HOUSE OF ASSEMBLY

Thursday 17 August 1989

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

AUSTRALIAN ECONOMIC POLICY

The Hon. JENNIFER CASHMORE (Coles): I move:

That this House condemns the Federal Government for its sustained and deliberate policy of using high interest rates in its attempts to bring Australia's balance of payments under control, notes the role of the Premier as Federal President of the ALP in helping to frame and support this policy and calls on the House to repudiate the abject failure of the policy and its cruel effects on home owners, potential home buyers and young families.

In Australia today we are witnessing higher interest rates for home buyers than has ever occurred in the history of this nation. Those high interest rates are ripping apart the fabric of this nation and the families who are having to endure this unprecedented and intolerable burden. The authors of the policy that has resulted in these high interest rates are the Treasurer of this country (Mr Paul Keating) the Prime Minister (Mr Bob Hawke) and the Premier of South Australia who happens to be the Federal President of the ALP.

That trio holds the power which is behind the Government, which propels and supports the Government, and which helps the Government in the development of its policies—policies which affect the people of this nation and this State. It is impossible to separate the responsibilities of these three men from what is occurring within homes and families of Australian people. The Premier of this State, who claimed that he was going to fight so hard and that South Australia was going to win when he fought, now sees a State that is being brought to its knees as a result of policies that he is helping to sustain. Not one word of criticism of these policies have we heard from the Premier, Mr Bannon; not one public word to denigrate, criticise, analyse or point in another direction—a more positive direction—have we heard from the man who claimed that when he fought, South Australia would win.

An honourable member: We haven't won much.

The Hon. JENNIFER CASHMORE: We certainly have not won much; we have lost a great deal. In order to address the motion and the background to the policy, it is important to look at Australia's economic position and at what has occurred during the past decade. In this past decade there has been sustained overspending by Australians, principally by Australian Governments. This overspending has resulted in a rapid accumulation of foreign debt.

From under $10 billion at the commencement of the 1980s Australia's net indebtedness to the rest of the world now tops $100 billion—equivalent to 32 per cent of our annual production. Our gross foreign debt now stands at above $129 billion. This has occurred because Australians have bought more goods and services than they can afford. The shortfall, which represents an excess of imports over exports, has typically been funded by overseas borrowing. That is what our Federal and State Governments have done. The only other alternative, which has also occurred to a lesser extent, is to sell South Australian assets—notably land, buildings and shares—to foreigners and, again, that has occurred.

The accumulation of debt has led to rising debt servicing costs. Australia has run an aggregate debt deficit on trade of $43 billion. With rising foreign indebtedness, the deficit on debt servicing and other transfers has reached about $54 billion. These figures are taken from the August 1989, ANZ Bank publication *Business Indicators*. I do not believe that anyone in this House would challenge these figures. If that debt is to be kept at an acceptable level, it requires a current account deficit of less than 3 per cent of gross domestic product. To do this immediately, we would have to achieve at least a 12 per cent fall in imports. The Prime Minister, the Treasurer and the Federal President of the ALP (who happens to be the Premier of South Australia) believe that this can be done by squeezing the spending power of people and by keeping housing interest rates and, indeed, all interest rates—those affecting business as well as private citizens—high, in order to starve people of funds that they might otherwise use to purchase what many of us consider to be necessities of life, be they imported or locally made.

The effect of this can be seen if one looks at a chart of interest rates on housing loans, commencing in September 1983 when they were 12 per cent and proceeding through to 1984-85 when they dropped a little to 11.5 per cent, and rose again to 12 per cent. In 1985-86 interest rates rose to 12.5 per cent in July and, again, in October, they rose to 13.5 per cent. By April 1986 the rates had gone to 15.5 per cent and remained at that level throughout 1986 and into 1987. In 1987-88 the rates dropped very slightly to about 14.5 per cent and, in one month—February—they went down to 13.5 per cent. However, in 1988-89 the rates increased from 14.5 per cent in July 1988 to 15 per cent in December 1988; to 15.5 per cent in February 1989; to 16 per cent in March, April and May of this year, and in June the horror figure of 17 per cent for housing interest rates was reached.

It is interesting to look at the responses of the Premier of South Australia—the Federal President of the ALP—to these interest rate increases. In early 1981, when the interest rate was 12.5 per cent and the weekly repayment for a loan to buy an average price house was $80.90, the now Premier (who was then the Leader of the Opposition) claimed that families were going without food in order to meet the repayments; he suggested that malnutrition was occurring in South Australian homes; he put it to us that some families were condemned to eating dog food because they could not afford to buy meat for human consumption; and he said that it was quite clear that any further round of mortgage rate increases would be another blow to an already flattened South Australian building industry and to the prospect of average Australians being able to buy a home.

An honourable member: What were interest rates then?

The Hon. JENNIFER CASHMORE: Home loan interest rates then were 12.5 per cent—

An honourable member: That's incredible!

The Hon. JENNIFER CASHMORE: Yes, incredible. They were barely two-thirds then what they are now. The Premier says little about vitamin deficiencies or scurvy in 1989, but in 1981 he was very vocal in that regard. As the then Leader of the Opposition he complained that repayments on the average loan had increased by $44 a month since the previous year and on 16 December 1981 he stated:

Were Labor to be in power, we would be hammering on Mr Fraser's door demanding lower interest rates and more funds for the Housing Trust.

I have not heard the sound of hammering; I have not heard even so much as a gentle tap on the door of the Prime Minister by the Premier of South Australia. His silence has been an extraordinary feature of the interest rate debate.

Mr Meier: He even told off the Opposition for making approaches to the Prime Minister.

The Hon. JENNIFER CASHMORE: Indeed, he denigrated the Opposition for even suggesting that it might be worthwhile making an approach to the Prime Minister. The Premier is about the only one who is silent on this. Members of the Premier's Party must be enduring bitter experiences as they go around their electorates, into shopping centres and into homes, as they listen to the tales of absolute misery and despair and as they hear the sense of betrayal in the voices of the people they represent regarding what is happening to people in this State as a result of increasing interest rates.

Mr Meier: I spoke to a lady this morning who has voted Labor for 27 years and she said 'Never again!'

The Hon. JENNIFER CASHMORE: There would be few of us on this side of the House who have not had that experience at the door. 'Never again' seems to be on the lips of many staunch Labor voters. Who can help but recognise that sense of deep betrayal by Labor supporters about the Party they believed would help them, about the Party they believed stood for the so-called little people, the ordinary families, who do not have power, who do not have wealth, who do not have influence, who are not friends of big business and who have no means whatever of withstanding the cruel blows that are continually being rained upon them by this Government.

The way in which people are trying to deal with this rending apart of their household budgets varies, but any welfare agency, member of Parliament or social worker will say that there are several standard ways. At what we might call the easier end of the scale, families are adjusting priorities through postponing their holidays, cutting out entertainment or selling the second car. Those families are obviously in a position where they have a little leeway and can cut back. A second group is in a position which most of us find truly horrifying, and that is the group who use what is called the revolving credit technique. Some of those people are living on a $2 000 bankcard credit to cover a shortfall of up to $30 a week for the year. That is like stepping into an abyss, into which one continues to sink deeper and deeper and from which there is no return without a huge injection of interest-free funds. People who sink into that kind of debt will literally never recover unless they are fortunate enough to come into some kind of major inheritance or unless a member of the family suddenly gets a job on a salary which is significantly higher than the one on which they were living. Otherwise, there is no way out. No careful budgeting can overcome bankcard interest rates of 21 per cent. Before you know where you are, you are in a downward spiral which means that the major asset of the family has to be sold. People living on high interest credit in order to pay their weekly and monthly bills, feed their families and meet the standard outgoings are in a truly desperate situation. Another group is dipping into existing savings, hoping meanwhile that the situation will improve. Yet another group is allowing arrears to build up, simply delaying the day of the inevitable.

