have small business people within their areas. We know that some people are paying about $5 000 a year just to keep their business running, let alone meeting wages bills for casual labour.

I am simply asking Parliament to inquire into the matter so that at least we, as legislators, understand the problem and can then take appropriate action. There must be some real adjustments. Certainly, if I hear a response from the other side saying that all is good and well out there, I will be extremely disappointed, because I am sure that every member of this Parliament realises the problems facing small business. Indeed, if Government can take action to relieve some of the burden, it is incumbent upon Government to do so.

We have just been told over the last three or four months that bankruptcies are at an all time record for South Australia. They are just not in the retailing sector but the building, insurance and real estate sectors as well. They are across the board. Bankruptcies are at an all time high in the manufacturing sectors. That indicates that people cannot manage because of the lack of demand and because of the taxation they are having to pay every week, whether it be in the form of registration fees, land tax or stamp duty. We are talking about not just a small burden but a significant burden that has to be paid within a certain period, otherwise action will be taken against such people.

Business people understand that they must pay their just and fair due of taxation. However, they do not understand that, if their receipts are declining, the Government has the right to increase taxation. They cannot—and neither should they—understand that principle. It should be the fundamental right of any person in this State to set up business and expect that, in general terms, the Government taxation system will reflect their trading position. I have no great difficulty in saying that in times of extreme hardship we should look at mechanisms to relieve that hardship; on the other hand, I have no difficulty in saying that when times improve the taxation measures which are in place should be enforced. I have no difficulty at all with that position.

To be consistent we must ensure that, if the State legislators have laid down a form of taxation, it must be paid. However, to expect small business people to pay these sorts

of amounts is causing enormous problems. Just as importantly, it does not relate only to the business sector. We have heard that the Government is well aware of the problem facing retirement villages. In fact, my colleague the member for Hanson has already spoken (and will do so again) about the problems facing retirement villages. People who have entered retirement villages and are in exactly the same living situation as many other people are forced to pay bills of $400 a year for the right to remain in those premises. What has happened to equity in this country when that occurs? Because of their housing arrangements they do not actually own their homes but they are forced to pay land tax. I find that quite fascinating.

On another tack, it is important to realise that the land tax system for the landlords of this country obviously will have an enormous impact on the rental market. Figures in my possession indicate that land tax has doubled over a short period of time. In fact, in 1985-86 a rental property at Alberton, for example, had its taxation assessed at $357.80, and in 1986-87 it was $742.30. Who pays the bill? Of course, it is the person renting the house who pays that bill. The landlord will not pay the bill because he must pass it on to the consumer. If members opposite are quite happy with that situation, let them say so. However, members opposite, even with their limited knowledge of economics, will understand that, if a bill comes in the form of taxation, inevitably it will be passed on to the consumer. If it is not passed on to the consumer, someone will go broke with the result that no housing is provided at all.

Enormous inequities are growing up in this State as a result of land tax. Quite honestly, there are people who cannot pay it and there are others who are paying it even though they must live on what anyone in this place would class as a subsistence wage. As I said before, it is important that we do not allow legislation to get away from us. It is important that we have a fundamental understanding of what we are doing in this place. It is no good for the Premier to say, 'We have given land tax relief; we have raised the amount above which people will pay land tax'. Theoretically that reduces the threshhold land tax level, but the threshhold level of land tax bears no resemblance to the changing property values in this State.

People will also remember that some of these costs are not recoverable. Let us face it, we do need landlords and rental properties in this country at a price which people can afford. If members opposite think that landlords will continue to pay bills of this nature and pay the capital gains tax laid down by the Federal Government, they have another think coming. The landlords of this country will say, 'Look, I can get a better return on the money market.' In fact, that is exactly what they are doing at the moment. Can members opposite tell me how many new rental properties have been built in the past two years? I say it is zero. No-one wants to build rental property.

Mr S.G. Evans interjecting:

Mr S.J. BAKER: That is in the private sector, as the member for Davenport points out. So, within two or three years we will have a housing crisis. We already have 40 000-odd people on the Housing Trust waiting list, and it seems that members opposite are quite content for this to continue. I could spend some hours on this topic: it deserves attention. It is pretty important that taxation in the State should reflect what is happening in the market. We should not be imposing costs and burdens which will have a counterproductive effect.

People will realise that if one puts up the charges, people eventually will say, 'I don't want to be there,' so that means that all the consumers will miss out because that service is no longer being provided. Whether it be the local deli or rental housing, the same answer keeps coming back. For the socialists to say, 'We want people to be able to get fair rent,' and then condone the enormous increases in land tax, and the capital gains tax, which impacts so heavily in these areas, is just beyond comprehension.

I commend the motion to the House. I would like this State Government to understand for once what is happening, in relation to the impact of its taxation on the small business people of South Australia and, indeed, the consumers of South Australia.

Mr S.G. EVANS (Davenport): I second the motion. I will be brief because of the time factor. I congratulate the honourable member on the resolution. He is asking for an inquiry into land tax, and there are one or two other matters which I wish to have included at this stage for the Government to think about. The matter of rentals the member for Mitcham has covered. I will give an example in relation to small business, so that members realise how important and adverse is the effect upon small business.

If a small shop operator has a shop on a piece of land worth $100 000—and that is not much money for a piece of land—and the landlord owns more than $200 000 worth of land in total, the amount of land tax which that small shopkeeper has to pay either in his weekly rent or annually, if the contract says he pays it annually when the bill comes through to the landlord, is 24c in every $10 of valuation. If a small shopkeeper has his shop on $100 000 worth of land he has to pay $2 500 a year in land tax to the Government, which is $50 a week on top of normal rent. I ask honourable members to think about that. I will not say any more today, although we can spend much time on that issue, but that is the principle involved. It is a straight ripoff. It is really taking blood out of a stone, because small shopkeepers are really struggling.

The other area I wish to discuss concerns the Land Tax Act. When we changed that Act (about 10 years ago, I think it was) we made provision for .5 per cent of the land tax collected from those people who have more than $200 000 worth of land to go to the purchase of open space land within the inner metropolitan area. That has never been recognised.

The Government sank that .5 per cent straight back into the Treasury and spent it where it liked. Can the Government tell me where it is? The other thing we did was say that, if people were in certain areas close to the metropolitan area—mainly the Hills, but running virtually from the Port Elliot area right round to Gawler—unless they produced most of their income from primary production they would pay land tax on the land. If people were outside that area, whether they produced most of their income from primary production or not, they did not pay land tax. That provision is still there.

With the downturn in the rural economy, some small farm operators who were just eking out a living before can no longer eke out a living at all and have to go out and work for the local council or somewhere at least part time, to supplement the farm income. The farm income now is below what they earn in a part-time job, so they are then burdened with a land tax which can go to $2 000 or $3 000. So, they are in a worse situation than if they did not work at all. That is exactly what we are doing. That is how the Act reads now. What the member for Mitcham said was very accurate; we need an inquiry to discover what happens with land tax.

Let us look at the other principle of a person who has a piece of land upon which they have a title, but the bank

holds the title. The land might be worth $200 000 and they may have paid off $50 000, so there is a mortgage or a loan worth $150 000. That being the case, the person has $50 000 equity in a property worth $200 000, and they are paying the high interest rates of today. However, on top of that they must pay the Government the high rate of 24c for every $10 of valuation in land tax, which amounts to $5 000 in land tax when they do not even own the property. The confounded thing is still being paid off, along with the high interest rates imposed by the Federal Government. That is the injustice of land tax; one is taxed on the land whether or not one owns it. You do not own it, because you have borrowed money. What you are really buying is money, hoping one day to own the land when you pay back the money at the high rate of interest. The purchase price of money is that interest rate.

The principle of land tax is very unjust, because we are taxing people on a debt; we are applying a tax to a debt, so in that sense also land tax should be reviewed. The member for Mitcham said that, if the ALP Government thinks that all is well out there in relation to small business and land tax, 'They are out of touch,' and I agree with him. If any member believes that land tax, as it is applied to the community, is not an injustice, they are out of touch with reality. I support the motion for an inquiry into this injustice.

Mr TYLER secured the adjournment of the debate.

RETIREMENT VILLAGES

Mr BECKER (Hanson): I move:

That this House demands the Premier immediately introduce legislation to abolish land tax on all owner occupied retirement village units commencing this financial year.

I think all members would be aware that, in relation to our ageing population, security on retirement is the most important factor. Calls for planning for retirement have been heeded by many, and many have chosen a certain lifestyle in their retirement, be it residence in retirement villages, hostel accommodation or some type of accommodation which involves the provision of nursing homes. Accommodation has expanded rapidly in this market either through private development or church organisations and, in the past three to five years, a considerable number of retirement villages have been established in South Australia.

This issue first came to my attention through the Fulham Retirement Village, which is not far from my electorate office. On 17 November last year, I wrote to the Premier, forwarding a copy of a letter I had received from the residents' association of that village, asking the Premier to consider waiving the land tax that was charged to each unit holder. By 20 January 1987, I had not heard anything, so I wrote to the Premier again, asking what had happened to the reply and, on 11 February, the Premier replied. To be fair to the House, I will read the whole of the Premier's letter, as follows:

Thank you for your letters of 17 November 1986 and 20 January 1987 on behalf of the residents' committee of the Fulham Retirement Village regarding land tax.

Liability for land tax rests with the owner of land. Although the residents may regard themselves as the 'owners' of the units, in the sense that they have paid for the right to occupy the units exclusively as their place of residence, the legal owner remains the company, Fulham Homes Ltd. The legal position of the residents is that of licensees, not owners. The residents' status as licensees is clearly spelt out in the licence agreements which residents have signed.

There is, nevertheless, a provision in the Land Tax Act exempting retirement villages under particular circumstances. These include that the land be owned by an association and that the whole of the net income (if any) of the association be applied in furtherance of its objects and not for securing a pecuniary profit for the association. As Fulham Homes Ltd is a company, it fails to qualify for this exemption.

I can appreciate that the significance of the distinction between owner and licensee may be difficult for residents to accept. I am also aware that it is a common practice for land tax levied on the legal owner of retirement villages to be passed on to residents.

The Government has, for some time, been concerned about the adequacy of the legal protection given to residents of retirement villages. Currently, there is a Bill before the Parliament which is intended to regulate the operations of retirement villages and to protect the rights of the residents. Once Parliament has considered that Bill, the separate issue of land tax exemptions will be examined. This would have to be done in the context of preparations for the 1987-88 budget, with any changes operating from 1 July 1987.

I do not accept that response by the Premier, because he knows as well as I do that he, as Treasurer, can at any time introduce legislation into Parliament to abolish land tax in this case, and he can make the exemption retrospective from 1 July 1986. Usually, Parliament does not agree with, nor will it accept, the principle of retrospective legislation. In this case and in the case of retirement villages in general, when the former Liberal Government abolished land tax on owner occupied residences, the intention was very clear, as far as the Liberal Party and I were concerned, that all owner occupied residences would be exempt from land tax. Because of some fine technicality as to who the owner of the land is—and it is only a legal technicality—the Government hides behind it and will not accept the responsibility that it should to abolish that land tax.

The Fulham Retirement Village consists of 14 one-bedroom units and 54 two-bedroom units, making 68 in all. The land tax that has been levied per unit is $437.70. That is probably the most incredible amount of land tax that has ever been levied on any residential property in the metropolitan area, particularly if one is an owner occupier. One can imagine the frustration of these people when they were advised of the amount of land tax.

No comparison was made between a one-bedroom unit and a two-bedroom unit; all units were charged $437.70. When one looks at the valuation of the property, one sees that all units were valued the same. I believe that the Valuation Department representatives walked on to the site and then walked off, and just plucked a figure out of the air. I have always believed that property valuations are an educated guess and no-one will ever convince me otherwise. I had 20 years in banking and during that time I made valuations of many properties which were checked by licensed valuers.

The Hon. H. Allison: It all depends on the market.

Mr BECKER: As the member for Mount Gambier says, it all depends on the market. Unfortunately, the Valuation Department representatives go back and check property sales in that area over a given period and decide on an average figure. That is not good enough, and definitely not good enough when one-bedroom units and two-bedroom units have exactly the same assessed value. I believe that an error has been made in these valuations.

Each unit has been individually assessed, and I have that assessment sheet. Land tax for the whole property was some $34 507 but, because there was a hostel and some shops on the property, that valuation was reduced by about $2 000. Even so, it is a hefty amount on a property of approximately two hectares. This only points out the problems that are facing the community in relation to land tax in general and the disincentive it provides for anyone to develop and provide accommodation for those who need it.

I believe that the Fulham Retirement Village has been hard done by. The system that was adopted for ownership of the units in this village was approved by the Corporate

Affairs Commission after lengthy discussions and negotiations, and conformed with the Licensed Securities Industries Code. The Government was aware of it. The proposal for the Fulham Retirement Village complex was put to the Corporate Affairs Commission, which knew exactly what was happening. It knew the system of giving licences to persons who loaned money to the company to secure a lifetime interest in a particular unit or property.

If one contracted to purchase unit No. 53, for example, made a loan to the company and the Corporate Affairs Commission accepted that and agreed that that was how one was to do it, one was then given a licence for ownership of the property; then one became the owner and occupier of that particular unit. It is just a matter of legal technicality as far as the wording is concerned, but the intent and purpose is occupation and ownership of the unit.

I do not accept the Premier's contention from the fine legal point of view. The whole point is this: is the Government genuine when considering land tax on owner occupied properties? Pioneer Homes is an example of a builder which builds purely for an association, and it has been able to overcome the little technicality. Churches are non-profitable, and there are many church retirement villages in the State. Probably the biggest and best run village is The Pines at Plympton, which is also in my electorate. There are some 20 villages in South Australia providing various types of accommodation. The Government must resolve this problem. We now find that over 2 000 people are being affected by this harsh decision in relation to land tax.

I refer to the following retirement villages: Ackland Park at Everard Park, with some 50 units and 75 residents; Barton Vale at Enfield, with 50 units and an estimated 70 residents; the Bay Village at Victor Harbor, with an estimated 140 units when completed to accommodate about 200 residents; Bellara Village at Campbelltown, with 50 units and an estimated 70 people; the Braes Retirement Estate at Reynella, with an estimated 120 units to be occupied by 180 people; Christies Beach Retirement Estate at Christies Beach, with an estimated 58 units to accommodate 70 people; Edwardstown Retirement Estate, Edwardstown, with 128 units accommodating 200 people; Fulham Retirement Estate where, as I have said, there are 68 units plus 29 hostel units, accommodating some 150 people; the Hamilton Retirement Hostel, with 65 units for 80 residents; Kings Park Retirement Estate at Kings Park, with 49 units for 70 people; Leisure Court, with 42 units for an estimated 60 people; North Haven Retirement Estate, with 66 units for an estimated 90 people; Pinewood Glen at Goolwa, with 85 units for an estimated 120 people; Salisbury East Retirement Estate, with 70 units for an estimated 110 people; the Sturt Village, with 35 units for an estimated 60 people; Tea Tree Gardens at Modbury, with an estimated 270 units to accommodate over 300 people; Westport Retirement Village, with 35 units accommodating 60 people; and Vailima at Hackney, with 48 units to look after about 70 people.

The Co-op Building Society has two new villages: Carisfield at Seaton, which in the first stage has 39 units, it being estimated that in all there will be 103 units to accommodate some 130 people; and Riverview at Elizabeth Vale, with 15 units in the first section, it being proposed to build 53 units there which will accommodate about 70 people. So, it can be seen that there has been a considerable growth in the retirement village area, and it is very important that the Government makes a decision promptly so that everyone knows exactly where they stand as far as land tax is concerned.

By far the largest land tax bill was, of course, in relation to the Fulham Retirement Village. For Kings Park at Reynella estimated land tax was about $16 000; for Ackland Park it was about $12 000; at Edwardstown it was $24 000; at Salisbury, $2 500; and at North Haven, some $7 500. That is $96 500 in land tax. I am mindful of the amount of money from land tax that the Government will be required to forgo. However, that does not worry me. During my term in Parliament and as a member of the Public Accounts Committee (and I was Chairman of that committee for three years) I have helped to save the Government and taxpayers tens of millions of dollars. To insist that $100 000-plus must be forgone to assist these people in retirement villages is asking a small price to pay indeed.

In the financial year 1985-86, land tax collections by the State amounted to some $38.476 million—that was $476 000 above the original budget estimate of $38 million. In 1986-87, the Government proposes to receive $45 million from land tax. To January, the Government has received almost $35 million. Thus, another $9 million-plus is to come from land tax collections. I have no doubt that the Government has done very well out of land tax. It is becoming a tax collection that the Government is depending on to prop up all sorts of programs which are not assisting the people who contribute to it.

In my opinion, owner occupiers of retirement village units are being discriminated against by this Government. I firmly believe that the Treasurer has the key to solve the problem. He can legislate now. I urge the Treasurer to reconsider his decisions and to bring in the necessary legislation before the end of this parliamentary session, so that land tax can be abolished this financial year.

Mrs APPLEBY secured the adjournment of the debate.

RESIDENT TENANCY OFFICERS

Mr BECKER (Hanson): I move:

That this House request the South Australian Housing Trust to reconsider the position of all resident tenancy officers previously located at various Housing Trust groups of flats.