Of those four groups, at least two are in a situation where the family home is at risk. We are talking not about people in the bottom income groups or the unemployed, although some families in both those groups are in this situation; in the main we are talking about people on a reasonable to moderate income who in the past could manage their financial affairs satisfactorily, enjoy a reasonable standard of living and anticipate that their homes would be secure.

However, that is no longer the case under Labor Governments, both State and Federal. One must be in a position where the interest rate was fixed at a much lower level, where the family owns its own home or, alternatively, where it is significantly wealthy, in order to withstand the present crisis. Ordinary families that do not fall into those categories simply cannot withstand the present crisis. One person who certainly knows people in this group is Mr Dan Fiore of the Central Mission who was reported in the *Advertiser* of 31 May this year as saying that for some people the cry for help would be too late. He identified the enormous strain that rising interest rates were placing on many couples and he recognised that they were people of all ages who were juggling their finances in the hope that things would get better. He noticed (and this is a key point noticed by all welfare agencies) the intolerable strain building up within families, between husband and wife and between parent and child, as this unendurable pressure continues to tighten on the family budget.

A few weeks ago, the parliamentary Liberal Party organised an interest rate phone-in over a weekend to establish what was happening out there among the people paying these spiralling interest rates. I was on the telephone for a few hours on both Saturday and Sunday and it was one of the most wretched weekends I have ever spent in terms of active politics. I heard stories that were heart rending. One story that sticks especially in my mind involved a young woman who said that she had had to take her annual holidays during the previous year in order to have her baby. She went back to work immediately the holiday was over when the baby was two weeks old. The young woman said that she could not take time off because, if she did, the family would not be able to meet its interest repayments. I asked her whether it was her first baby and she replied, 'The first and the last. I'll never go through this again.' She went on to tell me that she scarcely had time to see and cuddle the baby, who was being minded by grandparents. Her weekends were spent on basic housework, on domestic chores, and on buying for housekeeping. There were strains between her and her husband. She felt deprived of all the natural blessings of motherhood simply because of the intolerable pressure on the family budget.

It is all very well to say that people do not have to buy a home, but all members know, none better than the Minister of Housing and Construction who is on the front bench, that that is the legendary dream of Australians. Indeed, since its establishment, the Liberal Party has regarded home ownership as fundamental to the development of the nation. We see the security of the home as the framework in which families can nurture and rear children so as to give them a sense of security and identity, as well as the foundation of what helps to make a nation great and an individual feel a person in his or her own right.

Mr S.G. Evans interjecting:

The Hon. JENNIFER CASHMORE: I am reminded by my colleague the member for Davenport that a Labor Premier of this State regarded home ownership as the cornerstone of democracy. Many Labor men and women feel the same as we do about home ownership and as keenly as we do about interest rates. Why then is not the Labor Leader, who claims to be caring for people, saying anything in defence of the people who are being flattened cruelly and deliberately by the Labor Government's interest rate policy?

A great deal more could be said about the policy and its selectivity. Why should the critical families bear the substantial part of the burden? Why cannot other policies be implemented to ease that burden? Many questions could be asked and answers given. In view of the number of motions on the Notice Paper and the length of time required to debate this motion, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

HOLIDAYS ACT AMENDMENT BILL

Mr M.J. EVANS (Elizabeth) obtained leave and introduced a Bill for an Act to amend the Holidays Act 1910. Read a first time.

Mr M.J. EVANS: I move:

That this Bill be now read a second time.

The Bill seeks to amend the Holidays Act to provide that the Australia Day holiday will always be taken on 26 January. When 26 January falls on a Sunday, the Bill provides that the holiday is to be taken on the Monday, as is the case for the Anzac Day holiday. However, as Sunday is itself a public holiday, it will be possible to arrange meaningful celebrations in which everyone who may wish to participate can do so.

As Chairman of the Elizabeth Australia Day Committee for many years, I am well aware that, unless the holiday is taken on Australia Day itself, the significance and meaning of the celebration of our national day is often lost. The celebration will be far more significant if all residents and citizens of Australia are able to take part in the activities on 26 January on a day which is a public holiday.

The fact that almost all Australians had to work on Thursday 26 January 1989 largely negated the value of the day as an opportunity for Australians to come together in celebration. The holiday on the following Monday was some five days after 26 January and any mass celebration of Australia Day would have been meaningless.

In 1989, New South Wales was the only State to celebrate the Australia Day holiday on 26 January. While there were some problems with employees taking so-called 'sickies' on the intervening Friday, this problem is much less likely to persist when the tradition of the holiday on 26 January becomes more firmly established. It is also less likely to happen when the holiday falls on another day of the week. It was unfortunate that the holiday actually fell on a Thursday this year, giving those who wished to exploit the system the perfect opportunity to take the Friday as a holiday as well. As a counter balance to the Thursday holiday problem, employers should note that, as with Anzac Day, the holiday also falls on a Saturday just as often.

As both the Prime Minister and the Leader of the Federal Opposition have pointed out, now is the ideal opportunity to consider this matter, immediately after our bicentennial year in celebration of 200 years of European settlement, when Australians are more aware than ever of the importance of Australia Day and of the need for all Australians to celebrate it together on the anniversary of settlement, rather than on the most convenient day for a long weekend.

I would like to read into the record a letter I have received from the Hon. Clyde Holding, the Minister Assisting the Prime Minister, in response to a letter I wrote recently to the Prime Minister. Dated 2 June 1989, the letter reads:

Dear Mr Evans,

Thank you for your letter of 28 February 1989 to the Prime Minister advising that you have introduced a private member's Bill into the House of Assembly of the South Australian Parliament to amend the Holidays Act.

The Commonwealth Government fully supports your view that for Australia Day to have its rightful significance it should be celebrated on 26 January each year.

While it is recognised by the Commonwealth Government that the declaration of public holidays is a matter for each individual State and Territory Government, the Prime Minister has written to all State Premiers and the Chief Minister of the Northern Territory urging them to declare a public holiday on 26 January each year (or when 26 January falls on a weekend, a holiday on the following Monday). To date, the Governments of New South Wales, Queensland and the Northern Territory have agreed to join the Commonwealth in celebrating Australia Day on the day on which it falls.

It is hoped that the experience of 1988, when the whole nation uniformly celebrated Australia Day, will encourage your Government and the Governments of Victoria, Western Australia and Tasmania to join other Australians in celebrating our national day on 26 January each year.

Yours sincerely,

Clyde Holding, Minister Assisting the Prime Minister.

The Government, so far, has resisted the mounting community pressure to honour 26 January as more than simply an excuse for a holiday. Australia Day is too important to be treated as an industrial or political token. I have again introduced this Bill in the hope that the Government will accept the inevitable with grace and support the measure so rightly demanded by the community. I commend the Bill to the House.

Mr S.J. BAKER (Mitcham): As a member who has put up two private member's motions on this subject, I thoroughly endorse the proposition before the Parliament.

The SPEAKER: Will the member for Mitcham clarify that point?

Mr S.J. BAKER: I have made my contribution.

The Hon. T.H. HEMMINGS secured the adjournment of the debate.

COUNCIL BOUNDARIES

Mr S.G. EVANS (Davenport), by leave, and on behalf of the member for Light, who is ill, I move:

That a joint address be presented to His Excellency the Governor requesting His Excellency to exercise his powers under Part II of the Local Government Act 1934, as follows:

1. To abolish the City of Flinders.
2. To reconstitute the City of Happy Valley in accordance with the Proclamation establishing that City on 30 June 1983 (then named the Municipality of Meadows) adopting the boundaries in that Proclamation relevant to the City of Happy Valley, preserving the Wards of the City of Happy Valley in existence immediately prior to the coming into effect of the Proclamation made on 29 June 1989 establishing the City of Flinders (herein referred to as 'the Flinders Proclamation').
3. To alter the boundaries of the City of Mitcham to those in existence immediately prior to the coming into effect of the Flinders Proclamation.
4. To establish the wards in the City of Mitcham, the boundaries of those wards and representation on the Council of the City of Mitcham as they respectively existed immediately prior to the coming into effect of the Flinders Proclamation.
5. To vest in the City of Happy Valley all rights and liabilities of the City of Flinders that are in existence immediately prior to its abolition.
6. To declare that the by-laws of the City of Happy Valley in force immediately prior to the coming into effect of the Flinders Proclamation will, until revoked or amended by the City of Happy Valley, be and remain the by-laws of the City of Happy Valley, applying throughout its area.
7. To declare that all persons who are officers or employees of the City of Happy Valley immediately prior to 1 July 1990 remain officers and employees under terms and conditions applying to their respective offices or employment existing at that date.
8. To declare that an election for the first members of the City of Flinders proposed to be held pursuant to clause 16 of the Flinders Proclamation not be held.
9. To make any other provision that Your Excellency may consider to be necessary or desirable in view of the proposed abolition of the City of Flinders.
10. To determine that clauses 1 to 7 come into effect on 1 July 1990 and that clauses 8 and 9 come into effect on the date of the proclamation following this joint address;

and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting their concurrence thereto.

I regret that the shadow Minister of Local Government is unable to be here today because of illness. Members understand that there is a shortage of time for the presentation

of private members' business, so I will try to be brief on a subject that really needs much explanation. The Australian Workers Union sought a legal opinion on this matter and received it in a letter dated 19 July 1989, suggesting that this motion could in fact be implemented to reverse the situation in respect of the City of Flinders. The relevant part of that letter states:

> In the event of an address from both Houses of Parliament seeking the rescission of that proclamation or the abolition of the new council the Governor could make a further proclamation abolishing the City of Flinders.

That legal opinion was provided by Duncan, Groom and Wilson, barristers and solicitors. We know that Mr Duncan, a partner of that firm, is a Federal Labor member of Parliament, and Mr Groom, another partner, is a State member of this Parliament. It is quite clear that the union was informed that a resolution from both Houses could rescind the proposition of the new City of Flinders. The Minister of Local Government sent the following message to the Local Government Advisory Commission on 27 July 1989:

> Following representations from electors of the City of Mitcham, I have agreed to refer to you a proposal, pursuant to section 26 (1) of the Local Government Act, for the making of a proclamation which would have the effect of retaining unaltered the existing boundaries of the City of Mitcham and the City of Happy Valley. I do so to provide a further opportunity for the electors of Mitcham to put their views to the commission and for the commission to consider those views and, in due course, to make recommendations to me.

We must take note that the Minister is stating that it is a recommendation to her—not a *fait accompli*—and she has referred it back to the commission to consider whether it would reverse the recommendation. If the Government is fair dinkum about that proposition, if that is really what it wants to do, why waste $35 000 to $40 000 of the Mitcham ratepayers' money forcing them to have a poll? More particularly, why set up the commission again to review the matter, as that also costs taxpayers' money? This will result in $40 000 to $60 000 going down the drain when the Government has indicated that it wants to reverse the proposition and have Happy Valley and Mitcham remain as they are. I believe that is the case, and I would be interested to hear from the Government if it is not so. On 16 August, a letter from the Premier and the Minister to the Local Government Advisory Commission stated:

> The Government believes local government boundaries should be determined on the basis of careful analysis of all relevant factors. Within that consideration we believe the views of residents are of particular importance and should be accorded significant weight. It is clear that councils can only operate successfully where they enjoy the support of residents and ratepayers. The commission observed in its report concerning a proposed amalgamation of the two Naracoorte councils that elector opposition was so strong that it might prevent the proposed new council from operating effectively. On that basis the commission drew the conclusion that elector opposition was sufficient to outweigh the benefits of the merger.

I put to the Parliament that there is much more opposition in relation to the Mitcham/Happy Valley proposition and the formation of Flinders than was the case in relation to Naracoorte. Two of the largest public residents' rallies ever held in this State on a local issue were held on this matter. That is evidence enough for the Government to say, 'We will send an address to the Governor that is passed by both Houses.'

Egotism does play a part in politics so, if the Government does not want to give the Opposition any credit for moving this proposition, we would not complain if the Government, in its own time—and it can do it any day of the week—moves a motion along similar lines. The Opposition would support such a motion, and then the Democrats in the other place would become insignificant. The challenge is there so, if the Government is genuine, and if the Premier and the Minister are fair dinkum, all they have to do is send an address to the Governor, or support this motion. However, I accept that egotism quite often plays a role in this place.

The genesis of this matter goes back to when a petition was circulated in the Hills to form a new Blackwood Hills council. The petition did not conform with the Act, since it did not require the Local Government Advisory Commission to meet, but the then Minister (Ms Barbara Wiese) chose to instruct the commission to meet. However, the petition stated:

> We therefore request that the Minister of Local Government refer this proposal to the Local Government Advisory Commission for its inquiry and recommendation.

That is not a *fait accompli* but, rather, it was to be sent for investigation and recommendation. The Hills Policy Group then issued a press release. The members of that group had never been elected; they just took a name and called themselves a 'policy group'. We could have had 25 or 200 policy groups. It did not represent any section of the community in any public meeting. However, the press release dated 29 June states:

> The policy group and 4 000 local Hills residents petitioned for this inquiry.

It is true that they did petition for an inquiry. The strange thing is that, of the 4 000 people who signed the original petition, the vast majority have now signed a new petition indicating that they do not want Flinders. Various people have intimated to me that they expected an inquiry to be held and the report taken back to the community for it to make an assessment. They could then express their point of view.

On that point, the Minister has said that the community had the opportunity of putting a point of view, but they did not do so. She is now saying that it has gone back to the commission so that it may investigate rescinding Flinders and the people in the community can then put their point of view. It is impractical and impossible. At least 20 000 people want to put a point of view and, if they all go along and say that they want to put a written point of view and then a verbal one, how long will it take the commission to look at the matter, or will the commission say, 'No, your view is similar to somebody else's; we don't want to hear you'? Those people are then denied the right of putting their point of view. It is illogical, and we all know that.

It has also been proposed that the Act should be changed. That is a different argument again, but at least it gives people the opportunity to have a decisive vote. The poll being conducted by Mitcham, which will cost $35 000 to $40 000, is only an indicative poll. The result will have to be handed over to the commission which will comprise new people who do not have to take any notice of the poll if they do not want to. They do not have to take any notice at all—they can ignore it. What happened last time is that the policy group put up its petition in December 1987. As I say, the Minister said that the commission would look at it even if it did not comply with the requirements of the Act. Under the Act, the Minister has that power: I do not deny that. In May 1988 the Happy Valley council proposed to take over a portion of Mitcham. It never asked its electors whether they wanted the council to put up the proposition to form the new city of Flinders. That was never done.

The Hon. R.G. Payne: Are you saying what they did was illegal?

Mr S.G. EVANS: I did not say that it was illegal. I did not say that it was a sick bird. I am just saying that it did not go back to the people and ask them. The Hills Policy Group took 18 months to get 4 000 signatures on the peti-

tion form. At the Christmas pageant a member of the policy group asked a gentleman alongside of me, 'Do you want your own council? If so, sign this.' As we watched the Christmas pageant travel along the main street of Blackwood he signed it. I said, 'Do you know what you have signed?' He said, 'No, my own council. I want Mitcham.' I said, 'Well go and have another look at it.' He came back and said, 'I didn't know it was going for a separate council.' In May 1988—because it took the Hills Policy Group 18 months to get 4 000 signatures—the Mitcham council sent out a proforma letter. In 14 days it received 7 900 responses from residents who opposed any takeover and eight from those who supported it.

The Local Government Advisory Commission ignored those figures. It said that, because the council sent out the letter, the figures meant nothing—because the council had a biased point of view. Did not the Hills Policy Group have the same bias? There was something wrong in the decision-making process. In May 1988 the commission received written submissions and held a public hearing. One was not allowed to give evidence at the public hearing: one could discuss only how the commission operated. There was nothing to do with giving evidence, so the public meeting was a farce as an evidence-gathering exercise. The vast majority of submissions opposed the Happy Valley takeover. At the public hearings the only support for the proposal came from one former Happy Valley councillor. I will not relate the rest of the history as to when the Minister received it and presented it, but after Cabinet approval it became a *fait accompli.*

I have some respect for Trevor Starr, the Mayor of Happy Valley, but how power can affect a person's mind. In the local paper his Worship said, 'Our submission was economically correct and in the best interests of the residents of Blackwood.' How does he know that? Who is he to judge what is in the best interests of the people of Blackwood? He is not God. He did not even know the vast majority of the residents.