In January this year I received a letter from a constituent concerning the position of the resident tenancy officer at her block of flats. She then put a request to me in writing outlining the details of what had happened at Barwell, the block of flats at Portrush Road, Glenside. The letter reads:

Our resident officer was transferred in July 1986 and we have not had another officer appointed. The tenants, 75 out of 90, were very concerned about not having a resident officer so a petition was signed and presented to Mr Paul Edwards, General Manager of the SAHT. I signed the petition but also wrote to Mr Edwards giving my reasons for the need to reinstate the resident officer. I enclose a copy of my letter and Mr Edwards' reply informing us that there will definitely be no resident officer. Would you please inform me by whose authority this decision has been made?

Let me say that most of the tenants have been here for 17 to 20 years and like myself (seven years) have had no complaints against our landlord. Indeed, we have all been very satisfied and happy with the services provided for us (many elderly), and content to live in this lovely environment. We were also given notice by the SAHT that we will be having rent increases in 1987 to defray costs. Surely part of this money can be utilised to keep on ROs in such large housing estates as 'Barwell' and the 12 other trust properties. Where will these 13 men be utilised or will they lose their jobs? To my way of thinking they are serving in a capacity so vital to the standards maintained by the SAHT.

A friend of mine who works with the Housing and Construction in Sydney was very impressed with our set up here when she visited me in January 1987, and said that Housing and Construction was thinking of getting caretakers for all their estates to prevent vandalism and to have a responsible person on the property. Here we are dispensing with them.

As I said in my letter, the South Australian Housing Trust are being 'penny wise and pound foolish'. The properties owned by

the Government will go to rack and ruin, which seems a downright shame for many of the good and careful tenants. The Government keeps talking of cutting expenditure so it seems ironic that today . . . it was reported that MPs are to be given a further $1 000 for servicing their electorates, while the 'little people' have to suffer inconvenience and expenditure cuts by the same Government.

That letter sums up the feeling of the majority of tenants in the Barwell group, whom I met with a few days later to discuss the issues. There is no doubt that a residential officer—be he in the capacity of a caretaker or an employee of the trust—was located at particular units, in some cases going back 25 years. The resident tenancy officer provided many valuable services to the tenants. We can imagine what will happen to the maintenance of a large block of 90 flats in today's environment as a result of the loss of this position. The worst example of this in the metropolitan area would be at Kurralta Park where at one stage the Department for Community Welfare was going to employ a full-time welfare officer on site.

The police almost felt that they had an office there because they were called there so many times. It is a large block of commercial flats, whose residents caused undue nuisance to and intimidated surrounding residents by their behaviour and wild parties. It took a particular effort over a 12-month period by the police, welfare workers and the owners of the property to tone down and moderate the behaviour of the tenants. I cannot recall how many caretakers have been appointed to that block of flats, but I know that several of them lasted only a few weeks.

The longest serving caretaker was a Vietnam veteran who thought that he could look after himself physically and that the discipline that he had had would stand him in good stead to act as moderator in any dispute, but after about 12 months he had to give it away and almost had a nervous breakdown. The behaviour of residents in that block was atrocious, to say the least. That is what worries tenants of any block of flats. I have never heard any complaints about Housing Trust units relating to bad behaviour in them, and I do not think we will. I think that everybody respects their fortunate circumstances when they have this accommodation provided for them. The biggest worry is security and people not knowing whether somebody is available to assist them when they need help. If there are intruders, vandals or somebody trespassing on the property who has to be removed there must be somebody in authority to remove that person.

In this block of flats motor vehicles have been interfered with several times. Each tenant had to pay to have special gates erected on their garage or carport to protect their motor vehicle. However, that did not stop the vandals using very large bolt cutters to cut locks to tamper with motor vehicles. As these flats are about 25 years old there are problems with electric light globes blowing and being replaced, a quite common occurrence. Some of the residents are elderly and unable to attend to such problems. Also, there are now problems associated with hot water services in a lot of flats. There is nothing worse than a hot water service bubbling over, or something happening to it which causes problems, such as pipes bursting. Frail elderly people living on their own are worried by such happenings. These properties are well looked after so generally there have been few problems associated with servicing and maintaining them.

I contend, as most of the tenants do, that the Housing Trust leaves some of these properties unattended. There are 12 such properties, including Cambridge. I tried to contact someone at various groups of Housing Trust flats which have residential officers in attendance. When I rang Cambridge I received a recorded message; Drew Court (which is down my way) has a resident officer for 90 flats, but these people look after other flats as well; Elliott Lodge has a resident officer—there are 84 units, plus the resident officer's unit; Benzen Court has 34 units; Mellor Court, 54 units; and there are several other groups of units in the North Adelaide and Walkerville areas. We rang Henderson Court at 12 noon, 1.15 p.m., 3 p.m. and 4.30 p.m. and there was no answer. Holbrook has a resident officer for 147 flats as has Melbourne Close, serving 140 flats.

At Nicholls Court there was no answer to my four phone calls. Roberts Close has a resident officer for 44 flats. Rosslyn Court has a resident officer for 66 flats and that officer also visits other locations, covering a total of about 400 flats. St Anne's has a resident officer for 100 flats, and that officer visits 58 other flats at Glengowrie. That gives members some idea of the difficulty we had in obtaining information by telephone, and that is another area of concern.

When I spoke to the General Manager of the South Australian Housing Trust I was disappointed with his attitude, and that was relayed to the person who contacted me in relation to Mr Edwards's letter to the residents of Barwell. Mr Edwards advised me that there are 12 resident officers supervising 914 flats and that there are 2 118 flats in similar groups that do not have tenancy officers. He also explained that about 6 000 residents of the South Australian Housing Trust are in medium density units where there are no tenancy officers. Even so, I am not prepared to accept that as an explanation for the trust's removing the existing tenancy officers. When the petition to which I referred earlier was presented to the General Manager of the Housing Trust, at least he wrote back. His reply of 28 January to those who signed the petition stated, in part:

> The trust is currently reviewing the arrangements for the provision of resident officers who are established in relatively few trust projects. The review has been made necessary by the financial circumstances which led to the recent announcement of regular planned rent increases over the next two years. We are reviewing all elements of expenditure to determine where economies can be achieved in order to avoid increasing the costs which have to be recovered from the rents paid by tenants.
>
> There is a secondary concern in relation to resident officers in that the overwhelming majority of trust tenants including tenants in projects similar to Barwell do not have the services of a resident officer. There is, therefore, a question of equity in the service provided to all tenants.
>
> I must advise you in all honesty that the trust will not be seeking to appoint a resident officer at Barwell and that there is every likelihood that the services provided by resident officers in other locations will be discontinued. Please convey this response to your fellow tenants who signed the petition which you delivered to my office.

That prompted my contact to write to the Housing Trust again, and a Mr Girardi, the Regional Manager, Inner Metropolitan Area, replied as follows:

> I refer to the General Manager's letter dated 28 January 1987 which was written in response to a petition signed by many residents of the Barwell flats, seeking the re-appointment of a resident officer. As mentioned in that letter, the trust is currently reviewing the arrangements for the provision of resident officers, who are established in relatively few trust developments. The trust will not be appointing a resident officer at Barwell for reasons as outlined by the General Manager in his letter, which he asked be communicated to all tenants by the two representatives who delivered the petition.
>
> The majority of the trust's 55 000 tenants do not have the services of a resident officer, and follow certain well established and longstanding procedures in order to deal with the issues that arise during the course of their tenancy. Outlined below are the procedures which you should follow in order to obtain the following services:
>
> Any maintenance queries relating to either your own flat or the group at large are to be dealt with by contacting the Maintenance Inspector, Mr Bert Martens, telephone 210 0649 between the hours of 8.30 a.m. and 10.00 a.m. Should you phone after 10.00 a.m., a message can be left which will be passed on to Mr Martens.

The trust also operates an emergency after hours maintenance service, telephone 51 4055. It is stressed that this number should only be used for emergency purposes, for example, burst water pipes, electrical blackouts.

It is unfair that people can contact maintenance inspectors only between 8.30 and 10 a.m. After 10 a.m. people have to leave a message, and I wonder about the chances of the message regarding an emergency being passed on immediately. There is an after hours number for people to report burst water pipes or electrical blackouts. The letter continues:

All matters relating to your tenancy, such as requests for transfer, requests for reduced rents and any other such issues, are to be directed to Mr Michael Carey, telephone 210 0261. Should you wish to discuss your query with Mr Carey, please contact on either Monday or Wednesday, as Mr Carey works in the field on the remaining week days. Messages, of course, may be left on any day.

Rent may be paid on week days between the hours of 9 a.m. and 4.45 p.m. in the Rent Office, Ground Floor, Pirie Plaza, situated on the corner of Gawler Place and 63 Pirie Street, Adelaide, or at any other trust office. Payment may also be made by mail should it be inconvenient for you to pay at an office.

The tenancy officer at Barwell collected the rents, took them to the office and brought back the plastic cards and the receipts for the tenants. Now, the tenants will have to post in the documents and the trust will have to post back those receipts with the plastic cards for the payment of the rent. That is an inconvenience and a nuisance to be done each week, and is an extra 36c a week in postage. It also costs the Housing Trust 36c to send back the receipts. The letter continues:

The Trust also operates a warranty system, which may be of interest to those tenants who are in receipt of a Social Security pension. Under this scheme, and with the authority of the tenant, the Department of Social Security forwards the pension cheque direct to the Housing Trust. The rent is deducted from the cheque and the balance is automatically paid into the tenant's bank account or wherever else the tenant has requested that the money be sent. Enquiries about this warrantee system may be made by telephoning Mr Glen Joseph 210 0563.

The above arrangements will apply from Monday 2 March 1987. It is requested that any queries be referred to the appropriate person mentioned above, responsible for the service you require. In the near future, a Tenant Liaison Officer is to be appointed for the Inner Metropolitan Region. One of the first duties of this officer will be to establish contact with the tenants of 'Barwell' flats to determine whether residents wish to form a tenant management group.

I think it is a pretty high-handed attitude of the trust in trying to resolve a genuine problem and query from their tenants. I think the savings, which may appear initially on paper to be a reasonable amount of money, in the long term will not be there because there will be deterioration in general and small maintenance of the properties. A situation will occur that will cost the trust a lot more than the savings envisaged. For example, if somebody reports a dripping tap in the sink that needs a washer replaced and the tenants are unable to do the work, a plumber may have to attend several times before he can gain entry to the flat to replace the washer. A resident tenancy officer has a master key, but if there is no resident tenancy officer, there is no master key, so the necessary arrangements then become quite difficult and time consuming.

Another problem has been that on occasions residents are often concerned about their neighbour. Their neighbour may not be seen for a few hours one morning or may not be seen for a few days. Unfortunately, frail and aged people do have accidents, and there is no access into the premises if they are unable to contact the outside for help or where on some occasions unfortunately the tenants have passed away and have not been discovered for one, two or three days. If a resident officer was on the spot that would not occur. Even if a resident officer has a considerable number of properties to look after, at least the tenants know that someone is on hand. At least they know that the person is able to provide the assistance that they need. The trust has been able to afford it up until now. This service has been provided for these flats for the past 25 years, and I fail to see why the system should be changed.

Many of the letters that I have received have mentioned the points that the trust would be fully aware of. One letter states:

I learned at the weekend that the Housing Trust had decided to withdraw the services of the resident officer, where I have been a tenant for more than 21 years, and in this morning's paper I read of the plight of the residents at Barwell Court. The resident officers over the years have always been extremely helpful about problems such as leaking taps, where much water could be wasted before a plumber could arrive, minor electrical problems, and various matters that do not require the services of a tradesman.

One lady is 89, another 90 and a third, 83 years of age. All appreciate the services of the resident officer, and they are worried how they are going to cope in the future. Another letter sums up the situation as follows:

It is, I think, appreciated by everyone that Australia is going through difficult economic times which must affect us all. Because of this the plans to leave our flats unattended by a resident caretaker is a retrograde step which can only lead to accelerated deterioration of the flats, therefore causing much greater expense than would the salary of one officer in a large block of 90 flats. Our caretaker has been able to mend many items immediately before they become a major repair job. The flats are now old, and an increasing number of things go wrong and with perversity; it happens so often at a weekend when costs are even greater if workmen are brought in. I know in my own unit there have been damaging water overflows, potentially dangerous electrical faults and many sewage problems which have happened at the weekend and the caretaker has been on the spot, saving us a lot of inconvenience and damage to our furnishings and considerable expense to the trust. The repairs are needed more frequently with the increasing age of the Barwell complex.

Not only is the above matter important but a caretaker is needed to liaison between the tenant and the trust and to keep an eye on the tenants for law and order, being a voice of authority, and to the tenants he is a mainstay and comfort. I, for one, took the flat with one of the main reasons being the knowledge of a caretaker's presence to call on in need. Very many of the people are older and on their own without family support and in the 17 years I have been here I have realised how necessary it is for someone of authority to be able to enter the flat in the case of illness or accident and to be able to contact the right people.

The proposition you put forward that the tenants form their own tenant management group would not be satisfactory. The situation is different to separate homes occupied by a family. We live in very close proximity and the forming of such a management group among us would cause much dissension among a diverse group of people and I, for one, would not wish to take part in it, nor would I like in necessity to have various people having maybe access to my home. It is quite a different matter having a recognised caretaker doing this. I hope you will be able to give my letter consideration as up to now I have been a happy tenant of 17 years and I feel sure I voice the sentiments of the other tenants.

That is why I believe the South Australian Housing Trust has come down unduly hard on these people where it has provided a service for so many years. There are only 12 places involved and I am sure that the role of the resident officer can be reviewed and extended if the trust is concerned that there is insufficient work. I doubt that there is because there are many other areas where the resident officer can be of assistance. One area not touched upon is general fire safety and drill and provision of fire equipment in some of these Housing Trust units. There should be a water extinguisher in every section of these various units, as one is not enough. We also find that there are no foam extinguishers in the case of electrical faults in kitchens or hot water services, etc. The Housing Trust ought to review its obligations to the tenants in providing a far better service

than at present. I therefore commend the motion to the House.

Ms LENEHAN secured the adjournment of the debate.

SUMMARY OFFENCES ACT AMENDMENT BILL (No. 5)

Adjourned debate on second reading.
(Continued from 19 February. Page 2985.)

The Hon. B.C. EASTICK (Light): I have much pleasure in speaking to this Bill, which was introduced by my colleague the member for Hanson. It is unfortunate that the Government has not been so considerate of this measure, hiding behind the fact that the action taken by my colleague the member for Hanson has been picked up in the Criminal Law Consolidation Act where the penalties are in a general form rather than in the specific form that my colleague proposes under the Summary Offences Act.

The important thing is that graffiti is causing a considerable cost to councils, corporate industry and individuals—to the public generally. It is brought about by the fact that people, specifically since the advent of the spray can, seem to have no qualms whatsoever about destroying the property of other people. It seems to be a new religion.

Members interjecting:

The Hon. B.C. EASTICK: It is a new recreation activity! Graffiti has been around for a long time in one form or another and goes back to early Christendom. Some graffiti was discovered on a recently opened tomb (I think it was Pompei), although that graffiti was rather different from that which we see today. We can say that to some degree graffiti is an extension of doodling.

Many a person who has gone into a public telephone booth to use a telephone book has found bits of scrawl. Even at home, we often find the pencil marks, the rings, the circles and blockouts that are another form of graffiti. Regrettably, it has become more widespread publicly and is causing a great deal of expense.

My colleague has sought to apportion the costs associated with this problem through the way in which the courts deal with it, not only increasing the penalty but also extending the opportunity for the courts to make orders for community work, to be undertaken by way of reparation by offenders. Possibly 15 or 16 months ago, I made representations to the Minister of Transport in this place on behalf of young people who are artists in their own right and who sought access to areas under bridges carrying roadways over railway lines in various parts of South Australia. They sought to put on those cold hard grey cement areas examples of their art in an acceptable form so that, while travelling, people would have something other than just grey cement to see.

The people I represented also made the point that this has become the practice overseas and that, where there is a structured mural on such surfaces and facades, a pride is developed and it deters other persons from seeking to deface those murals. One might dispute that, but there is an excellent example of this on the foreshore at Port Lincoln, where close to the town hall the toilets which used to be commonly defaced with pieces of cardboard, paper, paint and various other means of graffiti, were painted over with an attractive mural.

I believe I am correct when I say that from that day on there has been no attempt by graffiti artists to destroy those murals. Indeed, overseas, in the United States in particular, a number of publications released on a monthly basis set out in graphic form the structured graffiti that appears on public buses, throughout the railway system and on the trams by arrangement with the authorities. The public utilities in the United States have allowed this form of expression. Quite recently in Sydney I saw extensive examples on many of the trains—not in a structured form but as a result of the activities of graffiti artists—and I was horrified. I believe that what I saw in Sydney was far more extensive than anything I have seen here in South Australia, even though some of the activities associated with our red hens and even our super-trains are anything but edifying and certainly destroy the aesthetic value of those trains.