The Hon. R.G. Payne: On that logic, you shouldn't judge him. You think about it.

Mr S.G. EVANS: I did not judge him, I made an assessment of a comment he made. I am judging his comment that it is in his best interests. There is no person on earth who can tell us what are the best interests of the Blackwood residents: not Trevor Starr or the member for Mitchell. He went on to say, 'I don't think community reaction should prejudice a good decision.' In other words, the community's opinion did not count. The community meant nothing. That is exactly what he said. The article went on to state:

> Most Happy Valley residents are happy with the commission's decision, but Mr Starr said their feelings were overshadowed by 'wider claims' from Mitcham Hills residents.
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> 'We have had difficulty getting our full facts across,' Mr Starr said.
>
> 'But we've had good support and no flak from our own people.'

I find it amazing that anyone would say that local government matters should not be decided by local people. My motion calls for a message, supported by both Houses, to be sent to the Governor. All we need is for the ALP to support the proposition to rescind the proclamation and to return the boundaries back to where they were. That is all we need, but if the Government is not prepared to do that we will then know that it does not want the previous position to apply and that it wants the City of Flinders to come into existence. Information in today's paper indicates that the advisory commission has advised the Minister that it intends to advertise the invitation of submissions in relation to the new proposition. I take it that it will be gazetted today. It will be advertised for a month and so the soonest possible date for completion of this process would be 22 September. By the time the commission starts taking evidence it will be well after Christmas—and this will be the case if there is a genuine desire for the community to put the various points of view this time.

So, the Government wants to stall the matter until after the election. That is the intention. If that is not the case, the Government should support my motion. I ask the Government to recognise the importance of local government being in the hands of local people and of letting local people have their say. These matters should not rest simply with a non-elected body—which does contain people who have a vested interest in local government. I do not mind these people being on an advisory commission and giving advice, and they do have the background and the knowledge to bring down a decision, but other factors are involved.

For example, whoever the chairperson is, there is always a lawyer who has had a lot of practice in local government and, of course, the only place that such a person can get practice in local government is to work for it. So, there is a conflict of interest. I have respect for the gentleman concerned, but it is to the benefit of people in local goverment to have big local government. Likewise, other personnel on the commission can have a vested interest. One of the members of the commission lives in the Mitcham Hills area and has been a councillor and an alderman. How could that person serve on the commission and not have some vested interest? Another member of the commission lives in Unley. In the commission's report there was talk of Unley considering taking over part of Mitcham or joining forces. How can that person be completely divorced and not have a conflict of interest?

Much needs to be said on this issue. I say to the Government that it is important that the matter be resolved, and not put off. The simple way to do that is as was recommended to the trade union involved by the firm of Duncan, Groom and Wilson, barristers and solicitors—two partners of which are members of Parliament. A joint address to the Governor would solve the matter. I think the advice given to the union was good, and I hope that the member for Hartley gives the same advice to the Government.

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

FOREIGN OWNERSHIP OF LAND

Mr GUNN (Eyre): I move:

> That in the opinion of the House a select committee should be established forthwith with a charter to determine whether or not legislation is required to identify foreign ownership of land in South Australia and, if it is, what form of public register of all future purchases of land by non residential individuals or foreigners should be established.

Last year in a number of our State and national newspapers we were given a taste of the sort of headline and advertisement about Australia that are appearing in overseas publications, headlines such as 'Australia is up for grabs', 'Invest in your future now' or 'If you want to own a slice of Australia . . . here is your golden opportunity'. Investors were urged to buy land and, if they did not want to develop it immediately, to 'simply hold the land for resale at a higher price', particularly at a time when our own farmers were going bankrupt and being forced off their farms because of excessively high interest rates. These sorts of reports and headlines can have only one consequence. They raise the level of concern and alarm already evident in the community about the extent and nature of foreign ownership in

this country. We have a potentially dangerous situation. Fuel is being added to an already smouldering fire by Bruce Ruxton and others who exploit these headlines for their own agendas.

What we need is this country is an informed debate about foreign ownership, not the sort of media hype and hysteria generated by Ruxton and others. The last thing we want is to engage in some sort of witch-hunt or anti-foreign investment exercise, but Australians should be the ones to determine when, where and who regarding investments in this country, and in what sector of the economy. To help achieve this, we need to establish a register of all foreign land owned in each State. This practice has already been established in Queensland, and legislation was being drawn up in Tasmania. Foreign investment and ownership should be on our terms; we must look to setting up a register in South Australia. We do not want to become absentee landlords or, for that matter, tenants in our own State.

A register is not, and should not be, the first step towards draconian or tough measures designed to limit and restrict foreign participation in this country, but there can be no denying the fact that a Morgan gallup poll taken last year found that 59 per cent of Australians opposed foreign ownership of land and that 49 per cent were specifically opposed to Japanese ownership. Clearly, these views will not diminish with time. There is a strong case for caution. Australians are looking for politicians to be cautious about selling off our resources.

Records indicate that, during 1987-88, almost $10 000 million of Australian real estate was purchased by foreign investors, but only $5 000 million was invested in manufacturing projects. At the moment it is impossible to ascertain how much of our total national assets are held by overseas investors. The last comprehensive Australian Bureau of Statistics survey into foreign ownership in Australian agriculture was in 1983-84, when 5.9 per cent of our agricultural land was found to be foreign owned.

It seems that foreign investment in Australian homes, business enterprises, resorts, farms and other basic resources is being allowed to continue unmonitored. Ideally, this investment should be limited to proposals that improve Australia's productive capacity and its position as a trading nation. There are some Australians who are obviously 'making a quick buck' from the advertising and sale of Australia's assets. As far as agriculture is concerned, it is my view that a sufficient number of Australians wish to become involved in agricultural ventures. There are people who have the wisdom, knowledge, expertise and desire to farm in this country, but what we are currently doing is making this impossible. Governments should be providing these people with security of tenure, encouragement, and scientific and financial resources to allow young Australians and people currently involved in agriculture to purchase the land.

Recently we have witnessed land sold for $2 million to overseas interests in the South-East of this State. At the time of the sale people expressed to me that they were interested in this land, but I ask members, how can these people compete when they pay interest rates of 17 per cent to 20 per cent and their overseas counterparts have the financial advantage of interest rates of 2 per cent and 3 per cent, and foreign taxation concessions? The Foreign Investment Review Board has an important role to play. Its powers should be strengthened, not weakened. The review board should approve investment in agricultural and pastoral land valued over $1 million.

In Britain the Thatcher Government has clearly acknowledged the need for more information and greater control of the pattern of ownership. Present calculations indicate that just over 1 per cent of the total area of farmland in Great Britain is in the hands of overseas investors. The British do not make distinctions between EEC and non-EEC investors. A report by a committee into the acquisition of the occupancy of agricultural land in Britain recommended that non-EEC purchasers should seek Government permission to purchase land in the United Kingdom.

A register of foreign ownership would offer for all South Australians the facts about what is presently going on in this State. It is not possible to turn up in Germany or Japan and purchase large tracts of land. There are also restrictions in Switzerland and the United States, and, I understand, in Canada. There are few countries in the world where people have access to huge amounts of money, generous taxation concessions and low interest rates for borrowers. Many of these people are not interested in short-term returns. They are using investment in overseas countries, such as Australia, as a way to hedge against future economic difficulties. Of course, we can hardly blame them for doing that, but we must ensure that we protect the rights of Australian citizens and that investment is viable and controlled in the areas where we want it. I have been amazed at the response that I have received from people around South Australia since I first raised this matter. There is a need for a parliamentary select committee to look into the matter and report urgently.

Following my raising of this matter on the first occasion, it has been interesting to note the response of the State Government. I placed a question on notice to the Minister concerning the Government's attitude, and this is the response that I received:

> As the member would be aware, the Australian Government requires notification of proposed foreign investment in real estate.

That is over a certain level only. The reply continues:

> The State Lands Title Office does not maintain any separate register of foreign land ownership of either freehold or Crown land; however, dealings disclosing an overseas address are recorded on the certificate of title or Crown lease.

Members would know that it is very simple to purchase land through a series of companies, trusts or other arrangements which are quite legal but which virtually make it impossible for ordinary citizens to know who has purchased that land, even if they take the trouble to go to the Lands Title Office or the Department of Lands to search for titles. It is nearly an impossibility. There has been a series of calls around the nation to have something done about this. We have heard the South Australian Government making certain comments, but unfortunately it has done absolutely nothing. In a recent publication of the *News*, in an article written by Allan Yates, it is stated:

> The State Government is to demand full disclosure of foreign investment and ownership of land and industrial holdings in South Australia. The move will see South Australia take the lead in development of a special register of overseas ownership and investment in Australia.
>
> The Lands Minister, Ms Lenehan, is expected to take a proposal to State Cabinet . . . and State Development Minister, Mr Arnold, will push for a full-scale national register of all foreign investment, ownership and stock market activity. Development of this legislation would provide the first proper access to details of such foreign activity in Australia.

That is not correct. That was already on the statute book in Queensland—I have a copy of the legislation—and the Gray Government in Tasmania was also moving down that road. Since that statement by the Minister, nothing has happened. It was on 22 March that the Ministers, Lenehan and Arnold, made those statements. However, to this date nothing has happened. We had another statement by Minister Arnold headed, 'Investment Debate Not Racist, MP.' The *Advertiser* article stated:

He also backed a proposed foreign investment . . . which should be kept by the Federal Government to ensure that there was no confusion from State to State. A register will show the extent of foreign investment in all sectors of the economy and let us know what we are debating.

I agree with those comments, but if we look at the answers I received from the Minister on 7 March to my question on notice, one sees that nothing has happened since then. However, the headlines expressing concern at these matters have continued. An article by Andrew Cooke in the *National Farmer* of 24 March 1989 is headed 'Who is keeping tabs on foreign ownership of Australian soil?' It reads:

Is Australia selling off the farm? Nobody knows. The last comprehensive Australian Bureau of Statistics (ABS) survey into foreign ownership in Australian agriculture was in 1983-84, when 5.9 per cent of agricultural land was owned by foreign interests.

The article goes on to state that, since the Treasurer announced in April 1987 that properties worth less than $3 million acquired by foreign interests would be exempt from examination by the FIRB, no change in rules has occurred. Even if we knew the situation 13 years ago, our records will not tell us what happened. The article continues:

The FIRB received 14 rural property proposals above $3m, involving a total investment of $232 million. Two proposals accounted for most of the $232 million—a takeover of Colly Farms by a UK-based group and a proposed takeover of Australian Agricultural Company by a 'predominantly Australian-owned but foreign-controlled group'.

And the article gives a number of examples. Notable Australians such as Mr John Elliott have been calling for a curb on foreign investment.

The Hon. T.H. Hemmings: It hasn't stopped him buying up Pommieland, has it?

Mr GUNN: But you can't buy farming land in England. The *Weekend Australian* of 30 August 1988 contained an article headed 'Probe into foreign land sales', which stated:

A review of foreign investment in Australian real estate has been launched by Government officials in response to concern about the growing level of foreign ownership of residential land and its impact on house prices.

What has happened? Nothing has been done about agricultural land, and that was over 12 months ago. I have a press report from the *Weekly Times* of 26 July this year written by Kerri Hartland. Headed 'Foreign threat to farms', it states:

The New South Wales Farmers' Association has called for future foreign investment to be restricted to leasehold. In supporting the move, general councillor, Ed Colless, said it was impossible for Australian businesses to get the money for joint ventures when interest rates were so high.

Mr Colless told the NSWFA annual meeting in Sydney this week the leasehold restriction should apply to investments that were 100 per cent foreign controlled. 'It's (leasehold) something we have had in the past. There is nothing new about it,' he said. 'Leasehold applies in Canberra, why can't it occur in this case?'

There was concern from many councillors that the next generation of Australian farmers would become tenants on their own land. The NSWFA also called on the Federal Government to urgently upgrade the database on foreign investment. Delegates supported the right of foreign interests to participate in equity ventures in Australian agriculture but said safeguards had to be put in place through trade practices legislation to prevent monopolies of any part of the production or marketing chain.

Those views indicate the general concern within the farming community and, I believe, within the nation as a whole. An article headed 'Foreign land grab "threat" to freedom', and quoting Mr Ian Wilson, MHR, states:

A senior Opposition MP has warned that Australia's freedom and sovereignty are being threatened by unchecked foreign investment.

That article appeared in the *Advertiser* of 7 March 1989, and I support those views. The matter has been raised at conferences throughout the State, and an article headed 'Examine foreign investment call', states that a resolution was passed at the Liberal Party's Mid North Regional Convention on 30 June calling for an urgent examination. That notable Australian, Mr Bruce Ruxton, was quoted in the *Sunday Mail* of 28 August 1988—

Members interjecting:

Mr GUNN: Members opposite can treat the views expressed by Mr Ruxton with some degree of mirth, but I suggest that the views he expresses are those of about 80 per cent of the population of this country.

Members interjecting:

Mr GUNN: I am saying to you: get your facts straight, because what he is saying about foreign investment is what the majority of people think. An article in the *Sunday Mail*, under the headline 'We're going cheap, ads tell Asians', states:

'Australia is up for grabs.' This invitation to Asian newspaper readers has Returned Services League firebrand Bruce Ruxton steaming. The incendiary words topped a picture of a grinning Asian gentleman who wears Australia on his tin hat. 'If you want to own a piece of Australia,' begins the display advertisement in the *South China Morning Post* 'here is a golden opportunity to buy land . . .'

Mr Ruxton, President for a decade of the Victorian RSL, said last week, 'It's one of the most outrageous adverts I've ever seen because it tells the truth. Australia is up for grabs. Facing a surging interest of Japan in Australia, and the forthcoming demise of Hong Kong as a Crown colony . . .'

If we want to avoid giving Mr Ruxton and people like him who hold those views the opportunity to pour petrol on a simmering fire, then it is time this Government and the Parliament took some positive action to establish a register of foreign ownership of land. Recently the New South Wales RSL wanted the laws relating to foreign ownership of land tightened, and that matter was discussed at its conference. The *News* of 25 May 1989 states:

The NSW RSL wants the Federal Government to lease land to foreign companies and individuals, rather than sell it outright.

Surely it is not unreasonable for Australian land and property to be only available to Australians, the Chairman of the State RSL Congress, Mr Jim Brooks, told a packed room of delegates in Sydney yesterday.

Delegates to the State RSL annual congress voted to adopt the policy that Australia should be kept for Australians.

Overseas foreign concerns should be granted 99-year leases, the same as in the ACT . . .

I think that I have presented enough evidence to the House to show the growing concern amongst people in this State and the nation that a select committee should immediately be established to look at the best way of legislating for a register for the foreign ownership of land. The Queensland legislation is very tough; it endeavours to close all the loopholes. This is a particularly difficult area in which to legislate, and we should do it correctly. The best way to do that is to seek the views of the public, and that can be done through a parliamentary select committee. From my experience, whenever a matter is referred to a parliamentary select committee, usually commonsense prevails—

Mr Hamilton interjecting:

Mr GUNN: I will not go into personalities. But, if commonsense prevails we get sensible legislation. That is my desire. I want to see this matter resolved quickly. I do not want to see this State and the nation become embroiled in an anti-overseas investment campaign. I assure the House that that will take place unless commonsense prevails and the motion is carried. The Government has already stated what it intends to do, but, unfortunately to this stage, it has done nothing about it. Whether the Government does not know how to solve the problem or whether it does not have the will or desire to do so, I am not sure; however, I assure the Government that the problem will not go away. Action is long overdue. I commend the motion to the House.