There is also the problem referred to by my Leader in a news release back in April 1986, where he referred to graffiti artists as being 'gutless'. On that occasion he said that there was increased anti-Asian graffiti around the Adelaide suburbs. That is the unfortunate form of graffiti as opposed to the entertaining form. Given the announcements made previously by the member for Adelaide when debating this Bill on behalf of the Government, I realise that it will not have the support of members opposite. Therefore, I do not intend to delay the matter further, other than to say to the Minister of Transport and other Ministers that I believe that in the future they will seek to allow access to bridges, fences, and so on, where an artistic use of spray painting could be aesthetically beneficial to the public at large.

We have seen it, for example, executed by schoolchildren on fences around building sites; and that was very much the case on the hoardings around the area which is now the Festival Centre. Schoolchildren were brought in and allowed to paint on the blank hoardings before they could be defaced by posters announcing forthcoming rock concerts, wrestling and so on. That was an opportunity for children to show their art form. I believe it was supported very effectively in that the hoardings were not defaced while they were in existence. I think that tends to support my argument. I believe we will hear much more about graffiti and the requirements of local government. Already the local governing body of the City of Adelaide has suggested that the fines should be increased to $500. Many people in the community have real concerns about graffiti. Even if the Bill is defeated at this juncture, I believe it will recycle to advantage.

Mr BECKER (Hanson): I wish to thank members who have spoken in this debate and, again, express my disappointment that the Minister (or a member of the front bench) was not able to respond to the legislation. Again, we had to have a junior backbencher respond on behalf of the Government. I thought it was a pretty poor contribution. It will go down in history as the contribution by the oncer. He will not be here after the next State elections, and we will be able to say to the constituents of the Adelaide electorate, 'There is all this graffiti, thank you very much to your local member, because he was the one who stood up in Parliament on behalf of his lacklustre Government and said "We don't care: you can scribble, scrawl, write, deface or do what you like, because our Government doesn't really care about it".' They want the city to look untidy and unkempt, and they want to degrade and debase this beautiful city of ours.

KESAB has done a wonderful job in South Australia over the years to keep the city clean, and we get very upset when we see something not quite the norm. Graffiti has probably been the worst example of expressionist attitudes that we have seen by certain ratbag elements within our community. The member for Henley Beach knows very well that a couple of people down his way decided to write to the local

paper and say that they should be able to scribble and take out their frustrations on anyone's property because they are unemployed and therefore they are the unfortunate class.

I have tremendous sympathy for the unemployed, particularly the long-term unemployed. Sympathy does not help. I do whatever I can to help them get a job. I will not hesitate to make eight or nine phone calls and sometimes spend an hour to get someone a job. I can in some cases, but I will not make it the right of anyone to go round defacing anyone else's property. I think that is a pretty pathetic sort of attitude, but this Government supports it by refusing to support the legislation before the House.

The legislation increases the penalty to $2 000 and makes provision for the court, when the offenders are taken before it, to have them carry out work under community service orders. So, the legislation is spot on: it is right for the time. The member for Light has clearly expressed the situation as it affects local government. He has done the right thing in pointing out the concern of the Adelaide City Council in wanting to offer a reward, and I do not think that anyone in this Parliament, in all honesty, can allow the situation to continue where the graffiti has become and is increasingly becoming a blight on the environment.

We do not want to ban spray cans as they did in New York, where the sale of spray cans to all persons under 18 years of age is banned and, certainly, we do not want to see any more signs around the city saying 'Asians keep out'. Let us get right on to this graffiti business and stamp it out before it becomes a pest of proportions that we will never be able to control. I urge all members of this House to support the Bill before them.

The House divided on the second reading:

Ayes (16)—Messrs Allison, P.B. Arnold, D.S. Baker, Becker (teller), and Blacker, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Oswald, and Wotton.

Noes (25)—Mr Abbott, Mrs Appleby, Messrs Bannon, Blevins, Crafter, De Laine, Duigan, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Hopgood (teller), Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Plunkett, Rann, Robertson, Slater, and Tyler.

Majority of 9 for the Noes.

Second reading thus negatived.

[Sitting suspended from 1.5 to 2 p.m.]

QUESTION

The SPEAKER: I direct that the following answer to a question without notice be distributed and printed in *Hansard.*

ORNAMENTAL ANIMALS

In reply to **Mr ROBERTSON** (18 November).

The Hon. D.J. HOPGOOD: Advice from Customs confirms that the ornamental birds are legally imported into Australia. The stallholder at the Brickworks Market purchases the ornaments from a supplier in Victoria who, it is understood, imports them from China. No information is available as to the methods used to stuff and mount the ornaments.

QUESTION TIME

ETSA FINANCING ARRANGEMENTS

Mr OLSEN: Will the Premier say when the Federal Government was advised of the Electricity Trust's $3.3 billion leasing deals for the Torrens Island and northern power stations and what assurances can he give that they do not allow exploitation of tax loopholes? Last September, as members opposite would well realise, when the Opposition revealed the State Government's decision to issue deferred annuities to raise $100 million, the Premier at first said that they were not a means of getting around Federal tax laws. However, the Federal Treasurer subsequently outlawed this device on the grounds that it did seek to take advantage of certain alleged weaknesses in the income tax legislation.

Although the Premier now claims that ETSA's leasing deals are also completely above board so far as any tax implications are concerned, the Opposition has been informed that the Federal Treasurer did not become aware of them until late last week, that Federal Treasury is suspicious because the deals were conceived by the same officer of the State Government Financing Authority who put together the now outlawed deferred annuities, and that the Federal Treasury is concerned about this form of 'creative financing'. The Premier's refusal so far to make available full details about the parties to these deals has raised further suspicion about whether or not they come within the spirit as well as the letter of tax laws.

The Hon. J.C. BANNON: Concerning the Torrens Island transaction, no notification has yet been made because that transaction has not been finalised and notification is not required until it has been. As I have already told the House, that transaction is along the same lines as that for the northern power station, which has received a favourable tax ruling and which was notified both in advance under a forward reporting measure to the Loan Council and, naturally, when funding was finally obtained. Further, the Loan Council reporting requirement for non-conventional borrowings is that such borrowings are advised retrospectively at the end of each quarter when a quarterly forecast of likely conventional borrowings is provided. That is the ruling of the Loan Council, and that is complied with. In fact, we go further than that; we advise them in advance. I repeat again: a favourable tax ruling was obtained in relation to that of the northern power station transaction which was the same as the Torrens Island one.

The Leader of the Opposition referred to 'creative financing'. The quote he was referring to came from his colleague—another person who seems intent on denying South Australia certain financial benefits—Mr Downer, who asked a question of the Federal Treasurer in Parliament yesterday. It is very interesting to see Opposition members, State and Federal, conspiring to throw clouds on financial transactions, the net result of which could cost this State many millions of dollars; they will cost us not because those transactions are illegal but because we will not be able to find financiers willing to subject themselves to the nonsense, the innuendos and the smears of members of the Opposition.

I might just finish my reply by pointing out that Mr Keating's response has been completely misrepresented in this place. I have now had the opportunity to read both the subversive question of the member for Mayo (Mr Downer), who was put up to it by those members opposite who want to do this State down, and the Treasurer's response, which is perfectly correct, moderate and sensible, in which he picked up the honourable member who said that we are

engaged in tax evasion practices. They are the lies that have been peddled by members opposite. Mr Keating—

Members interjecting:

The Hon. J.C. BANNON: I withdraw the word 'lies', Mr Speaker. Mr Keating said, 'It is the honourable member who suggests that these are tax evasion practices.' That is quite right: it is members of the Opposition who are trying to cast a cloud or a smear over these quite proper transactions aimed at providing financial benefits to South Australians. That is why I cannot understand the motives of the Opposition. Why are they trying to do us down? If we lose substantially because of these subversive activities, I am going to send the bill to the Leader of the Opposition.

Members interjecting:

The SPEAKER: Order!

FIRST HOME OWNER SCHEME

Mr TYLER: Will the Minister of Housing and Construction tell the House how the proposal in the new Federal Liberal housing policy to place the emphasis on families with regard to assistance under the First Home Owner Scheme will affect South Australia? The latest version of the Federal Liberal housing policy released last week contains the specific proposal to maintain the First Home Owner Scheme, with particular emphasis on families.

I am aware that in my electorate there are several new home owners who were helped by FHOS and who are, in fact, single people or couples without children. These people would not have been able to buy a home without the help provided by FHOS. One builder I have talked to pointed out that because the Liberal Party policy would preclude people without children, this action would have a negative impact on the building industry in my electorate.

The Hon. T.H. HEMMINGS: I congratulate the member for Fisher for being so astute. Like me, he is a toolmaker by trade and he has been trained to pick up things very quickly. In one glance at this policy he has picked up the vital difference between the Hawke Labor Government's First Home Owner Scheme and the scheme proposed by the Liberal Party in Canberra. I remind the House that both the Master Builders Association and the Housing Industry Association have publicly acknowledged the value of FHOS to the building industry and have called for its retention and for eligibility to be widened. Of course, their public stand was instrumental in the Liberal Party's complete reversal of its housing policy, because until last Thursday the Liberals were promising to abolish FHOS. Now they say they will retain it but for some peculiar reason they will place particular emphasis on families. However, I pose this question to the House: will it change yet again? In the course of the next two or three weeks will we have mark 4 of the Liberal Party's housing policy with Andrew as the Leader of the Liberal Party?

Let me take members back to that argument between the 'wets' and the 'dries' in the Liberal Party. In May 1986, when they released their draft policy axing the First Home Owner Scheme, they were as dry as a bone; on 21 December last year, when Julian Beale tentatively released the second draft of the policy, they were still slightly parched; but last year Andrew was getting a little bit worried that the pressure was being applied and got a little bit wet behind the ears and we had this reversal where the Liberal Party wanted to retain the 13.5 per cent cap and the First Home Owner Scheme in this very restricted form. However, what will happen next week with Andrew as Leader and they become completely saturated with water coming out of their ears? What will happen to the Liberal Party's housing policy then?

As a community and as a Government under Hawke, we have recognised that in 1987 there is a change in the types of people seeking to buy their own homes. People without children and single people have a right to buy their own homes—a belief reflected by the application of the Hawke First Home Owner Scheme. Since the scheme started 56 per cent of the recipients have been either single or couples without children. Do members opposite not realise that only one-third of Australian households comprise the traditional nuclear family of two adults and two children? Society has changed, but the Liberal Party states quite proudly in its policy that it is going back to the traditional family of the Menzies era.

Under the Liberal Party policy they are going to tell newly married, or young couples who intend to get married, or single people, that they are not eligible under FHOS. We have a situation where, if John and Jenny want to get married and have no children, they cannot gain any assistance under FHOS. They would have to go into the public sector although the Liberal Party is telling us that we cannot go into the public sector because as another part of its policy it has destroyed the public sector. Therefore, John and Jenny will have to wait until they have a little Roger or a little Heini before they are eligible. What we are saying—

Members interjecting:

The SPEAKER: Order! The member for Mitcham has a point of order.

Mr S.J. BAKER: There are Standing Orders which cover conduct like this. I do not believe this House should be subject to the piffle we are hearing.

Members interjecting:

The SPEAKER: Order! The Chair suspects that the member for Mitcham was aware that he was not making a point of order but merely an attempt at a contribution. The honourable Minister of Housing and Construction is about to wind up his remarks, I understand.

The Hon. T.H. HEMMINGS: Yes. If I had realised that the member for Mitcham wanted me to use the words 'a little Stephen', I would have done that. As it is, the Liberal Party approach to the First Home Owner Scheme just highlights again to the people of South Australia that it is a sham, and I urge the Liberal Party to reconsider, for the sake of the people of South Australia and, in fact, the people of Australia, and reverse the policy it is putting before the people today.

ETSA FINANCING ARRANGEMENTS

The Hon. E.R. GOLDSWORTHY: If there is nothing 'questionable' about ETSA's lease arrangements for the Torrens Island and northern power stations, as the Premier asserted in his ministerial statement yesterday, will he now reveal whether the investors involved are Australian or overseas, or a combination of both? If they are overseas investors, from which countries do they come, what is the rate of return they will earn on this $3.3 billion investment, and is this fixed for the whole period of the lease?

The Hon. J.C. BANNON: I refer the Deputy Leader to the statement I made to this House.

Members interjecting:

The SPEAKER: Order!

The Hon. B.C. Eastick interjecting:

The SPEAKER: Order! The honourable member for Light must hold back his excitement. The call is now for the member for Bright.

NATIVE FLORA AND FAUNA

Mr ROBERTSON: Will the Minister for Environment and Planning say what steps have been taken during the past four years of this Government to reintroduce endangered flora and fauna to their former habitats? Members would no doubt be aware that tiger cats and native cats, which are members of the *dasyuridae* family of animals, inhabited the Adelaide Hills before white settlement. Koalas also inhabited the Adelaide Hills and are now locally extinct. Members would also be aware that rabbit eared bandicoots, or so-called pinkies, inhabited Pinky Flat, on the Torrens River, and are now thought to be extinct throughout Australia.

A number of animals have survived the onslaught of colonisation by Europeans, more by good luck than good management. It has been reported to me that stick-nest rats of the genus *leporillus* survived only because they were fortunate enough to have been cast off on off-shore islands in South Australia. Similarly, parma wallabies that were taken to New Zealand by Governor Grey survived only because he established a private zoo, which subsequently went wild. They were later reintroduced to South Australia at Granite Island. What other action has been taken in the past four years to follow these admirable precedents, and has there been successful re-establishment of endangered flora and fauna in the past four years?

The Hon. D.J. HOPGOOD: The honourable member has put before the House a theory as to the naming of Pinky Flat that was unknown to me. I had always assumed that the name was related more to the activities of our species and, indeed, the unrestrained expression of *libido boozalis*, to coin a quasi zoological term. This is a serious matter because, as the honourable member has indicated, the loss of habitat and indeed the depredation of exotic fauna has led to the virtual elimination of many species over much of their former range and there have been some extinctions, at least in this State. Sadly, the reintroduction of some species to certain areas is difficult, because those same pressures, not perhaps the removal of habitat but certainly predation by exotic fauna, would probably continue. Therefore, for some time now the opportunities that are offered by the offshore islands (and I include, of course, the largest of them—Kangaroo Island) have been explored, because for the most part those pressures are absent in those environments.

I will cite a few examples (but I can give a more detailed report to the honourable member by way of letter). I refer to the establishment of the Pearson Island rock wallaby colonies on both Thistle and Wedge Islands; the reintroduction of the brush tail bettongs to St Francis Island; and the reintroduction of magpie geese to the Naracoorte area, the avian species perhaps having a better opportunity to survive the sort of predation that otherwise occurs. A good deal of investigation is being undertaken on the stick-nest rat and the establishment of a breeding colony in captivity with a view to release probably to those offshore environments.

The wider matter of the release of such species into the continental environment is one which I think may still take some time to resolve. All I need say at this stage is that there is a good deal of promise from what has been achieved in the island habitats, and that augurs well for the future.

The Hon. Jennifer Cashmore interjecting:

The Hon. D.J. HOPGOOD: Are there? Good!

ETSA FINANCING ARRANGEMENTS

The Hon. B.C. EASTICK: In view of the fact that the statement that the Premier made yesterday did not provide detail about the interests rates that will apply on ETSA's $3 300 million loans, will the Premier now advise whether the interest rate is fixed for the 25 year duration of those loans?

The Hon. J.C. BANNON: I will take that question on notice and, if it is possible to provide an answer, I will do so.

Members interjecting:

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

TROTTING CONTROL BOARD ALLEGATIONS

Mr FERGUSON: Can the Minister of Recreation and Sport tell this House what steps he has taken to encourage the member for Bragg to attend a Trotting Control Board stewards inquiry being conducted today to hear evidence of allegations of corruption within the trotting industry? On 10 March the member for Bragg moved an urgency motion to suspend Standing Orders in this House so that he could raise 'Continuing widespread concern about and further evidence of serious malpractice by the Trotting Control Board in South Australia'. This followed statements in the *Advertiser* on 2 March which included allegations of corruption, graft, race-rigging and blatant cover-up, all of which the member for Bragg was investigating.

However, following a detailed statement made by the Minister of Recreation and Sport in this House yesterday, the member for Bragg is reported as saying that he never made allegations of widespread corruption and malpractice within the trotting industry. The honourable member has been given an opportunity to back up his allegations by attending a stewards inquiry at 3 p.m. today. Surprisingly, he is still in the House—

The SPEAKER: Order! The honourable member for Henley Beach is clearly introducing debate in his concluding remarks.

Mr FERGUSON: I accept your proposition and apologise, Mr Speaker. Members of the public would be interested in what steps the Government has taken to encourage the member for Bragg to meet his obligations and commitments to the people of South Australia.

The Hon. M.K. MAYES: It is sad that we have to face this type of situation in this House, a situation which has developed around the racing and trotting industry as a consequence of statements and actions on the part of the member for Bragg. It is more in sorrow that I rise to request him to attend that hearing. I believe that the onus is upon him to do so, and he has time still to appear before the TCB stewards this afternoon. I think it is incumbent upon the member for Bragg to do so. He made those statements yesterday, as the member for Henley Beach has indicated. He denied that he made the opening remark about there being widespread activities of malpractice and misconduct within the Trotting Control Board.

This morning I opened the paper to read that he in fact could not attend because of his parliamentary commitments. That clearly was a smokescreen to endeavour to deflect away from the responsibility or the onus that is upon him. So, I fear that if he fails to attend that hearing he will reflect upon not only his actions but the actions of any member of Parliament. I think that, on behalf of his own electorate and himself, and to represent the Parliament

of this State, he should appear before the TCB, because he reflects on the whole activity of the Parliament and its members in the eyes of the community.

Parliament this morning gave him leave, and he should feel free to accept that leave. He should not feel restrained, and if he needs a pair, I will be happy to leave the House myself while he attends that hearing. I am prepared to sacrifice my time so that he can appear before that TCB inquiry. I just reiterate that the member for Bragg owes the trotting industry of this State an apology. He owes those members whom he has named under privilege of this Parliament a direct apology, and so does the Leader of the Opposition with regard to Miss Nelson, because he has impugned her character. I believe that he should do that as soon as possible outside of this Chamber, as any responsible person in the community would do.

I call on both the Leader and the member for Bragg to apologise to those individuals involved in the industry and I call on the member for Bragg to make a public apology to the industry, because we know that he has not provided any new evidence to those inquiries being conducted by the police. It is important to note that constantly he tries to deflect away from the fact that the police are not conducting an inquiry into the activities of the TCB. They are looking at incidents which relate, in Victoria and Western Australia, to the use of etorphine as a drug.

He is completely misleading the public deliberately in an endeavour to undermine the character and reputation of the Trotting Control Board, and he has done so consistently. The onus is on the honourable member to appear at 3 p.m. at that hearing, and I ask and urge him in the interests of the industry in this State to do so today.

POLICE INVESTIGATIONS

Mr OSWALD: Will the Premier ensure that no further attempts are made by his Ministers to politically interfere with police investigations? Yesterday the Minister of Recreation and Sport made certain statements to this House about the current status of police investigations into allegations relating to the trotting industry. In particular, he said that the member for Bragg had not given a written statement to the police, despite repeated requests to do so, when in fact the member has never been asked for a written statement. The Minister also said:

> I therefore urge the member for Bragg . . . to provide the necessary evidence, if it does exist, to the police.

This second statement implies that the member has not given the police any information upon which they can act when, in fact, in this morning's *Advertiser* an Assistant Commissioner, Mr Harvey, is reported as saying that the police had received a substantial amount of information about a large number of matters and that it would take up to a year to complete investigations. I understand that the Minister made his statement following a meeting that he had with the Police Commissioner and other senior officers. This creates a dangerous precedent, in that Ministers can go to the police, inquire of them what information they may have in relation to certain investigations, and then come into this House and make misleading statements about those investigations.

The Hon. D.J. HOPGOOD: Mr Speaker, since last week—

Members interjecting:

The SPEAKER: Order! We are rapidly approaching a unique situation where the Chair is considering naming members on both sides simultaneously.

The Hon. D.J. HOPGOOD: The first thing I want to say is that the less that is canvassed in this Chamber and publicly about the specifics of any police investigation the better, because obviously the police must have the confidence of the community in relation to the acceptance of any information that they receive. The matter of what might or might not have been placed before the police by the member for Bragg is a different matter altogether. My colleague the Minister of Recreation and Sport and I, perfectly in conformity with the urgings of members opposite last week, have made ourselves available on two occasions (one for me and one for him) when we could be briefed by senior police officials on where they are at in this complex of matters which either have been placed before them or which it is alleged have been placed before them. That was my motivation. It was not possible for my colleague and me to be at the one meeting, so a separate briefing was arranged for the Minister of Recreation and Sport.

I can give an assurance to members and the public that the reason for those briefings was simply to put us in the picture as to where the police believed they were in that matter. No advice was tendered by me to those police officers as to the way in which those investigations should be carried out, and I am sure that no advice was tendered by my colleague to police officers as to the way in which they should carry out those investigations. Indeed, that is the way in which all Ministers in this Government will operate so far as police investigations are concerned.

CHILD RESTRAINT RENTAL SCHEME

Mr DUIGAN: Can the Minister of Transport advise the House of the take-up rate of the capsule hiring scheme which is being administered through the Red Cross for the safe carriage of infants in cars? Also, could he indicate whether there is any plan for a review of the system following the first six months of its operation? The combination of the introduction of baby capsules and a concerted campaign on other road safety features obviously has heightened the awareness and sensitivity of South Australian road users for the need to belt up.

I have been approached by a number of constituents who are anxious to avail themselves of the opportunity of using one of the capsules for the four to six months that they are needed for their infants, but they have been advised that there is a significant waiting list for them, despite the fact that the number of capsules provided by the Government for administration through the Red Cross was higher than the number provided by Governments in other States.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. I suppose that all members of the House would be well aware of the honourable member's concern for the wellbeing of infants, because I believe that he has a two month old baby and, I understand, three other children. So, along with many other young families in South Australia, he would share a critical concern about the safety of infants in motor vehicles.

Since its inception in 1986 the scheme has been an outstanding success, and the rental plan has resulted in at least 1 500 infants travelling more safely than they were able to travel before the scheme was introduced. Initially, Government sponsorship of $100 000 was provided to purchase 1 408 capsules, and subsequent private sponsorship has provided a further 155. Although take-up rates have varied widely from day to day, the Australian Red Cross Society has provided the following approximate monthly figures: in September last year, the figure was 75 to 80 per week; in October, it was 75 to 80 per week; in November, it was the same, 75 to 80 per week; in December, in the metropolitan

stations, the figure was down to 15 per week, but country stations were available and they were taken up at 20 per week; and for January, they were the same figures, 15 for metropolitan stations and 20 in the country stations of the Red Cross.

At the moment no requests are being able to be met, and the rate of future hirings will depend on the rate of returns, which fluctuate because of differing periods of use, and also upon the provision of more capsules. That matter will be looked at by the Government in the budget context. Also, we will talk to potential sponsors. We hope to elicit sufficient support to enable the rental plan to be expanded in order to protect a greater number of young passengers. I think that all members of the House would understand that it is not desirable and, indeed, it is beyond the capability of the State Government to provide all the capsules for all the young children who may need them in South Australia.

It remains the responsibility of parents to ensure that their children are safely belted up within the vehicle, and that cannot be the responsibility of the Government or the Red Cross. The Government should not be expected (and it was never intended) to provide all the capsules. It was expected that parents and, as in my case, grandparents might wish to purchase an appropriate capsule when the new baby arrived. In addition, the law has been changed to allow the use of secondhand baby capsules. So, the law is there and we would encourage parents, if they are not able to rent a capsule because one is not available, to purchase either a new or secondhand one, and we will do all that we can to increase the number of capsules available for rental.

HYDE PARK PROPERTY

Mr S.J. BAKER: Will the Minister of Housing and Construction table all the documents relating to the Government's decision in April 1985 to sell a property on Unley Road, Hyde Park, for $244 000? On 18 April 1985, a State Government property, registered in the name of the Minister, at the corner of Unley Road and Park Street, Hyde Park, was sold to the Keep South Australia Beautiful Campaign for $244 000. A former Government transport inspection garage on part of this property was subsequently demolished and a small shopping centre built in its place at a cost of just over $450 000. This shopping centre went to auction today with a reserve price of $1.15 million. A house on the other half of the property was recently sold for $650 000.

In other words, it is confidentially expected that a property which the Government sold less than two years ago for $244 000 will be re-sold for well over $1.5 million, even though capital improvements on it amount to only about $450 000. Another factor adding to the impression that the Government sold this property at a give-away price is the sale in January of crash repair premises diagonally across Unley Road. Even though this was only about half the size of the property that the Government sold, it brought $422 000—almost twice the Government's price. While this is all prime real estate, inflation in property values alone cannot explain the fact that a profit of about $750 000 is likely to be made on a property that the Government sold less than two years ago for under $250 000.

Members interjecting:

Mr S.J. BAKER: The Minister said—

The SPEAKER: Order! The Chair has probably been excessively tolerant of the honourable member for Mitcham up to the present, but he should not aggravate the situation further by responding to interjections.

Mr S.J. BAKER: Those standing to make this profit are KESAB and a company called Malibu Grand Prix, which took a 60 per cent share in the property soon after its sale by the Government.

The Hon. T.H. HEMMINGS: I thank the new spokesman for housing and construction for that question. If the statements made by the member for Mitcham have any vestige of truth in them, I will take them seriously. Obviously, I must get a report and I will make it available to the honourable member. During this Government's time in office, I have listened to allegations made by members opposite and, when we have received reports after investigation and found out what has really happened, it bears no resemblance at all to the allegations originally raised in this House. However, I will get a report and make it available for the honourable member.

DRIVING LICENCES

Mr KLUNDER: Will the Minister of Transport consider the feasibility of a second driving test for beginner drivers, that test to take place at the end of the probationary period? A constituent of mine has drawn to my attention the fact that, once a beginner driver has reached the P plate stage, the gaining of a full licence is automatic unless that driver has been convicted of a driving offence. In practice, this means that driving skills can be let go to the lowest level consistent with avoiding police attention, and the relatively high level of correct driving skills with which a driver enters the probationary period gradually decreases during that period. If there was another driving test at the end of the probationary period, the person concerned would consciously need to keep up all the skills gained during that period, and the chance of good driving skills becoming ingrained would increase significantly.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. I suspect that there is fairly wide support for the proposition of testing the new driver after the P plate period has been completed. The advice available to me is that it is not necessary to re-test the driver after the P plate period has expired. In fact, to do so would be fairly similar to testing drivers annually on their driving skills and attitudes.

As always, when a suggestion is made to me, either in this House or outside, that bears on road safety—a responsibility that I take very seriously—I am always prepared to have the suggestion looked at by the experts in my department whose responsibility it is to advise the Government on these issues. I will be happy to refer the honourable member's question to my department for examination.

CENTRALIA HOTEL

The Hon. JENNIFER CASHMORE: Will the Premier confirm that the State Government has purchased or is in the process of purchasing the Centralia Hotel in North Terrace and say how much this will cost taxpayers? This is the second hotel that the Government has seen fit to buy in recent weeks, the first being Armstrong's Tavern in Currie Street, which was bought for $700 000.

The Opposition believes that a similar price has been reached for the sale of the Centralia Hotel, bringing the Government's hotel purchasing to close to $1.5 million in less than a month. The Opposition has also been informed that the licensee of the hotel has been given a five year lease by the State Government, at a rental figure lower than

that paid under the previous owners. Further advice indicates that the Government intends to renovate the front of the Centralia, presumably at taxpayers' expense.

The Hon. J.C. BANNON: In a sense I had notice of this question: it is identical to one put to me this morning at about 7 o'clock by a journalist from one of our newspapers. I am happy to provide the honourable member with the same answer. She may be aware of the Living Arts Centre project. This involved the purchase by the Government years ago of the Fowler site in order to provide a new home for the Jam Factory workshops (a craft outlet and factories in a city location which would greatly improve its commercial viability) and a venue for a whole series of groups and organisations which had demonstrated, I think very successfully, how well suited this site was to being a location for their activities.

The Living Arts Centre site has been used now in two successive Festivals as the headquarters of Focus, and it has been very successful indeed. One of the requirements that the Government placed on the development of the Living Arts Centre was that it must have within it a commercial component; in other words, the idea is to try to ensure that the Living Arts Centre facilities can be developed without direct expense (or with a minimum of expense) to the taxpayer by introducing a commercial component into the development.

Last year Ms Winnie Pelz, the former chairperson of the Jam Factory workshops, was seconded full-time to act as the project coordinator with a view to assembling and organising this commercial component. Expressions of interest were called for. As has already been announced, the firm of Fricker Carrington was awarded the brief, and it is presently engaged on carrying out that brief (Fricker Development is in fact the company that is doing the brief).

One of the things that was identified quite early in the consideration of the Living Arts Centre was that, by acquiring certain space on the other side of Register Street, the commercial viability of the site could be greatly enhanced. Obviously, if we are going to put a lot of activity, both commercial and artistic, into that area, car parking and other open space is necessary.

So, as part of that we have in fact acquired the Centralia site. At the moment the hotel, its lease and its revenue will go directly into the Living Arts Centre project as part of the overall capitalisation of that project. At the end of the day it may well be that the hotel remains and the section at the back, which was the chief area being sought, will be severed off to form part of the overall Living Arts Centre development. Therefore, the net effect of this acquisition is not to increase costs to the taxpayer, or indeed incur any cost to the taxpayer. It is exactly the opposite: it will increase the commercial viability of the site to enable us to have a Living Arts Centre at absolutely minimal cost.

Members interjecting:

The SPEAKER: Order! The Chair finds it very difficult to comprehend how so many members who regularly complain that there are not enough questions asked during Question Time seem to want to consume a disproportionate amount of Question Time with unnecessary interjections. The honourable member for Hayward.

AGE DISCRIMINATION

Mrs APPLEBY: Is the Minister of Employment and Further Education aware of the continuing practices determined by adult unemployed as age discrimination? This week an adult unemployed person sought my advice on a situation and consequent letter he received. On Saturday 7 March the following advertisement appeared in the *Advertiser*:

> We are seeking the right person for the above position, to sell a complete range of mechanical sealing devices in industry. The successful applicant will be mature, between 25 and 35 years, show drive and enthusiasm and have an outgoing nature.

The advertisement goes on to state that academic qualifications are not necessary.

The person sent a letter of application, accompanied by a resumé of his experience. Whilst his age was older than that stated in the advertisement, he determined that his skills could be considered if no suitable person applied. The following reply was received:

> Dear Sir,
>
> Thank you for your application for a position with our company. Unfortunately your age does not meet with the requirements of our advertisement, and therefore we cannot consider your application.

The letter also had the original letter of application attached to it.

The latest CES figures indicate that the adult unemployed group is a concern, and I will state those figures for the benefit of members. Of the total registered unemployed in the 25 to 44 age bracket, 41.2 per cent were male and 31.5 per cent were female; in the 45-plus age group, 16.4 per cent were male and 6.2 per cent were female. These figures are only those adult persons who have registered with CES. It has again been put to me most strongly that some sensitivity needs to be displayed in dealing with people offering themselves and their skills for employment and those people should not be treated in a manner that could only be interpreted as deliberate age discrimination.

The Hon. LYNN ARNOLD: I thank the honourable member for her question. It is quite clear, as she has indicated, that this is deliberate age discrimination. A number of criteria were established in the advertisement identifying the need for selling experience, maturity, drive and enthusiasm, together with a statement that no academic qualifications were needed. It was then stated that the person should be between 25 and 35 years of age. However, the letter in response from the company does not comment at all about the selling experience, maturity, drive and enthusiasm, nor the fact that the person did not have academic qualifications (which were not required in any event), but solely on one aspect, namely, the fact that the person was too old, according to the advertisement's constraints. Quite frankly, I think that is reprehensible. That person was not even given a chance to prove himself to the company.

Companies that adopt that kind of attitude (and many do not) should determine why those policies are followed. They are discriminatory, and they should not be supported. In any event they wipe out of consideration valuable human potential in this community, and that is something we cannot afford to do.

Mr D.S. Baker: Is that their choice?

The Hon. LYNN ARNOLD: The member for Victoria asks whether that is their choice. I happen to believe that some aspects of discrimination should not be free choice. For example, companies should not be able to choose to say that they do not want Aborigines, people of non-Australian backgrounds or women to apply for jobs. In terms of fairness and equity in this community, all people should have an equal chance within their capacities. There is nothing in the advertisement that defines age as limiting capacity other than the statement about maturity. It is more likely to be the case that maturity comes from more rather than fewer years of experience.

All I can say is that this is a reprehensible incident to which the honourable member has referred, and I believe that other companies should consider carefully whether they are doing that sort of thing. This State Government remains the only State Government that is trying to support, and has funded programs from State resources to encourage employment opportunities for, people in the 25, 45 and 50-plus age groups. We started that program about 18 months ago, and we are still the only State Government in that field. We believe it is reprehensible that other Governments have not chosen to recognise the importance of this area. It is my personal view that age discrimination should be illegal. It is not illegal, and that is something which the Parliament should consider.

Mr D.S. Baker interjecting:

The Hon. LYNN ARNOLD: The member for Victoria says that it should not be. He should look at the very exciting debate on this matter that has taken place in the United States, where a number of States have deemed it illegal to participate in age discrimination. The key question is the capacity of a person to fill a job, not an arbitrary decision about age, race, gender, or anything else.

TOBACCO PRODUCTS LICENSING ACT

The Hon. TED CHAPMAN: Will the Premier take immediate steps to repeal the Tobacco Products Licensing Act 1986 and return the previous tobacco franchise legislation or, if the current absurd Act is to be retained, amend it to require inspectors to positively identify alleged offenders under that Act before fine notices are distributed? Section 22 (8) of the current Act spells out the requirement for inspectors to act when those inspectors have grounds for suspecting that a person has consumed or intends to consume a tobacco product that has been purchased or acquired in contravention of that Act. There is no requirement in the Act, when inspectors seek to obtain the name of the person and/or the products that they are smoking or intend to smoke, for the person to positively identify themselves.