The Hon. T.H. HEMMINGS secured the adjournment of the debate.

ADELAIDE ENTERTAINMENT CENTRE

The Hon. TED CHAPMAN (Alexandra): I move:

That the report of the Parliamentary Standing Committee on Public Works on the Adelaide Entertainment Centre dated 5 July 1989 be remitted to the committee advising that, in the opinion of the House, the report is in breach of section 8 (5) of the Public Works Standing Committee Act 1927 and requesting that the report be corrected in accordance with the Act and relodged with the Speaker for tabling in the House as a matter of both urgency and importance.

In ordinary circumstances the mover of such a motion would launch into debate in order to explain and substantiate it. In this instance, I have been advised that the Government intends to support this motion, for which I am grateful. Although the Government has acted rather belatedly on this matter, its advised intention is appreciated. Accordingly, it is not necessary for me to comment in great detail. However, I want to draw the attention of the House to a few points about the 28 findings that the Public Works Standing Committee arrived at and had recorded in its official report. First, I turn to finding 13, which dealt with the committee's considerations in relation to the Basketball Association of South Australia's stadium proposal. Finding 13 states:

The committee spent a considerable amount of time addressing the proposal for the BASA stadium. The evidence presented suggested a loss of revenue in the order of 10 per cent to the Adelaide entertainment centre from the non-participation of BASA in the centre. Since there was also the possibility that the proposed BASA stadium might compete for events at the Adelaide entertainment centre the committee considered:

- Was there a need for an entertainment centre if BASA proceeded separately with their development?
- Could the BASA stadium effectively accommodate events anticipated for the Adelaide entertainment centre?
- If the loss of basketball to the Adelaide entertainment centre's operation did not in itself have a major detrimental effect on the financial viability of the centre's operation would BASA stadium compete for other events?

From the evidence taken the committee recognised that the $12 million BASA stadium would not have the facilities required to accommodate the range of events anticipated for the $40 million Adelaide entertainment centre proposal.

With regard to the BASA stadium the committee noted:

- The proposed stadium would be inadequate as a national and international class entertainment centre.
- Acoustic performance would be inadequate for some concerts/events.
- Timber floors would limit the types of events that could be held.

BASA made the following points to the committee in support of its own Beverley proposal:

- BASA has the capacity to finance, build and successfully operate its own basketball facility.
- It prefers to own its own home in order that all profits can be directed to promoting recreational basketball.
- The loss of BASA's main drawcard, the 36ers, to the entertainment centre would make the suggested idea of a smaller stadium financially unattractive.
- For other sports which want a smaller, cheaper venue it would be a preferred facility.
- It could accommodate concerts with less than 4 000 patrons.
- It would be available for concerts when the Adelaide entertainment centre is booked for other uses.

In the course of its investigation the committee was informed that BASA had approached the Government with a three-part proposal aimed at entering into an agreement with Government whereby BASA would agree not to compete against but rather work together with the Government in the market place.

The agreement proposed being:

- The Government allow BASA to finance its proposed stadium through the South Australian Finance Authority (SAFA).
- The Government assist BASA in the preparation of a supplementary development plan thereby shortening the time frame for rezoning the area to permit other uses, currently prohibited.
- If the Government accepts the association's proposal, BASA would agree to the Adelaide entertainment centre being the booking agent for all non-baskeball type events and, in addition, enter into a share profit arrangement with the entertainment centre for all events of non-basketball category, held at the BASA stadium.

Finding 13 concludes:

It is the committee's view that it is important that BASA and the Government continue to negotiate in matters related to the establishment of the respective facilities in order that cooperative arrangements can be maximised for the benefit of all parties concerned.

That is one very important finding of the 28 within the document to which I have referred. It is important because it was a finding on the basis of evidence that the committee took which in turn was in conflict with other evidence given to it on the same subject of whether a parallel course should be taken in relation to the establishment of the two facilities. As a result, as we neared the end of consideration of the findings for the report, I requested and was granted the opportunity to substantially amend funding draft No. 28, which read:

The committee expresses its concern on the following:

- The committee is aware of inconsistencies in evidence given by witnesses on the financial viability, zoning and operational matters associated with the BASA proposal and the committee urges early resolution of these issues.
- Some written communication between the Government and potential users of the facility agreeing on 'principals' of participation may have shortened the hearing process and assisted the committee.

I do not know whether readers of that report or members can make head or tail of that finding. I was not happy with it at the time and I moved an amendment to it and was supported by the member for Heysen and the Hon. Mr Dunn from another place, but my motion was defeated. The paragraph that I moved in lieu of paragraph (28) is as follows:

The committee is aware of the inconsistencies in evidence given by the witnesses on the financial viability, zoning and operational matters associated with the BASA proposal and the committee urges early resolution of these issues.

True, that is consistent with the first paragraph in funding draft No. 28 in the final report. But here comes the sting in the tail; here is the difference with what was reported. The second part of my motion upon which the committee divided is as follows:

Accordingly the committee expresses concern, recognising that the private sector has not offered to put up equity in relation to the development of the Adelaide entertainment centre, and believes that economic and other factors dictate that the Government should give further consideration to financially supporting an upgraded BASA proposal, even if it means seeking another site to cater for the need of a more basic, but acceptable, facility, and in turn reducing the cost of such a project to the people of South Australia.

I make it patently clear that that motion was seconded by the Hon. Mr Wotton, member for Heysen, and supported by the Hon. Mr Dunn. The motion was opposed by the three other members of the committee, Mr Rann, the Hon. T. Roberts and Mr Tyler. As a result of the voting deadlock a casting vote was made by the Chairman, who has every right to do so, and we lost by four votes to three. Obviously, one must learn in this place as in any other committee where one serves that, if one loses, one loses. However, section 8 (5) of the Public Works Standing Committee Act provides that in circumstances where a motion is put and lost and where a division is recorded, it shall not only appear in the minutes of the committee but it shall appear in the report as well.

Our request for support on this motion before the House today is simply to have that breach of the Act corrected.

Support of the motion has been indicated by members on the other side, so, as earlier stated, I need not go into detail on that matter. However, I make patently clear that it is wrong and mischievous to deduce from the motion before the House that the Liberal Party is against the establishment and provision of entertainment facilities in South Australia. Indeed, the Liberal Party is not against the provision of appropriate facilities for that purpose. Not even I, a conservative and careful person concerning the expenditure of my own money let alone public money, am opposed to the provision of appropriate entertainment facilities in South Australia. The Liberal Party in South Australia has over and over again made clear its position on this matter, but wrong information on this subject has been deliberately fed by certain Labor members to certain members of the media in this state.

Members interjecting:

The Hon. TED CHAPMAN: Members opposite may react, but they will have the opportunity to speak for or against this motion if they wish. There is no barrier to their doing so in private members' time and I understand the procedure as well as if not better than they. The Liberal Party is not against the expenditure of public money on the provision of entertainment facilities for the purpose of providing cover for those patrons who seek to be involved. We are not against BASA in its attempt to have its facilities appropriately established and constructed for the purpose of playing basketball or indeed the conduct of any other sporting or recreational facilities that it may succeed in soliciting into its premises.

When we considered the Government's Entertainment Centre proposal, we wished to have considered an amalgamation of the two, the accommodation of what was needed and not just what might be wanted, the provision of a facility that this State could afford in spending public money responsibly on what was considered fairly to be a public requirement. I have a much tougher view than that expressed by the Leader on behalf of the Liberal Party, but his expression is the official position of the Party. However, there has been a deliberate attempt made over and over again by certain members of the Labor Party to misrepresent our position in this regard. The whole matter could have been cleared up had the report been produced in accordance with the Act, but it was not. I said then, and I say again now, that the report was not produced in accordance with the terms of the Act. Indeed, the Act was deliberately breached.