I was informed that on site when a person is suspected of contravening the Act—that is, he has a carton of smokes under his arm or, if it is a female, in her handbag—the inspector asks for their name and address. For example, if I was apprehended I could give your name, Mr Speaker, or anyone else's name, and other than that in itself, I gather from my reading of the Act, there is absolutely nothing that is an offence. However, the notice goes off to the person whose name is jotted on the form by either the alleged offender or the inspector. I am further informed that in recent times a person who has not been in town for years, has certainly not been near Hampstead Road, Clearview (where the alleged offender salesman prevails), and who has been a non-smoker since leaving school, received a notice demanding $200 or, if that sum is not paid within 60 days, $10 000.

An honourable member interjecting:

The Hon. TED CHAPMAN: No, but I am a smoker, and I have some sympathy for those smokers who might be apprehended under this Act as well as for those who are non-smokers but who get a blasted fine under the Act. That is why I am drawing the Premier's attention to it. My constituent, a great bloke down on the South Coast, received a letter of this type and drew it to my attention. Furthermore, it was drawn to the attention of a Federal colleague of mine, the member for Mayo (Alexander Downer), a very good Federal member, I might add, and he has written a letter—

Members interjecting:

The SPEAKER: Order! This is all very entertaining but I ask the honourable member to restrict himself to the normal terms of the explanation of a question.

The Hon. TED CHAPMAN: He has written a letter to the Under Treasurer of this State. Being a Federal member, he has no access to this House, and has no alternative but to do it that way. However, the Under Treasurer has not responded to his letter. My constituent is very concerned; hence my reason for raising (but not repeating, of course, Sir) the question with the Premier today.

The Hon. J.C. BANNON: I do not know what method the inspectors can use other than the names and addresses written on the form. Penalties apply for providing false information and, where that is detected, obviously those penalties will be invoked. In relation to the constituent in the case referred to by the honourable member, if the constituent believes that an error has been made, he should write to the State Taxation Commissioner and explain why he considers that this error has occurred and why he believes that the penalty should be waived in this case. The Commissioner will certainly take that into account. So, I would suggest that the honourable member provide that advice to his constituent.

PEN PISTOLS

Ms GAYLER: Can the Minister of Emergency Services advise the House whether James Bond-type pen pistols discovered in Melbourne are being sold in South Australia and whether our firearms laws and penalties are adequate to prevent such weapons being introduced or made here? Recent press reports disclose that lethal miniature guns which look like ball point pens are selling through Melbourne night clubs for as little as $110 each. In another report in the *News* a senior police officer was reported as saying that he believed that it will only be a matter of time before they surface in South Australia. It has been put to me that this is a very worrying matter indeed.

The Hon. D.J. HOPGOOD: I was made aware of the honourable member's interest in this matter some time ago, so I have a report from the Commissioner of Police in relation to it. I can advise the House that there is no evidence to indicate that pen pistols are available for sale in South Australia. However, in May 1986 a student was detected in the process of manufacturing a pen pistol in the workshop of a metropolitan high school. Such premises have been known to be used for the manufacture of shanghais and water pistols in the past, but I guess this is rather more serious. He was reported for possessing a dangerous firearm and appeared in court in December 1986. Following an adjournment until January 1987, a bench warrant was issued for his arrest when he failed to reappear in court. The warrant is unexecuted at this date.

The police are monitoring the areas where such pen pistols are likely to be sold. In relation to the law as it stands, members may be aware that the Firearms Act 1977, which has been amended by the Firearms Act Amendment Act 1986, creates an offence pursuant to section 11 (1) *(b)* to possess a dangerous firearm without holding a special firearms permit authorising possession of that firearm. There is no separate offence for manufacturing dangerous firearms. A person who carries on the business of manufacturing or repairing firearms is required to possess a dealer's licence granted under the Firearms Act 1977. Any person who manufactured a dangerous firearm could be charged with possession of that weapon pursuant to section 11 (1) *(b)*.

A proposal is being prepared by the Police Department to overcome what is seen as a weakness in current legislation in relation to persons who, either individually or collectively, engage in the manufacture or modification of dangerous firearms. The proposal will receive urgent consideration by the Government when it is made available.

Penalties under the Firearms Act for these offences are not considered adequate. Section 37 of the Act stipulates a fine not exceeding $500 for a first offence against the Act. Second or subsequent offences can incur a fine of not less than $500 but not more than $2 000 or imprisonment for a period of not less than one month but not more than six months. By comparison, section 15 (1) of the Summary Offences Act 1953 stipulates a fine of $2 000 or imprisonment for six months for a person who without lawful excuse carries an offensive weapon. It is therefore appropriate to reassess the penalties under the Firearms Act 1977 to bring them into line with the Summary Offences Act 1953. The issue of penalties will be considered by the Government in conjunction with the proposals mentioned earlier to tighten the law in this area, and I thank the honourable member for her interest in this subject.

ROAD 7700

Mr LEWIS: Will the Minister of Transport give me further information about road 7700 connecting Tailem Bend with the Victorian border through the towns along the Mallee line (Geranium and Pinnaroo) and, in particular, the section between Parilla and Pinnaroo? The Minister wrote to me on 15 January last stating:

At this stage it is not possible to indicate when roadworks on this road can be programmed.

Prior to this time, indeed for the past seven years, I have been seeking funds for the repair of that section of the road between Chandos and Parilla on Highway 12. More particularly, 15 months ago, I have attempted to get the Minister and his department to direct their attention to it. They have simply ignored my requests with the final statement that at this time it is not possible to indicate when roadworks can be programmed. It is for that reason that I seek the information from him. Can he provide such information?

The Hon. G.F. KENEALLY: I will be pleased to get a report for the honourable member.

SITTINGS AND BUSINESS

The Hon. D.J. HOPGOOD (Deputy Premier): I move:

That the House at its rising do adjourn to Tuesday 31 March at 2 p.m.

Motion carried.

SOUTH AUSTRALIAN METROPOLITAN FIRE SERVICE ACT AMENDMENT BILL

The Hon. D.J. HOPGOOD (Minister of Emergency Services) obtained leave and introduced a Bill for an Act to amend the South Australian Metropolitan Fire Service Act 1936. Read a first time.

The Hon. D.J. HOPGOOD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Government wishes to amend the South Australian Metropolitan Fire Service Act. Part VA of the Act deals with discipline, providing for a disciplinary committee to investigate any alleged misconduct on the part of an officer or firefighter and to determine appropriate penalties. The proposed amendments to the Act relate to—

(1) the composition of the disciplinary committee as contained in section 52 *(a)*,

(2) a change in the title of the industrial organisation representing the officers and firefighters as contained in sections 14, 16 and 52 *(a)*.

In relation to (1):

Part VA, Division 1 of the Act currently provides for the Fire Service Disciplinary Committee to be constituted of—

(a) the Chief Officer or Deputy Chief Officer as Chairman;

(b) an officer appointed by the Chief Officer;

and

(c) either an officer or a firefighter nominated by the industrial organisation of which the charged employee is a member.

The United Fire Fighters Union of South Australia, being the industrial organisation referred to above, has expressed concern that the Chief Officer may very often be involved in the investigation and laying of a complaint against an employee and, then under certain circumstances, refer the case to the disciplinary committee, of which he may be Chairman.

It is contended that, in the interests of the Fire Service and the individual charged with the complaint, the Chief Officer should remain independent of the committee's investigation and decision. The Chief Officer and Deputy Chief Officer agree with that contention. Consequently this amendment to the Act provides for a legal practitioner of seven years standing to be appointed as presiding officer of the disciplinary committee. The balance of the committee will remain as an officer appointed by the Chief Officer and an officer or firefighter nominated by the industrial organisation.

In relation to (2):

The Fire Brigade Officers Association of South Australia and the Fire Fighters Association of South Australia Incorporated have recently amalgamated to form the United Fire Fighters Union of South Australia Incorporated. This amendment therefore provides for the change of title to appear in the relevant sections of the Act.

Clauses 1 and 2 are formal. Clause 3 defines the United Fire Fighters Union of South Australia Incorporated as 'the union' to enable convenient reference later in the Act. Clause 4 brings up to date the reference to the relevant union. Clause 5 corrects an error in section 15 of the principal Act.

Clause 6 makes a consequential change. Clause 7 enacts new provisions for the constitution of the disciplinary committee. New subsection (2) sets out the membership of the committee. New subsection (2a) ensures that the Chief Officer and the union will be consulted on the choice of the presiding officer. Subsection (3) is replaced to change the name of the relevant union.

The Hon. B.C. EASTICK secured the adjournment of the debate.

REGISTRATION OF DEEDS ACT AMENDMENT BILL

The Hon. R.K. ABBOTT (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Registration of Deeds Act 1935. Read a first time.

The Hon. R.K. ABBOTT: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of the Bill is threefold: first, to provide for plans deposited in the General Registry Office to be corrected or varied in a manner similar to provisions of the Real Property Act that enables the correction or amendment of plans deposited of filed in the Lands Titles Office; secondly, to provide a definition of the term 'duplicate original' used in the Act and which appears to be ambiguous as presently interpreted; and, thirdly, to change the present method of promulgation of regulations to a more modern and convenient manner.

The Registration of Deeds Act at present does not provide the Registrar-General of Deeds with the power to correct or otherwise amend plans deposited in the General Registry Office. The need for alterations to plans may arise through the necessity to rectify an error or omission, the need of a registered proprietor to vary boundaries within the plan or a requirement of the Registrar-General of Deeds to amend abuttals or to correct data as the result of resurvey of the land. Plans that are incomplete as regards current information are a hindrance to the searching public and complaints from organisations representing the survey industry have been received. The Act is inconsistent with the Real Property Act and other statutes which provide for similar amendments to be made to plans deposited or filed in the Lands Titles Office.

Most plans presently lodged for deposit in the General Registry Office are plans for lease purposes. A need often arises whereby a plan is required to be amended because, although the plan has been prepared with good intent, the requirements of a prospective lessee may differ from those provided by the plan. The present recourse is to prepare a new plan, for deposit in the General Registry Office, designated as superseding the previous one. This incurs added expense to the proprietor and places a strain on the available filing space within the General Registry Office itself. It is intended that amendments to plans be made only at the discretion of the Registrar-General of Deeds as there are instances where such an amendment may be undesirable: for example, where a parcel is already the subject of a lease, the plan must remain unchanged.

At the time of enactment of the Registration of Deeds Act 1935, the legislators would not have contemplated the advent of such automated means of duplicating documents or plans as photocopying devices.

The custom of the day, where deposit of a duplicate instrument in the General Registry Office was anticipated, was to prepare a handwritten or typed copy which was executed by the parties thereto at the time of execution of the original instrument. The term 'duplicate original' is used in sections 31 and 34 of the Registration of Deeds Act to describe *inter alia* an instrument capable of deposit in the General Registry Office.

The Registrar-General of Deeds is in receipt of a Crown opinion that concludes that a 'duplicate original' does not include within its meaning a copy of an instrument made by photocopy applications.

It is proposed, therefore, that a definition of 'duplicate original' be incorporated into the Act that broadens the meaning of the term to include photocopies or copies made by other technological means that may be available from time to time.

Section 40 of the Act, due to its nature, enables the promulgation of regulations, but only in a manner that is out of date, inconvenient and time consuming. It is proposed that section 40 be amended to provide authority for the Governor to make general regulations under the Act in a manner more appropriate to modern times.

Clause 1 is formal. Clause 2 amends section 5 of the principal Act—'Interpretation'. A new definition of 'duplicate original' is inserted, meaning a copy of an instrument signed by the parties to the instrument.

Clause 3 repeals section 40 of the principal Act and substitutes a new section providing for amendment of errors. Subsection (1) provides that if the Registrar considers that a description of land in an instrument is erroneous or inadequate, he may amend the instrument to correct the error or inadequacy. A note of the amendment and of the date on which it was made must be made on the instrument. A reference to a description of land includes a delineation of land by map or plan. Clause 4 inserts new section 45 which empowers the Governor to make regulations under the principal Act.

Mr GUNN secured the adjournment of the debate.

VALUATION OF LAND ACT AMENDMENT BILL

The Hon. R.K. ABBOTT (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Valuation of Land Act 1971. Read a first time.

The Hon. R.K. ABBOTT: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill will allow for changes in the method used for the determination of site and unimproved values of individual units contained in a deposited strata plan. The changes will ensure more equitable valuations of the individual units and consequently provide for a more equitable apportionment of rates and taxes.

To effect these changes it is necessary to amend the Valuation of Land Act 1971-1985 by:

- removing from the definitions of site and unimproved values those sections which define that these values shall be determined by apportioning the site and unimproved value of the whole site in accordance with the unit entitlement of each unit as defined in the deposited strata plan;
- by defining in the Act that the site and unimproved values of individual units shall be determined by apportioning the total site and unimproved value of the whole site in accordance with the relativity between the current market or capital value of the unit and the current market or capital value of all the units in the strata plan.

At present, site and unimproved values for individual units are determined by, first, determining the value of the whole

site and then apportioning that total value to each unit in accordance with its unit entitlement.

Unit entitlements are calculated prior to the lodgment and registration of strata plans by the Registrar-General, Department of Lands, and are based on the relativity between the valuation of each individual unit and the valuation of all units within the complex at that time.

The relativity may subsequently change due to the following circumstances:

1. Fluctuations in the real estate market.
2. Additions and alterations have been made to one or more of the units.
3. Changes in the use of one or more of the units.
4. One or more of the units are included on the State Heritage Register.

However, unit entitlements as originally determined, are not often amended to reflect these changes due to the inability of the individual owners to reach agreement. Consequently an anomalous situation arises in the determination of these values.

This Bill will correct that situation by providing for the determination of site and unimproved values by the apportionment of the total site or unimproved value as the case may be, in accordance with the relationship that exists between the current market or capital value of each unit and the current market or capital value of all the units in the deposited strata plan.

Clauses 1 and 2 are formal.

Clause 3 amends section 5 of the principal Act which deals with interpretation of expressions employed in the principal Act. The effect of the amendment is to provide that the unimproved value or site value of land defined on a deposited strata plan is defined as follows:

(a) the capital value of all units defined on the plan must be assessed;

(b) the unimproved value or site value of the parcel must be assessed;

(c) the unimproved value or site value of the unit will be the value that bears to the unimproved value or site value of the parcel the same proportion as the capital value bears to the aggregate capital value of all the units on the plan.

Mr GUNN secured the adjournment of the debate.

REAL PROPERTY ACT AMENDMENT BILL

The Hon. R.K. ABBOTT (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Real Property Act 1886. Read a first time.

The Hon. R.K. ABBOTT: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of the Bill is twofold: first, to provide relief to a mortgagor in a situation where a mortgagee refuses to execute a discharge of a mortgage without giving sufficient reason for so refusing; secondly, to transfer responsibility for the administration of sections 23a and 146 of the Real Property Act from the Treasurer to the Minister of Lands. Section 146 currently provides that where a mortgagee (the lender) is dead, cannot be found or is incapable of executing a discharge of the mortgage, a mortgagor upon either giving proof of payment of all of the moneys secured by the mortgage or upon payment of the balance of the moneys secured to the Treasurer, may request the Treasurer to execute a discharge of the mortgage.

A circumstance has arisen whereby a mortgagor, who made final payment of the moneys secured by a mortgage registered in the Lands Titles Office, was unable to gain a discharge of that mortgage because the mortgagee had moved overseas and has since forth declined to respond to all requests made to him for a discharge of the mortgage. The mortgagee is known to be alive and his address overseas is known and correspondence to him has been made by registered mail, none of which has been returned to the sender. The Under-Treasurer is in receipt of an opinion of the Crown Solicitor to the effect that the provisions of section 146 do not enable the Treasurer to give the aggrieved mortgagor a discharge of the mortgage. Consequently, the mortgagor has been unable to use any administrative provisions of the Real Property Act to secure a discharge of his mortgage or negotiate a sale of his property, since making final payment of the moneys due on 2 February 1977. The proposed amendment is made to provide relief to mortgagors in a similar situation to that explained here.

Mortgages and discharges of mortgages are registered on Certificates of Title maintained by the Lands Titles Office. Discussions between officers of the Treasury Department and the Department of Lands have determined that it would be sensible for the administration of section 146 to be transferred to the Minister of Lands as it would rationalise the discharge procedures within one Government department and in an area familiar with all facets of the discharge of mortgages. Section 23a of the Real Property Act provides authority for the payment of mortgage moneys paid to the Treasurer by a mortgagor to a claimant mortgagee or other person. The proposed amendment to this section is consequential to the proposed amendment to section 146 in as much that the responsibilities of the Treasurer pursuant to this section should also be transferred to the Minister of Lands.

Clause 1 is formal.

Clause 2 changes the administration of money held pursuant to section 23a of the principal Act from the Treasurer to the Minister administering the principal Act.

Clause 3 amends section 146 of the principal Act. New subsection (1) includes power in the Minister to discharge a mortgage where the mortgagee unreasonably refuses to do so. Paragraph *(b)* makes an administrative change and paragraph *(c)* will enable the Minister to receive money on behalf of a mortgagee where he has unreasonably refused to accept payment.

Mr GUNN secured the adjournment of the debate.

BILLS OF SALE ACT AMENDMENT BILL

The Hon. R.K. ABBOTT (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Bills of Sale Act 1886. Read a first time.

The Hon. R.K. ABBOTT: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of the Bill is twofold: first, to provide relief to a grantor in a situation where a grantee refuses to execute

a discharge of a bill of sale without giving sufficient reason for so refusing; secondly, to transfer responsibility for the administration of section 38b of the Bills of Sale Act from the Treasurer to the Minister of Lands. Section 38b currently provides that where a grantee (the lender) is dead, cannot be found or is incapable of executing a discharge of the bill of sale, a grantor (the borrower), upon either giving proof of payment of all the moneys secured by the bill of sale or upon payment of any outstanding balance to the Treasurer, may request the Treasurer to execute a discharge of the bill of sale.

A similar provision exists in section 146 of the Real Property Act as regards mortgages. A situation has arisen whereby a mortgagor, who upon producing evidence that the final payment of the moneys secured by a mortgage has been paid is unable to gain a discharge as the mortgagee has moved overseas. Although the mortgagee is known to be alive and his address overseas is known, he has refused to respond to requests by registered mail to execute an enclosed discharge of mortgage form. An opinion of the Crown Solicitor states that the provision of section 146 does not enable the Treasurer to give a discharge of mortgage in this case. The mortgagor has been unable to use the administrative provisions of the Real Property Act to secure a discharge of his mortgage or negotiate a sale of his property, since making final payment of the moneys due on 2 February 1977. As a potential exists for the problems similar to that experienced in the case above to arise as regards a bill of sale, the proposed amendment is made to provide relief to grantors in a similar situation.

Bills of sale and discharges of bills of sale are deposited in the General Registry Office of the Department of Lands. Discussions between officers of the Treasury Department and the Department of Lands have determined that it would be sensible for the administration of section 38b to be transferred to the Minister of Lands as it would rationalise the discharge procedures in one Government department and in an area familiar with all facets of the discharge of bills of sale. This proposal is consequential upon an amendment of a similar provision of the Real Property Act currently being enacted. This amendment simply aligns the Bills of Sale Act, which deals with mortgages of personal property, with the Real Property Act which deals with mortgages of land.

Clause 1 is formal.

Clause 2 amends section 38b of the principal Act. Paragraph *(a)* replaces subsection (1) with a new subsection that includes the substance of the existing provision but enables the Minister to discharge a bill of sale where he is satisfied that the grantee has refused to do so without sufficient reason. Paragraph *(b)* transfers the administration from the Treasurer to the Minister administering the principal Act. Paragraph *(c)* provides that the Minister may receive payment under a bill of sale where the grantee has unreasonably refused to accept payment.

Mr GUNN secured the adjournment of the debate.

PITJANTJATJARA LAND RIGHTS ACT AMENDMENT BILL

The Hon. G.J. CRAFTER (Minister of Aboriginal Affairs) obtained leave and introduced a Bill for an Act to amend the Pitjantjatjara Land Rights Act 1981. Read a first time.

The Hon. G.J. CRAFTER: 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

When the Pitjantjatjara Land Rights Act was passed in 1981 it was regarded as a unique piece of legislation. It introduced new concepts of land holding and control for the benefit of traditional Aboriginal people, and followed intensive negotiations with the Aboriginal people and other interested parties. With the passage of time it has become apparent that some amendments to the Act are appropriate to improve certain aspects of the administration and operation of the Act, both from the point of view of Anangu Pitjantjatjara (A.P.) and of other agencies involved with the lands. As a result of discussions with Anangu Pitjantjatjara and other interested parties certain amendments have been prepared which predominantly do not change the general principles of the Act but which do make the Act more effective.

Some of these amendments relate to the freehold nature of the land and the need to deal with matters related to entry onto and conditions of such entry. In addition, matters relating to the status of the land as a public place for the purposes of other Acts has created some difficulty. The issue of 'public places' has been investigated by the Government. The Crown Solicitor has advised that the access provisions found in sections 19 and 20 of the Act may well result in it being the case that roads and other public places are not 'roads' or 'public places' as these terms are used in the Road Traffic Act, the Motor Vehicles Act or the Summary Offences Act. The consequences of this are both substantial and undesirable, especially where the use of motor vehicles is concerned. For example, it is not necessary for a driver on the lands to hold a driver's licence, obey any speed limits or other traffic laws, or drive a vehicle with respect to which a third party policy applies. A new section 42(a) therefore provides that the Motor Vehicles Act and the Road Traffic Act are applicable to the lands. Special provisions are also made in relation to motor vehicle accidents on a road on the lands and the right of a person to bring proceedings against a nominal defendant since the commencement of the principal Act. This provision will apply for six months from the commencement of this Act.

Anangu Pitjantjatjara has put forward several amendments to the mining provisions to the Act with which this Government has concurred. These refer to the right of Anangu Pitjantjatjara to seek reimbursement of costs from mining companies where Anangu Pitjantjatjara is required to negotiate on mining applications. In particular, it has been requested that the costs of negotiations with mining companies be paid by those mining companies. This is considered to be a reasonable requirement so long as the legislation prevents claims for costs of expenses which have been incurred unnecessarily or which are exorbitant. Anangu Pitjantjatjara should have the ability when negotiating with mining companies to obtain advice from solicitors, anthropologists and other advisers. As the negotiations are undertaken at the request of the applicant companies, it is considered appropriate that they meet the costs. These costs will be set off against any further compensation that the applicant pays under the Act.

Anangu Pitjantjatjara has also requested higher penalties relating to the supply of alcohol on the lands. The regulations control this matter but it is appropriate that increased penalties for the unauthorised sale of alcohol on the lands be specified by the Act. Furthermore, a request has been made that vehicles used in the illicit supply of alcohol on

the lands be liable to forfeiture. Given the strength of these representations and the seriousness of the issue a provision has been included that will empower members of the Police Force (or authorised special constables) to seize these vehicles and will allow a magistrate to order forfeiture to the Crown. Obviously, these provisions will not affect authorised sales of alcohol to people at Granite Downs Station or Mintabie.

Anangu Pitjantjatjara have also requested that the word 'Pitjantjatjaraku' throughout the Act be changed to 'Pitjantjatjara'. The letters 'ku' at the end of the word symbolise 'possession'. The definition 'Pitjantjatjara' in section 4 of the Act refers to 'a member of the Pitjantjatjara, Yungkutatjara or Ngaanatjara people' and the use of the possessive 'ku' after 'Pitjantjatjara' is therefore inappropriate.

Clause 1 is formal.

Clause 2 is a commencement provision.

Clause 3 changes references in the Act to 'Pitjantjatjaraku' so that they will become 'Pitjantjatjara'.

Clause 4 inserts a new paragraph *(j)* in section 6 (2) of the principal Act. This paragraph expressly provides that Anangu Pitjantjatjara has the power to take such steps as may be necessary or expedient for, or incidental to, the performance of its functions.

Clause 5 amends section 19 of the principal Act in three respects. First, provision is made for group permit applications. Secondly, an offence is created if a person contravenes or fails to comply with a condition of entry onto the lands. Thirdly, it is expressly provided that a person who is only allowed to enter upon part of the lands is guilty of an offence if he or she enters another part of the lands without the appropriate permission.

Clause 6 amends section 20 of the principal Act in three respects. First, it is expressly provided that a person who has received permission to carry out mining operation on a part of the lands is guilty of an offence if he or she carries out mining operations on another part of the lands without the appropriate permission. Secondly, provision is made so that Anangu Pitjantjatjara can recover the reasonable costs and expenses of dealing with an application under the section. Thirdly, provision is made for an award of costs in favour of Anangu Pitjantjatjara on an arbitration. (Similar provision is made in the Maralinga Tjarutja Land Rights Act).

Clause 7 amends section 21 of the principal Act to rationalise subsections (4), (5) and (6). The new provision is intended to clarify the position of payments in relation to mining operations.

Clause 8 amends section 23 of the principal Act in recognition of the fact that not all payments need be subject to ministerial approval.

Clause 9 corrects the printing of an incorrect word in section 24.

Clause 10 inserts two new sections after section 42 of the principal Act. New section 42a confers upon places that would, but for the existing provisions of the Act, be public places, the status of public places. Express reference is made to the Road Traffic Act 1961 and the Motor Vehicles Act 1959. New section 42b relates to the issue of the application of regulations relating to overstocking on the lands. The provision will allow any such regulations made under the Pastoral Act 1936 to apply similarly to stock on the lands.

Clause 11 provides for the amendment of section 43 of the principal Act. The Government has at the request of Anangu Pitjantjatjara, included a provision that will allow a magistrate in certain circumstances to order the confiscation of vehicles used in the illicit supply of alcohol to people on the lands. In addition, the penalties for a breach of the regulations controlling the supply of alcohol are to be increased to a fine of $4 000 or imprisonment for six months.

Clause 12 makes special provision relating to motor vehicle accidents on the lands. The provision will allow proceedings to be commenced in relation to personal injury claims against the nominal defendant notwithstanding that the relevant provisions of the Motor Vehicles Act 1959, have not been applying to the lands. (The provision will allow proceedings to be commenced during the period of six months from the commencement of this measure).

The Hon. P.B. ARNOLD secured the adjournment of the debate.

IN VITRO FERTILISATION (RESTRICTION) BILL

Second reading.

The Hon. G.F. KENEALLY (Minister of Transport): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this Bill is to place a moratorium on further *in vitro* fertilisation programs in South Australia. The Government views with considerable concern proposals by private, commercial entrepreneurs to operate private-for-profit clinics marketing *in vitro* fertilisation services. It is concerned not only that adequate safeguards are needed to ensure the development of such clinics does not jeopardise the quality of services delivered to South Australian patients, but also that no radical changes which could affect quality assurance occur at a time when a select committee of the Legislative Council is examining the whole area of reproductive technology.

As members would be aware, a specialised service to help childless couples has been in operation at the Queen Elizabeth Hospital for about 20 years. In recent years the range of services offered has expanded and become increasingly sophisticated, to the extent that the Reproductive Medicine Unit is now amongst the foremost in the world. With the advent of *in vitro* fertilisation initiatives in 1982 the University of Adelaide, through its Department of Obstetrics and Gynaecology at the Queen Elizabeth Hospital, has increasingly provided the clinical services within the Reproductive Medicine Unit to both public and private patients, with considerable support from the Queen Elizabeth Hospital. In May 1986 Cabinet approved the creation of a Chair in Reproductive Medicine to be based at the Queen Elizabeth Hospital, in order to enhance the high standing of this unit.

Despite the establishment of a unit at Flinders Medical Centre, the demand for reproductive medicine services, especially IVF, continues to grow. The number of daily attendances at the QEH, for example, increased from a total of 9 425 in 1983-84 to 15 856 in 1985-86, and the number of couples admitted to the IVF program increased from 202 to 413 in the same period. At present there are approximately 700 persons on the hospital's waiting list for IVF. The QEH is unable to devote additional resources to expand reproductive medicine services. Recognising this situation,

Cabinet recently formally endorsed a proposal for the establishment of a satellite facility at the Wakefield Memorial Hospital.

It is envisaged that the satellite will provide specialised services in reproductive medicine operating under the auspices of a private company—Repromed Pty Limited—which is 100 per cent owned by the University of Adelaide. The QEH will continue high quality clinical services in reproductive medicine for both public and private patients. Responsibility for all laboratories previously controlled by the University at the QEH will pass to the QEH Board. Repromed Pty Ltd will pay facilities charges to the QEH for services utilised by its staff.

Since Repromed Pty Ltd will be drawing on the experience of IVF services provided by the QEH and University of Adelaide staff over many years, it is believed that the satellite facility will offer the highest possible quality of services. The establishment of such a facility will enable the number of couples entering the program to be increased. In addition, the satellite unit will generate income from private patients which will assist in funding the public component of the service. I stress that the quality standards established for the QEH service will be applicable to the service at Wakefield Memorial Hospital and will form part of the agreement between the University of Adelaide and the QEH.

Members will appreciate that there are some extremely important legal, ethical and social issues relating to *in vitro* fertilisation programs which are still unresolved. These issues have become increasingly complex as more and more sophisticated techniques are developed. The advent of commercial considerations will certainly not simplify the process of clarifying and resolving such questions. It is likely that the Legislative Council select committee will recommend legislation concerning reproductive technology. Without preempting the committee, I can say that it will report concerning the establishment of facilities and the appropriate consideration of ethical matters.

It is against this background that the Bill before honourable members today has been prepared. Other than the three programs identified in clause 4 (2), namely, the University of Adelaide/the Queen Elizabeth Hospital, Flinders University/Flinders Medical Centre and Repromed/Wakefield Memorial Hospital programs, it will be an offence for a person to carry out an *in vitro* fertilisation procedure. The legislation will operate until 30 November 1987, or until such times as the select committee has reported and any resultant legislation has been enacted. Legislation arising from the select committee's report will contain a provision to repeal the moratorium legislation.

Clauses 1 and 2 are formal. Clause 3 defines '*in vitro* fertilisation procedure' to mean the removal of human ovum for the purpose of fertilisation, the storage of such ovum, the fertilisation of such ovum whether inside or outside the body and the transference of a fertilised or unfertilised ovum into the body.

Clause 4 (1) makes it an offence to carry out an *in vitro* fertilisation procedure except as provided for in subclause (2). Subclause (2) permits *in vitro* fertilisation procedures to be carried out as part of the programs conducted by the University of Adelaide and the Queen Elizabeth Hospital, the Flinders University of South Australia and the Flinders Medical Centre and by Repromed Pty Ltd at the Wakefield Memorial Hospital. Clause 5 provides the offence created by clause 4 (1) to be a summary offence.

Clause 6 is a sunset provision.

The Hon. B.C. EASTICK secured the adjournment of the debate.

OCCUPATIONAL THERAPISTS ACT AMENDMENT BILL

Second reading.

The Hon. G.F. KENEALLY (Minister of Transport): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill seeks to make a number of amendments to the principal Act to facilitate the administration of the Act and to bring it into line with some of the more recent health profession registration Acts. As members may be aware, the principal Act which was passed in 1974 provided for the establishment of a registration system for occupational therapists in South Australia. In that sense it was breaking new ground, and I think it is now fair to say that the profession has 'come of age'. The board has reviewed the Act in light of experience in its operation and has requested a number of amendments, which are embodied in this Bill.

First, the composition of the board is varied to ensure, quite appropriately, that the profession has the majority of members. The size of the board will remain at seven members. The presiding officer will be a legal practitioner nominated by the Minister (as at present). One member will be a medical practitioner nominated by the Minister and one will be an occupational therapist nominated by the Minister (as at present). The nominee of the Institute of Technology will be a registered occupational therapist (in practice, this nominee has always been an occupational therapist, and the amendment will require that to be the case). Two members will be registered occupational therapists nominated by the Australian Association of Occupational Therapists (as at present). The remaining member will be a 'consumer' member nominated by the Minister, in keeping with modern health profession registration Acts. The board has sought the inclusion of provisions to enable limited registration and provisional registration to be granted.

The more modern registration Acts provide for both these forms of registration. The board sees advantages to both the profession and health services in having similar provisions. In the case of limited registration, the board sees an advantage in being able to register a person with suitable overseas qualifications, restricting the area in which the person can practise, until the person has been able to sit for one of the six-monthly examinations which are held. Full registration could then follow. The board also sees the ability to grant limited registration as a means of attracting former occupational therapists back into the work force. A person could, for instance, be limited to practising under supervision until they had upgraded their skills sufficiently to qualify for full registration. Limited registration would, in addition, be used to cover the situation of a person who had come from overseas for teaching or research purposes for a short period of time.

In relation to provisional registration, power is given to the Registrar to grant provisional registration if he believes the board is likely to grant the application. The board would then determine the application at its next meeting. This will enable new graduates particularly to take up a position without delay. In some instances, graduates have moved interstate, where they can begin work immediately. Provision is included for the board to delegate powers to the

Registrar, a member or a committee established by the board. This will facilitate the operations of the board.

The maximum penalties under the Act are currently $200. These are out of date, and are upgraded by the Bill to $5 000 (and $2 000 in the case of offences against regulations), in line with more modern Acts. In relation to unprofessional conduct, the board currently has powers to hold an inquiry and hand down a penalty. The laying of the complaint is, under the amendments, expressed in similar terms to more modern Acts and the range of sanctions is similarly extended (that is, the board will be able to impose restrictions on practice, suspend for up to a year, in addition to reprimanding, cancelling registration or imposing a fine—which is increased from $200 to $5 000).

Revised provisions are included in relation to incapacity of a registered person. Under the existing Act, the board has to follow an inquiry procedure in cases of alleged mental or physical incapacity of a registered person and then may deregister the person and disqualify him or her temporarily or permanently from obtaining or holding registration. In line with more modern Acts, the Bill provides a procedure for establishing whether mental or physical incapacity exists, after which the board may suspend the person until they recover or restrict their right to practise. The person may be required to submit to a medical examination. There is also an obligation on a medical practitioner who is treating a registered person whom he believes to be unfit to practise to report that unfitness to the board (as is the case under other Acts). I commend the Bill to the House.

Clauses 1 and 2 are formal.

Clause 3 replaces section 5 of the principal Act.

Clause 4 makes some non-sexist changes to section 7 of the principal Act.

Clause 5 includes the Registrar of the board in the immunity provision.

Clause 6 inserts a delegation provision.

Clause 7 inserts provisions for limited registration and provisional registration. These provisions are in the same form as similar provisions in other professional registration Acts.