It was cultivated to be so in order to provide a platform for exactly what has occurred. Along with the support of the signatories to my letters (that is, the support of my colleagues on the committee) we did the best that we could to draw this matter to your attention, Mr Speaker, and to the attention of the Presiding Officer in another place.

We acknowledge the receipt of the correspondence that came from you and from the other Presiding Officer. However, when this matter was being considered, the division details put forward by those Opposition members whom I have cited should have been recorded in the report, as required by section 8 (5) of the Act, exactly the same as it was recorded in the minutes of the committee. However, what occurred on that occasion was even more disturbing than what I have already disclosed: a ruling from the Chairman, the member for Peake, was that he would agree that the motion and the details of the division be recorded in the minutes, but he would not agree that the motion and the details of the division be recorded in the report to be tabled in Parliament. The Chairman, was urged to reconsider his position. He was advised to do so properly and responsibly by the secretary of the committee, but he was under pressure not to succumb and indeed he did not: he stuck to his guns. The committee was bound by the Chairman's ruling and the Act was breached, hence my letters to the Speaker and the President to which I referred earlier.

That is the truth of the matter. The details of what I am saying are recorded in the minutes of the committee. I want to reiterate the advice given to the committee, in particular to the Chairman, by the Secretary.

Mr Tyler: That is not true.

The Hon. TED CHAPMAN: It is true. Members can interject from the other side of the House if they like, and they can get up—

The SPEAKER: Order! Members cannot interject from the other side of the House if they like. The Chair calls the House to order. I particularly call the member for Fisher to order. He will have his opportunity to contribute to the debate in due course. The honourable member for Alexandra has the call.

The Hon. TED CHAPMAN: I am disturbed that Government members should allege that that is not the real position, because they have access to the minutes of the committee meeting, the same as I or any other member of the Parliament. In a situation such as this, I would have thought that Government members would have done their homework. Be that as it may, it is totally inappropriate to ignore the fact that I have just drawn to the attention of the House; that we have a secretariat, that advice was given and it was overridden, as were my views on the subject and those of the Hon. Mr Dunn and the Hon. Mr Wotton. We lost on numbers, and we all accept that, but we were not required to, nor did we, agree that the report should be signed and tabled in the House in the absence of the absolute compliance with the Act that I have mentioned.

It is outrageous for any Government member to interject at any time, but it is particularly outrageous when one is seeking to give fair support to a person who has done his best, as the acting secretary of the committee has done, and then to have his advice ignored without proper reference on the record. It might be purely coincidental, but that servant of the committee no longer has his job.

Mr Tyler: That is absolutely outrageous.

The Hon. TED CHAPMAN: It is nowhere near as outrageous as the interjection a moment ago. It is a matter of fact.

Mr Robertson: Who are you blaming for that?

The Hon. TED CHAPMAN: I am not, but do not test me any further, because I know the facts of the matter. From day one of the consideration of this project pressure was put on the committee, not least on the Chairman in particular, to hustle that project through.

Mr TYLER: On a point of order, Mr Speaker, I draw your attention to Standing Order 154, in the light of the fact that my colleague the honourable member for Peake is not here to defend himself. The Standing Order says that all imputations and improper motives and all reflections on members shall be considered highly disorderly. I believe that that is what the member for Alexandra has done. He has inferred that the Chairman and other members of the committee had improper motives.

The SPEAKER: I ask all members in the debate on this question to cooperate with the protocols of the House. I am particularly concerned in this matter because of an unfortunate reference made to myself on Tuesday night as Presiding Officer by the member for Alexandra. I ask all members to adhere very closely to the appropriate protocols and traditions. The member for Alexandra.

The Hon. TED CHAPMAN: I do not know of any protocol that I have breached and, if I have, I would like to be reminded of it by you, Sir.

Mr Tyler interjecting:

The SPEAKER: Order! The member for Alexandra has the call.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. TED CHAPMAN: In the absence of any citing of a breach of protocol, I shall proceed. Let not the member who has been so aggravated by my remarks and interjecting so often, or any other member of this place, get carried away with the fact that I am in any way pleased about having to say the things that I am saying. I am disturbed that the situation has got to the stage that it has. Far be it from me ever in private life, industrial life or parliamentary life to back away from saying what I believe to the person concerned. Accordingly, I regret that all members of the Public Works Standing Committee are not present at the moment. I particularly regret that the member for Peake, our Chairman, is not present at the moment. Nothing I have said in relation to his activities on the committee or absence of recognition of the Act are untrue. They are perfectly true and I cannot help it if the truth hurts. The fact is that the member for Peake, our Chairman, was wrong. He made a mistake and—

Mr Tyler: You implied—

The Hon. TED CHAPMAN: I have not implied anything. I have said it straight out. A mistake having been made, with the support of my colleagues from the Liberal Party on that committee, we took what steps we thought appropriate at the time in writing to the Presiding Officers of this Parliament and drawing their attention to the error made by the Chairman. They were unable, under Standing Orders, to take the action we sought of them. In this Parliament this session, at the very first opportunity—the fourth or fifth day of sitting—we now have the chance of drawing this matter to the attention of Parliament.

As I said at the outset, two things need to be made clear. We on this side of the House recognise the support for the motion, and the return of the report to the committee to be amended is appreciated. The other reason I continued my remarks in this respect was simply to clear up not only the innuendos but rather the blatant disregard for the truth and peddling of rumours by certain members of the Labor Party to the media about this issue that needed to be clarified. More especially, the matter of the Liberal Party's position with respect to an entertainment centre needed to be clarified.

In conclusion, the Liberal Party in South Australia, led by John Olsen, is of the view that entertainment centre facilities should be provided in this State. It is of the view that appropriate facilities for the purpose of carrying out basketball activities should be available in this State. Collectively we are of the view that more consideration should have been given at the time the entertainment centre project was under consideration by our committee to providing the combined facilities that are needed rather than simply those that may be wanted. We lost on that viewpoint.

We accept that we do not have the numbers either in this House (otherwise we would be in Government) or on the committee (otherwise we would not have been rolled over on that viewpoint). Notwithstanding the fact that Liberal members in minority lost their view as expressed within the committee, the Act, which protects us by way of proper reporting, was not upheld. It was not upheld as a result of a ruling given by the Chairman that it shall not be upheld in that instance. As I say, that was against the formal advice of the secretariat and against the expressed desires of the Liberal members I have mentioned several times. Appropriate steps were taken and finally, as I understand it, we have the matter supportable in that respect.

If any other member of this Chamber, whether on or off the committee, wishes to argue any point that I have made, or further make mischief about what they believe, conveniently or otherwise, to be the Liberal Party's position on this subject, they are free to do so. That is what the democratic process of this Parliament is all about. In the meantime, I formally seek and, indeed, welcome the indication of support for this motion.

Mr RANN (Briggs): I rise to support the motion. In doing so, I must say I regret that the tick-tacking between me and the member for Alexandra which helped result in this side of the House's supporting the motion should have been followed by such an outrageous and disgraceful attack on a sick member of this Parliament.

This motion is not about procedure: it is about politics. Let us not kid ourselves. It is about the politics of whether or not Adelaide has a world-class entertainment centre. The Liberals have made their position clear. Each Opposition member of the Public Works Standing Committee voted against the Hindmarsh entertainment centre. The recommendation for this $40 million project was passed by four votes to three. Government members voted for the project, Opposition members voted against it. They are the facts, no matter how the member for Alexandra wants to embroider or elaborate, because his Leader's polling shows that the entertainment centre is popular and members opposite realise now they made a blue by opposing it.

It is their privilege and right to have voted against this project. It is their privilege and right, as Opposition members, to oppose the entertainment centre. Indeed, in his Address in Reply speech on Tuesday night, the member for Alexandra said he believed there was no need for such a centre in Adelaide. He went on to say:

> I know damn well that we cannot afford it, and that is indeed treating the funds of the State out of order in terms of the priority in which they should be addressed.