Clause 8 replaces section 14 of the principal Act with four new sections. New section 14 enables the board to take disciplinary action against occupational therapists for unprofessional conduct. New section 14a enables the board to act where an occupational therapist is incapacitated in a way that affects his practice. New section 14b places an obligation on medical practitioners to report the unfitness of a patient who is an occupational therapist to the Registrar. New section 14c will enable the board to require an occupational therapist to submit to a medical examination.

Clause 9 makes consequential changes to section 15 of the principal Act.

Clause 10 increases the penalty prescribed by section 16.

Clause 11 inserts a new section that provides for variation or revocation of conditions imposed by the board or the court.

Clauses 12 and 13 increase penalties.

The Hon. B.C. EASTICK secured the adjournment of the debate.

ELECTRICAL WORKERS AND CONTRACTORS LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 March. Page 3448.)

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): This Bill was introduced early this week and is to pass this Chamber today. The Opposition has agreed to this procedure simply because the Bill appears to be fairly straightforward. If I understand the provisions of the Bill correctly and if there are no other implications in it, it simply allows electrical workers who are qualified in other States to practise in South Australia without being required to obtain a licence from the South Australian licensing authority, in this case officers of the Electricity Trust of South Australia. This arrangement appears to be reciprocal between at least some of the States, including New South Wales, and this arrangement will apply across the board among those States. If that is the case and the Minister can assure the House that that is all that is involved in the Bill, the Opposition supports it.

The Hon. R.G. PAYNE (Minister of Mines and Energy): I thank the Deputy Leader for his accommodation in this matter and his understanding of what is proposed. The Bill is a move of practical deregulation rather than something that continues what might be argued to be a bureaucratic process. From information received from ETSA, my understanding is exactly that which the Deputy Leader has put as a requirement for the Opposition's approval, and I have no hesitation in giving the undertaking that he has sought.

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

CRIMINAL INJURIES COMPENSATION ACT AMENDMENT BILL

The Hon. G.J. CRAFTER (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Criminal Injuries Compensation Act 1978. Read a first time.

The Hon. G.J. CRAFTER: I move:

That this Bill be now read a second time.

It provides for an increase in the maximum criminal injuries compensation award from $10 000 to $20 000. It also provides for money to be paid into the Criminal Injuries Compensation Fund from a levy to be collected from all persons expiating or found guilty of offences. The maximum amount payable to a victim of crime under the Criminal Injuries Compensation Act 1977 is $10 000. When the $10 000 amount was fixed in 1977, it was the highest amount payable to victims of crime in Australia.

Since 1977 the maximum amount payable to victims of crime has been increased in all other States and Territories in Australia and it is appropriate that it be increased in South Australia. The Bill increases the maximum amount payable to victims of crime to the $20 000 which is payable in most of the other jurisdictions in Australia. In 1985-86 there were 282 payments made under the Act totalling $1 231 966. Of that amount $86 596 was recovered from offenders. The full amount of criminal injuries compensation awards (apart from the amounts recovered) has always been paid for by the general revenue. To increase the maximum amount payable to $20 000 will, if the courts double existing awards, require about $1 200 000 to be found.

Although it is not likely that all awards will be simply doubled, as some would be less than the maximum which currently exists, it is important that the Criminal Injuries Compensation Fund be built up over time so that the compensation payable to victims of crime can be increased. In the United States of America a variety of approaches have been used to collect funds for criminal injuries com-

pensation schemes through fines and penalties. Most schemes in the USA are funded solely or in part from revenue from fines and penalties. Fine and penalty assessments come in a variety of forms. One approach is to assess convicted offenders with fixed penalties. In Connecticut, for example, a $15 contribution for the criminal injuries compensation fund is assessed for certain motor vehicle and drunk driving convictions, and a $20 contribution is assessed for all felony convictions. In Indiana, a $15 contribution is assessed on more serious misdemeanours and all felonies but not on traffic violations. On the other hand, traffic fine revenues are the major source of funds in a number of States.

A second approach used in the USA is to assess a proportional surcharge upon fines imposed. For example, in Delaware, a 10 per cent surcharge is applied to all fines, penalties and forfeitures. Florida combines the fixed penalty approach, by assessing $10 additional court costs on offenders, with the proportional charge approach, by also assessing a 5 per cent surcharge on all criminal penalties. The imposition of an additional monetary penalty is considered a fitting way for offenders to pay back part of their debt for violating society's laws and is a means of providing additional funding for criminal injuries compensation and thus allowing the maximum amount of compensation payable to be increased.

This Bill provides for the imposition of a $5 levy on persons expiating offences, a $20 levy on persons found guilty of a summary offence, and a $30 levy on persons found guilty of indictable offences. For children the levy will be $5 for expiated offences and $10 for all other offences. For the present it is intended to exempt from the levy certain offences such as those under local government and university by-laws. The opportunity has been taken to extend the time for making a claim to three years in keeping with the limitation period applying for tortious claims.

In addition, the ambit of the Criminal Injuries Compensation Fund has been widened to allow for other payments for the benefit of victims of crime to be made. This will enable payments to be made for instance to organisations assisting victims and to provide increased resources to enable victim impact statements to be prepared in conjunction with pre-sentence reports on offenders as provided for in section 301 of the Criminal Law Consolidation Act.

The Act provides that the Attorney-General may decline to satisfy an order for compensation or reduce the payment where the claimant has received or is likely to receive payment otherwise than under the Act. It has been the usual policy for the Crown Solicitor to advise against the making of any payment under the Criminal Injuries Compensation Act when the claimant has received an amount equivalent to the criminal injuries award from another source such as from workers compensation payments. The rationale behind this advice is that the Criminal Injuries Compensation Act is an Act of last resort and provided the claimant has received some compensation for injuries then additional compensation from the Criminal Injuries Fund should not be approved.

This policy can produce anomalies, as was evidenced last year in the case of Constable Burnett, a police officer injured in the course of his duties. Constable Burnett received more than $10 000 in workers compensation payments and an award of $10 000 under the Criminal Injuries Compensation Act. Acting on advice from the Crown Solicitor and consistent with the usual policy the Attorney-General declined to pay the $10 000 Criminal Injuries award. The problem highlighted in the Burnett case was that the workers compensation payments (which were for loss of wages and medical expenses) exceeded the amount of entitlement under the Criminal Injuries Compensation Act. This meant that Constable Burnett in effect received nothing for non-economic loss. A person less seriously injured whose workers compensation (loss of wages and medical expenses) did not exceed $10 000 would normally have received something for non-economic loss.

Provision is made by this Bill for the Attorney-General to have regard to the nature of compensation received apart from the Criminal Injuries Compensation Act and, where that compensation does not represent adequate compensation for the victim's pain and suffering or other non-economic loss, provision is made for the Attorney-General to reduce the payment under the Criminal Injuries Compensation Act but such reduction will not be below the amount which would compensate for the pain and suffering or $5 000, whichever is the lesser. In other words, a claimant who has been compensated from other sources to the extent of the criminal injuries compensation award but who has not, in the Attorney-General's opinion, received adequate payment for pain and suffering will still at the Attorney-General's discretion receive some compensation from the Criminal Injuries Compensation Fund up to a $5 000 limit.

The factors to which the Attorney-General should have regard are set out in the new section 11 (2a). It is hoped that the new provisions relating to these payments will overcome some of the anomalies that have hitherto existed in the payment of criminal injuries compensation. Because criminal injuries compensation has an artificial limit placed on it, there will always be some anomalous situations. However the limit is necessary because the sum available from the taxpayer is itself limited because criminal injuries compensation is not covered by insurance. The proposals in this Bill will overcome the most glaring anomaly and over time, with the levy proposed, more money should be available for criminal injuries compensation and other assistance to victims of crime. I seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal.

Clause 2 provides for commencement on one or more proclaimed days.

Clause 3 amends section 4 of the principal Act which is the interpretation provision:

'conviction' is defined to include a formal finding of guilt and 'to convict' is given a corresponding meaning.

'juvenile offender' is defined to mean a person who was under the age of eighteen years at the date of commission of an offence.

Clause 4 amends section 7 of the principal Act which is the section dealing with claims for compensation. First, it increases the limitation period within which claims may be brought from 12 months to three years. Secondly, it increases the maximum amount payable to victims of crime by the courts from $10 000 to $20 000.

Clause 5 amends section 11 of the principal Act by providing in subsections (2) and (2a) that the Attorney-General may decline to satisfy an order for compensation or reduce the payment where the claimant has received or is likely to receive payments apart from this Act.

In the exercise of this discretion the Attorney-General should have regard to the extent which the other compensation represents adequate compensation for the injury or loss suffered by the claimant. In appropriate cases the extent to which the other compensation compensates for pain and suffering and other non-economic loss is to be considered.

Where compensation under other law is adequate as regards non-economic loss, the Attorney-General is empowered to reduce the amount payable under this Act, but not below $5 000. Where the Attorney-General is of the view that compensation under other law does not adequately compensate for non-economic loss, a payment of compensation under this Act will be reduced but not below what is necessary to make up the deficiency.

Section 11 is also amended to include a provision (subsection (4)) to enable the Attorney-General to make payments, other than payments of compensation, to advance the interests of victims of crime.

Clause 6 repeals sections 12, 13 and 14 of the principal Act and substitutes new provisions.

Section 12 provides for the continuance of the Criminal Injuries Compensation Fund.

Section 13 creates an additional source of revenue for the fund by imposing a levy on persons convicted of offences and on persons who expiate offences in pursuance of expiation notices. Section 13 also gives the courts the same powers in relation to the levy as it has in relation to a fine. Where a person is in prison, amounts can be deducted from prison earnings to recover the amount of the levy.

Section 14 preserves rights to damages or compensation under other laws. It provides for the amount of compensation awarded under this Act to be taken into account in the assessment of damages or compensation for the same injury or loss in proceedings taken under other laws. Finally, section 14 ensures that where a person receives awards of compensation both under the law relating to workers compensation and under this Act, payment of compensation under this Act does not give rise to a right of recovery under workers compensation law.

Clause 7 makes various amendments to the principal Act as preparation to Statute Law Revision reprint of the Act.

The schedule amends the language of the Act to ensure that it is, at all appropriate places, 'gender neutral' in accordance with Government policy on good drafting principles. Various sections are deleted to remove old and unnecessary provisions and spent commencement and transitional provisions.

Mr S.J. BAKER secured the adjournment of the debate.

SITTINGS AND BUSINESS

The Hon. D.J. HOPGOOD (Deputy Premier) obtained suspension of Standing Orders and moved:

That the vote on the limitation on debate taken in the House on Tuesday 17 March be rescinded.

The Hon. D.J. HOPGOOD: In a very sensible arrangement it has been agreed between the Government and Opposition members in this place that the Australian Mineral Development Laboratories (Repeal and Vesting) Bill should be considered this afternoon so that it can go to a select committee with a chance of there being consideration of the report of that select committee before the House adjourns at Easter.

In return, the Government has agreed that the Fair Trading Bill, the Trade Practices (State Provisions) Bill and the Statutes Amendment (Fair Trading) Bill not be proceeded with this afternoon, not so much I suspect because of lack of time but because the necessary printing was rather late in coming into the hands of members. I think that is a sensible procedure and thank members for their cooperation. I commend the motion to the House but point out, as a matter of machinery, that it is necessary to pass the motion otherwise the three Bills to which I have just referred will automatically have to be voted on no later than 6 o'clock this afternoon.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): In this spirit of comradeship which is infusing the operations of this place this afternoon, we are quite happy to agree to the arrangements and indeed we have agreed to them. We have had what I think has been a very civilised program this year since the House has resumed its sittings. If one were even to entertain an uncharitable note, one could say that the Government's program has been very light on, particularly in the first week or two.

I hope that the Deputy Premier is so organising the affairs of Parliament that in the remaining two and a bit weeks before the House is due to rise we do not have an excess of Bills—a great load of work—which means that we will have to sit at night. I am afraid that if that does eventuate then the good relations and the spirit of comradeship, almost, which seems to be infusing this place, is likely to dissipate very quickly and the Government will be accused of not knowing how to satisfactorily organise the affairs of this place—and in fairly colourful language.

Motion carried.

AUSTRALIAN MINERAL DEVELOPMENT LABORATORIES (REPEAL AND VESTING) BILL

Adjourned debate on second reading.

(Continued from 18 March. Page 3498.)

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): The Opposition is delighted that this Bill has now seen the light of day. I will not speak at length today because our agreement to bring on the Bill even before I have had a chance to report to our Party on it is simply because it will go to a select committee this afternoon, and any major debate that the Bill may require will take place in this Chamber when the report of the select committee is noted. However, I cannot pass up the opportunity to say one or two words about the Bill. We are delighted that it has seen the light of day, because the Government has been messing around with it for years now, and I congratulate the Minister on finally having the courage, after the passage of a lot of time and not inconsiderable expense to the public in terms of inquiries and so on, to bite the bullet and bring in this Bill.

The provisions have been subjected to no less than three fairly searching examinations. In December 1984 Coopers and Lybrand, at the instigation of the Amdel board, undertook an inquiry into Amdel's structure and reported. That really should have been enough to get things moving. However, in September 1985, prior to the last State election, Ernst and Whinney was commissioned by the Minister to institute another inquiry and came up with virtually the same recommendations, I understand, as did the original consultants of the board. Then, Dr John McKee was engaged to check the work of Ernst and Whinney.

Of course, while all this was going on, the Public Service Association was playing merry hell, because no way in the world did it want these privatisation proposals to proceed. It spent a lot of money during the State election after the Government had determined this course but conveniently forgot to talk about it when the Liberal Party's privatisation projects were being so grossly misrepresented, and this one was swept under the carpet.

One can understand the Public Service Association spending quite a lot of money on public advertisements and public appearances and really having a piece of the Government for having double crossed it. That is what it amounts to. The PSA spent a lot of money getting the Government elected and misrepresenting the Liberal Party's privatisation plans, and here is this Government hell bent on the same course. We have before us a piece of classic privatisation—'restructuring' is the word that the Government now chooses to use, but here we have the privatisation of Amdel for reasons set out so cogently in the Minister's second reading explanation. With that background, I look forward to the deliberations of the select committee and in due course will have some more to say when its report is noted.

Mr S.J. BAKER (Mitcham): I support the words of my colleague the Deputy Leader. I think one of the tragedies of this situation results from the effluxion of time and changes in marketing situations. Amdel once had an extremely high profile in the market as a strong, viable, research, development, inspection, testing organisation.

Over time, for a variety of reasons (which I will not refer to now because we will look at that in the select committee), its value on the open market has diminished. I believe it is appropriate that the Government takes this course, which is in keeping with Liberal Party philosophy and in keeping with having a South Australian company with a high profile in the Australian market. It is no secret that the value of Amdel is considerable but its value cannot be met unless it can compete on an equal basis with the many other firms who supply some or part of the services which are supplied by Amdel today.

I have kept fairly close scrutiny on the Amdel situation, because I had a relationship with Amdel when I was working on the Iron Triangle study many years ago. Amdel is a very fine organisation, which deserves the support of South Australia, and it is a great pity that this step was not taken at the appropriate time, so that everyone could have benefited. I believe Amdel would have had a higher market profile then than it has today.

It is a pity that, because the decision was set aside for some two years, Amdel has suffered in the process. I have been informed of the reason for the delay and I fail to understand why this process could not have been put through two or three years ago. I believe that we would have had a much stronger and more viable company than we have today, which is reflected in the market price. Having said that, there is no doubt that the Opposition supports the proposition.

Mr FERGUSON: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

The Hon. R.G. PAYNE (Minister of Mines and Energy): I place on record my thanks to the Opposition, in total, and to the Deputy Leader and the member for Mitcham, for the cooperation that they have extended in relation to this Bill. I could take apart much of the very brief remarks that they resorted to and analyse, dissect and refute almost every word they said, but this is not the occasion for it. I respect their cooperation and I commend the Bill at its second reading to the House.

Bill read a second time and referred to a select committee consisting of Messrs S.J. Baker, Gregory, Goldsworthy, Hamilton and Payne; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 2 April.

The Hon. R.G. PAYNE (Minister of Mines and Energy): I move:

That Standing Orders be so far suspended as to enable the select committee on the Australian Mineral Development Laboratories (Repeal and Vesting) Bill to sit during the sitting of the House today.

Motion carried.

ADJOURNMENT

The Hon. R.G. PAYNE (Minister of Mines and Energy): I move:

That the House do now adjourn.

Mr HAMILTON (Albert Park): Since I have been a member of this place, I have always been careful not to make any comment that—

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON: —reflects upon any person or the feelings of any person in this place. Last year members on this side of the House were told by the Opposition that we would be subject to a campaign of vitriolic attacks. I knew quite a number of members of the Opposition and, personally, I did not believe that would take place. I believed that they were fair-minded people and that we were here to get on with the business of running the State. Unfortunately, the first incident in terms of the sleaze tactics was, of course, the attack on the Premier, when a question was asked by the Opposition Whip—

Members interjecting:

The SPEAKER: Order! There is far too much audible conversation in the Chamber, making it difficult for the honourable member for Albert Park to be heard.

Mr HAMILTON: The attack made by the Opposition Whip on the Premier related to the repairing of his house when a window was broken. It was a despicable question and an apology was tendered subsequently by the questioner, because he was set up to ask that question. We have recently witnessed other attacks on members on this side of the House. On page 1062 of *Hansard* of 23 September last year the member for Bragg asked a question about the Britannia roundabout. I do not intend to relate that question suffice to ask members to refer to *Hansard*, which indicates that the member for Bragg was wrong once again, because it was a Tonkin Government initiative.

Again, on page 1232 of *Hansard* of 25 September 1986 there was an attack on Ms Tiddy regarding the equal opportunity sports program in schools. That was also started by the member for Bragg. On page 768 of *Hansard* of 28 August 1986 we again read where the member for Bragg attacked a senior public servant, who could not defend himself in this place. It was said that this person was paid $40 000 while being idle in the Department of Recreation and Sport. The member for Bragg was wrong once again.

There was another attack on a representative of this Government. On 18 September the member for Hanson asked whether D.A.D. Dunstan would get a job in this State. That is recorded at page 599 of *Hansard* of 26 September 1986. That was another attack on a person whom the Liberals love to hate because he was so damned good and stuck it up the Liberals every chance he had when he was our Premier. They detested the man, because he was so damned good.

Then, of course, there was the attack on the Deputy Premier on 24 September by no less a person than the Leader of the Opposition in relation to crack being introduced into South Australia (page 1154 of *Hansard*). Mr

Sincerity himself! The Deputy Premier responded (page 1158 of *Hansard* of 24 September 1986) to a question I asked and said that he had obtained information that there was no crack in South Australia, despite the utterances of the Leader of the Opposition. That was another gross mishandling of the truth by the Opposition. They are sleazebag tactics to which we on this side have become accustomed. We expect those tactics every sitting day.

Members interjecting:

Mr HAMILTON: The member for Morphett may well laugh. He was responsible for one of the most despicable attacks I have heard in this Chamber on a person's family. Well may he be red faced when he asks questions like that in the House.

Mr OSWALD: I rise on a point of order. I did not laugh and I am not red faced.

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

Mr HAMILTON: That is indicative of what the Opposition wants to do. Members opposite can dish it out, but like Paddy's dog they cannot take it. This bloke on this side of the House does not forget, and damn well the Liberals know that Kevin Hamilton does not forget when they want to dish out the dirt. For as long as I am alive I will never forget the dirty, filthy tactics that they employed during the 1979 election campaign. Never will I forget the underhanded gutter tactics that they employed. I have said in this House that they are as low as sharks droppings—on the bottom of the ocean. Then there are the tactics of the member for Bragg who, once again, tried to impress his colleagues in this place when he attacked the Minister of Recreation and Sport on the question of the Grand Prix tickets. What a disgusting, despicable, low attack!

An honourable member interjecting:

Mr HAMILTON: There is an old saying—the guts of a louse. I think that that is apt for the member for Bragg who today and recently amply demonstrated that he has no intestinal fortitude—none at all. He uses Cowards Castle but he is not prepared to go outside this place and make those utterances or give evidence to a committee, despite requests by members in this place that he provide information to the board. But no, he was prepared to use Cowards Castle.

One questions whether his Leader is setting him up. From what I hear, scuttlebutt around the place, the Leader is asking the member for Bragg to ask those questions. This was amply demonstrated by the member for Morphett when he was asked to ask a question about the Premier: subsequently, he crossed the floor and apologised, because 'he was asked to ask the question'. He was most embarrassed. I have been in this place long enough to know that certain courtesies are extended to members. I also recognise that I am somewhat volatile at times, but I do not believe that one should become involved in personal denigration of the type that we have experienced in 1986 and, indeed, this year.

Members interjecting:

Mr HAMILTON: Well may members opposite on the back bench laugh. Perhaps they are smiling because they will make a move towards the talentless front bench opposite. In the almost eight years that I have been in this place, I have seen much of the cut and thrust. I do not mind being called names. I know that if members call me names—

An honourable member interjecting:

Mr HAMILTON: Yes, like 'Hollywood'. I welcome that tag, because I believe that that is one of the few occasions when members are being very perceptive about my physique. Seriously, I condemn in very strong terms the dirty gutter tactics that we have witnessed in this Parliament, particularly in recent days where a man has not had the guts to go outside the precincts of this Parliament, and say certain things. Despite the fact that he is on record as saying that he will give evidence, the honourable member has given no evidence to substantiate the claims that he was prepared to make in attacking innocent people in the community. I would defend those people: they are innocent until proven guilty. Once again, I call on the member for Bragg to put up or shut up.

Mr OSWALD (Morphett): That was an amazing 10 minutes! The House has now been reduced to the level of the Federal Parliament whenever Paul Keating is in the Chamber. The honourable member has now left the Chamber because, obviously, as he says about others, he dishes it out but cannot take it. He has left the Chamber so that members cannot respond to his outrageous statements. Therefore, let us pass it by on the basis that the honourable member's comments represented an outburst from an irrational man, a man who revelled for those few minutes, using the adjectives that we all know Paul Keating loves to use. It is a great shame that this House has been dragged down to the level of Paul Keating's vitriol because the member for Albert Park had to get something off his chest. It is a sad day for the South Australian Parliament: I never thought I would sit in this place and hear a South Australian Labor member using the sleazebag language that we have found is part of the vocabulary of the Federal Treasurer.

Members interjecting:

The SPEAKER: Order!

Mr OSWALD: Members opposite do not like it. We sat in silence and listened to the absurdities uttered by the member for Albert Park. We heard what he had to say. It belittles our intelligence to become involved in the type of mud slinging in which the honourable member indulged.

Members interjecting:

The SPEAKER: Order! The member for Hayward is completely out of order.

Mr OSWALD: The least said about the type of performance which we have witnessed from the member for Albert Park, the better it will be for the prestige of this Chamber. I will therefore refer to some matters of State with which we on this side are concerned. I read with great interest the Premier's statement on 1 March 1987, as reported in the *Sunday Mail*, that South Australians were to be warned that there would be significant cuts in some services under the State budget and that the community had to lower its expectations and be prepared to make decisions about the level of services that it was prepared to fund through taxes. I have no difficulty with that sort of statement. At both Federal and State level, Governments have been overspending at a great rate for many years.

Mr Tyler interjecting:

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

Mr OSWALD: Because of that, we could only say that we support any move to cut back expenditure. The country has a multi-thousand million dollar overseas debt because of rampant Government expenditure. For many years the State Government's spending was out of control as well, and the Premier has now said quite genuinely and honestly (and he is correct) that expectations must be lowered. For some time, in response to my friend opposite who says that we are always looking for increased expenditure, we have been saying that there must be a reallocation of expenditure. That is all.

If expenses are to be cut, there are priorities, which is fair enough. Programs are taken on, but in this time of

stringency other programs must be removed. That is what it is all about. What concerns me is the fact that in the same article, the Premier went on to say quite clearly (and there was no doubt in my mind about this after I read the article) that he was about to take the axe to the Police Force. If ever there was a time when we should be considering transferring expenditure from some departments across to the Police Force, for the sake of maintaining law and order in this country, this is it, yet the Premier has said that he will take the axe to the Police Force. I will quote the article for the benefit of members opposite. Towards the end of the article the Premier said:

> We have the highest number of police per head of population of any State.

I did not argue with that statement. He then said:

> Whether we can afford any more is the real question, and quite clearly we cannot.

He is saying that we cannot afford any more increases.

Members interjecting:

The SPEAKER: Order! There seem to be a lot of interjections coming from the area of the backbench between the member for Bright and the member for Price. I am not sure which member is interjecting. Perhaps the interjections are being shared between them both, in which case I can say that the interjections are half bright and half price.

Mr OSWALD: They are interjecting for one purpose only, because they know that I am right in what I am leading up to: the Government is about to freeze expenditure by, or financial help to, the Police Department when it is trying to come to grips with the rampant rise in crime in this State. We know that crime is on the increase. The number of convictions is on the increase, and certainly the number of reported offences is on the increase. However, the Premier says that there can be no increase in police resources. At a time when we have the problems that we have in the community, that position is outrageous. Let me demonstrate what I am on about. In his report the Police Commissioner refers to a 41 per cent increase in rapes and attempted rapes; a 51 per cent increase in robberies with firearms; an extra 3 837 breakings; and nearly a 16 per cent increase in fraud and theft offences.

Overall, crime has increased by 12.6 per cent, which means that one crime was reported every five minutes. That is serious. We must also bear in mind that shock waves are spreading through the community with this increase in crime. The public is concerned. We all see doors nowadays with extra reinforced wire put on them when we go doorknocking. People sometimes will not come to the doors, especially at night. They probably would not come to the door if they knew that the member for Fisher was knocking on doors at any time.

The fact of the matter is that people are frightened. They are frightened because they know that violent crimes are on the increase. They know that we went through a phase just prior to Christmas when we had a massive unprecedented increase in armed hold-ups. Bank tellers are concerned from day to day because they do not know if someone will come into the bank and pull a gun on them. We had examples just before Christmas of guns being discharged during bank hold-ups.

I mentioned earlier that assaults on the person have increased to an all time high. Last year the Chief Justice waded into the public debate by saying that young people were drifting to crime because they had no purpose or sense of fulfilment in life. That was a statement from the Chief Justice, who is in a position to assess on a day to day basis the types of people appearing before the courts. He is prepared to say that the young people of today are moving towards crime. It is a sad reflection, but that is happening.

In summary, young people are moving towards crime; drug offences are increasing; and, because people are involved in the drug scene, they have to go out and rob. Breaking and entering offences are increasing, as are the straight-out assault offences, with people being accosted and beaten up. Bank hold-ups are increasing and, if we put the whole lot together (I will not go so far as to say that we are the crime capital, to which some headlines have related), we realise that we have a serious problem. That is very clear.

I say to the Government and to the Premier, 'When the budget is considered, for goodness sake, do not freeze or reduce the allocation of money to the police. Go to some other programs; go to some other departments and take the money from them and give it to the police so that they can get out there and do something'. There are three basic things that a person wants in life—

Mr Tyler interjecting:

Mr OSWALD: The member for Fisher can participate in the debate after me; then we can hear the great wealth of knowledge that he wants to impart. People want food in their stomachs, a roof over their head and to be safe.

The Hon. J.W. Slater interjecting:

Mr OSWALD: The former Minister of Housing waxes strong about the housing programs. We have good housing programs. We provide roofs over people's heads and we provide food from our agricultural community. But, what we cannot provide, unless they get resources, is sound policing in this State so that people will feel safe, and that is what I ask the Government to provide.

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

Mr RANN (Briggs): I want to talk about major technological innovations but, before I do so, I want to congratulate the member for Albert Park for his eloquence and accuracy in describing the extraordinary events of last week. Indeed, a Liberal colleague of the member for Bragg has described him as a 'hit and run' merchant. That is quite unfair to the member for Bragg, because really his philosophy is 'hit, run and hide'. Last night, when journalists around this State were trying to contact him, I am told that he was locked in the lavatory on the ground floor. The simple fact is that he cannot get away with what he set out to do. He must show that he has the guts and gumption to front up and spell out the things that he pointed out under cover of Parliament.

I am sure that later this year, as the Liberal Leader has pointed out, when he is looking at a reshuffle because some of his backbenchers and frontbenchers are getting a bit restless, we will see the member for Murray-Mallee coming to the front bench where he belongs to take on the position as shadow spokesman for Recreation and Sport. He is the brains of the outfit and we all know it.

I want today to take this opportunity to tell the House about some of the important and exciting developments that are occurring at the Defence Research Centre at Salisbury. I am sure that many members are aware that the Salisbury laboratories of Australia's defence, science and technology organisations have played an important part in the development of this State and this nation. It started, of course, during the Second World War, when the Defence Research Centre was then a major munitions factory. It then developed to become the Weapons Research Establishment, and was involved in the Woomera missile and rocket range trials of the 1960s and 1970s. Few people are aware

that Australia's first and only home grown satellite was developed and built in the Salisbury area.

Mr Duigan: Resat.

Mr RANN: Yes, Resat. Many people are unaware of the enormous research role undertaken at the Salisbury laboratories, much of which is world leading and much of which has enormous commercial spinoffs for both defence and civilian contractors, many in the Salisbury area. The laboratories are a major centre for innovation and invention. On the down side, however, it is disappointing to hear from scientists and engineers that a lot of their inventions and developments are not taken up by industry, or at least they take a long time to take up these innovations, which denies industry and Australia the chance for major export potential, major technological advances and the chance to outclass our trading partners in defence electronics and hardware.

Last Friday, at the invitation of the Minister for Defence (Hon. Kim Beazley) I visited the Defence Research Centre and was briefed by senior officers at the laboratories. I want to talk about some of the projects that are currently being studied, researched and developed at the Salisbury Defence Research Centre.

First and foremost I want to talk about Jindalee, the over-the-horizon radar system. Last October Mr Beazley announced that the Federal Government would establish a network of over-the-horizon radar systems as a key part of Australia's northern defence. This decision followed the impressive results of trials using the experimental radar system Jindalee developed at Salisbury but deployed at Alice Springs. The Dibb report (which I am sure every member has read) on Australia's defence capabilities based its recommendations primarily on defending a 1 000 nautical mile sea-air gap around Australia and denying any enemy potential passage through this zone. The Dibb review noted the potential contribution of over-the-horizon radar to give Australia forward defence in the future, giving us early warning of any potential attack by air or sea.

The total cost of the project, which will include a network of three radar systems, is expected to be around $500 million. We are talking about an enormous project, with the first radar unit operational by the mid 1990s. This development will, for the first time, enable us to monitor effectively aircraft and shipping movements in Australia's remote northern approaches.

Jindalee has already proven that it is capable of feeding information to FA-18 fighters on the position of F111s posing as enemy aircraft. The project has been given top priority, and as a result a number of development phases are being undertaken currently.

Initially the developmental station at Alice Springs will be further developed to upgrade their computer and software. Later there will be a full deplayment commercially with industry involvement. The Defence Research Centre is involved in this project with two northern suburbs companies—AWA and CSA. I pay a tribute to the defence scientists and engineers of the electronics research laboratory at Salisbury who have paved the way for the development. Much of the work will be undertaken in the northern suburbs, and many jobs have already been created.

I also talked about project Kariwara, another Defence Research Centre project which is developing what is described as a slimline towed array, an array of underwater microphones called hydrophones designed to detect other ships or submarines. The work being undertaken at Salisbury on this project is world leading. The Royal Australian Navy approached the Defence Research Centre to investigate a range of technologies that might satisfy Australia's future anti-submarine warfare requirements. A towed array enables a ship or submarine to detect and identify sounds made by other vessels at much longer ranges than could be achieved by normal sonar. Because low frequency sound travels further in water, the array needs to be quite long to pick up the required frequencies.

The practical problem of deploying and towing a heavy kilometre-long array behind a large surface vessel is difficult enough, but with a submarine, with up to 70 tonnes of towed array behind it, it has to be deployed and brought in, and that presents enormous technical and operational problems. I understand that at Salisbury they have developed a towed array which is a significant advance on its international competitors because it is miniaturised, slimline and lightweight, allowing it to be deployed by submarines or much smaller surface vessels, including patrol boats. I understand it has the thickness of a garden hose, making it an extremely good export potential commercialised product. It would be no surprise that our international edge in underwater technologies is being advanced in Salisbury.

They have also developed the Barra Sonobuoy, another advance in submarine detection. In conjunction with the United Kingdom, the Barra Sonobuoy is deployed from maritime patrol Orions. It is, again, a passive array Sonobuoy using sensitive hydrophones to detect the acoustic emissions of the most modern and much quieter submarines. It can operate at selected depths and consists of a surface buoy with a submerged array assembly. Whilst scientists and engineers at the Weapons Systems Research Laboratory designed the system, again there has been a significant contribution from the Australian private sector.

Indeed, on Friday I was informed that the Royal Australian Navy will be insisting that the new construction submarine that we hope will be built in Salisbury will be fitted with the Sonobuoy developed towed array. I understand that this array has commercial potential for seismic research and offshore oil search activities. Industry will take responsibility for engineering the prototype array later this year, and I am told that there are good prospects for exporting our advanced array to allied nations.

The Salisbury centre is also pioneering research into defence optics using infra-red. They are currently working on an infra-red intrusion sensor which can pick up the thermal radiation emitted by all natural objects, enabling detection in complete darkness. Unlike radar, infra-red systems are passive and can be operated covertly. It obviously has enormous potential as a military night sight and a security warning device. I understand the infra-red intrusion sensor is a major advance because it employs much lower cost technologies than its overseas competitors. I have been told that this device has recently received 54 expressions of interest from Australian industries to market it for defence and commercial application.

A contract is expected to be let in approximately one month to allow industry to develop this device into a low cost thermal imager rather than just as a sensor. If this happens the export potential to allied armies is enormous, with the US seeking some 60 000 such devices in the form of a portable infra-red device that is low cost and can be used on night manoeuvres. I cannot go through the range of information that I picked up last Friday. There is obviously the Hoveroc, a top secret device to be deployed against Exocet missiles—a form of Exocet rocket fired from ships in peril to confuse Exocet missiles by the use of a black box. There are also many advances in medical technologies.

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

Motion carried.

At 4.7 p.m. the House adjourned until Tuesday 31 March at 2 p.m.