The member for Alexandra was obviously expressing the views of the Opposition. Indeed, his Leader expressed public support only for a scaled-down, second-class stadium that would not be able to host the likes of Bruce Springsteen, Madonna and other international acts. That is the Leader's right. It is the Opposition's right. If members opposite believe that Adelaide does not need a world-class entertainment centre, they have every right to trumpet their opposition. But what we are seeing today is a charade. It is not about committee procedure. Those housekeeping differences could have been resolved in a civilised way in the committee, but instead we have had histrionics.

According to my research, this is the first time in the history of the Public Works Standing Committee that a member has sought to recommit a project that has already been reported and voted upon. If this is about procedure, it is a very petty and trivial matter about which the Opposition seeks to make history. Taken on their word, the Liberal members of our committee are seeking to have their opposition to the Hindmarsh entertainment centre recorded not just once but twice. That is what we are talking about—no grave issues. They are talking about having their opposition to the Hindmarsh entertainment centre recorded not once but twice, in case any of the kids of Adelaide missed the fact that the Liberals opposed the construction of a world-class entertainment centre at Hindmarsh.

However, that is not what this motion is all about. It is a clumsy, ham-fisted, ill-conceived attempt to again try to

delay a project that the Opposition believes will be electorally popular for the Government. It is the procedural equivalent of the member for Coles lying in front of a bulldozer. If the Opposition is so keen to let the young people of Adelaide know that the Liberals want to stop the entertainment centre in Hindmarsh from going ahead, we on this side of the House are keen to help them. However, we are also witnessing a cowardly and disgraceful attack on the Chairman of the committee; they have tried to undermine his authority as Chairman of the committee—that Chairman who has been ill in hospital for several weeks.

I do not make this claim lightly. In his Address in Reply speech the other night the member for Alexandra continually reflected on the chairmanship of the member for Peake. On several occasions he referred to the undue pressure placed on the Chairman during consideration of the entertainment centre. The implication was quite clear: the implication was that the Chairman had been sat upon and had been nobbled.

I did not want to say this today, but we have been provoked. We actually tried to assist the Opposition in resolving this procedural matter, but we have had to put up with this disgraceful attack which implied that not only had the Chairman been nobbled but also members of the committee conspired to break the law. Anyone who knows the member for Peake knows that this is not true and that it could not be true. One could not find a more decent, more honest and more straightforward human being than the member for Peake. Further, one could not find a fairer Chairman.

Let me say this in terms of this undue pressure that was placed on the member for Peake—this supposed undue pressure, this supposed nobbling of the member for Peake—there is no-one in his former life as a union secretary or as a union organiser and there is no-one in his present capacity as a member of Parliament who can stand over the member for Peake. The member for Peake has been a friend of mine for 12 years and I have known him for a long time. Members opposite do not even rate in comparison.

The Hon. J.W. Slater: He demonstrates it in the House all the time when he's here.

Mr RANN: That's right. The member for Alexandra also reflected on the propriety of his committee colleagues and that is the thing that outrages me. He said:

> Its handling of the Adelaide entertainment centre project sets a new dimension in the function of the committee. The Acting Secretary made efforts, in his capacity as senior executive officer serving that committee, to draw the requirements of the Act to the attention of the members generally and to the Chairman in particular—that is a ruling by the Chairman not to observe the Act.

That is a disgraceful allegation! The Chairman has never asked or directed any member of the committee to break the law. To suggest otherwise is contemptuous, but the member for Alexandra went further. He referred to this as being yet another erring of the rules and of the law. He went on to say:

> It was significantly worse for the Premier of this State to have condoned that breach of the law.

Let us remember that we are not talking about the Fitzgerald report or about an NCA inquiry. All this law breaking and conspiracy to break the law refers to whether or not the Liberals' opposition to the Hindmarsh entertainment centre is mentioned not once but twice in the report. I am amazed that the member for Alexandra has not asked for a royal commission into this grave matter of substance upon which he believes the House should waste its time. The truth is that we on this side of the House are quite happy to have the Liberals' opposition to the Hindmarsh project recorded 1 000 times and, if necessary, in neon lights for all to see.

The member for Alexandra has also referred to the leaking of material from the Public Works Standing Committee. He called for an inquiry into media reports about committee decisions and actions. Apparently, the suggestion by members opposite is that members on this side of the House who are on that committee and who have served it so well actually went out and leaked information. We have this bizarre scenario: on the one hand, the Opposition wants to have its opposition to the report noted and reinforced and its opposition to the project emphasised and re-emphasised but, on the other hand, it does not want the media to report the fact, because somehow members opposite are sensitive.

The truth is that the Liberals, through their Leader and through members on the committee, oppose the construction of an entertainment centre at Hindmarsh. They may support a centre at Beverley. They may support a scaled-down stadium at Beverley as a combined public sector/private sector operation. But what we are talking about, what we voted on, is $40 million for a centre to be built in Hindmarsh.

Reference has been made to information leaks. I want to talk about that, too. We are talking about the calling of an inquiry into media reports about committee decisions and actions. I was accused of talking to the media about this matter. Each member of the committee was written to by the Chairman asking whether or not we had comprised the committee and whether or not we had leaked information to the media. The plain fact is that a Liberal staffer—a person employed by the Leader of the Opposition—on several occasions during the hearings of the Public Works Standing Committee briefed journalists off the record about the proceedings of the committee. I know that for a fact. Members should go out there and ask the media where they got their information initially about this project and what was going on. They were briefed on a number of occasions by a Liberal staffer about committee activities. The line being put out by the Liberal staffer was that the Government was using its numbers on the committee to bulldoze the project through; that pressure was being placed on the Chairman of the committee by the Premier and by the Minister of Public Works; that the whole project was being considered in haste; and that the project was being forced through. Then, suddenly, the Hon. Rob Lucas in another place became the spokesman on the subject, appearing on television and having in print comments on what was happening in terms of the entertainment centre and the Liberals' viewpoint. We had Mr Lucas appearing on the television and we had his comments in print.

The *Sunday Mail* reported that Opposition members of the committee were upset and angry that Government members of the committee had used their numbers to bulldoze this project through. Again, the Hon. Rob Lucas was quoted as the Liberal spokesman on the entertainment centre. The same was true on the Channel 7 news. There were reports that the Opposition was upset and concerned because it did not have the numbers and, therefore, this resolution was to be pushed through. Rob Lucas then appeared on Channel 7 news saying similar things about this matter.

Let me assure this House that no Government member of the Public Works Standing Committee briefed any Liberal staffer, any adviser to the Leader of the Opposition or the Hon. Mr Lucas. Let me assure members that no Government member was at all concerned that the Liberals were upset that they had failed to stop this project. That this debate has been forced on us is a tragedy. The Public Works Standing Committee works hard and well. Its mem-

bers have, until this project, behaved in a thoroughly harmonious and bipartisan way.

In the 3½ years in which I have been a member of this committee, there has never been a vote taken on Party lines on any other project. Week after week, month after month, our resolutions and recommendations of projects were decided by consensus. That is the way it should be. There is a bit of argy-bargy, a bit of banter and to-ing and fro-ing in this place, where we are divided on Party lines because we have different ideologies. And thank God we do differ: we stand for a fair go; members opposite do not. That is the litmus test. We stand for a fair go: you stand for self interest and greed. On the committees of this place—

Members interjecting:

The SPEAKER: Order! I ask the honourable member for Hanson to cease interjecting, and I ask the member for Briggs to direct his remarks through the Chair.

Mr RANN: Thank you, Mr Speaker, and I apologise. In relation to committees of this House—select committees, the committees that deal with public accounts and public works—generally (and I emphasise the word 'generally'), there is a spirit afoot that we all try to ensure that a job is well done. During the time I have been on the Public Works Standing Committee—and this applies, as I understand it, to the period that the member for Alexandra and the member for Heysen have been on the committee—we have never had a vote on Party lines, until this Entertainment Centre project came before us. Let me say that with those previous projects we have listened to what the members for Alexandra, Fisher, Peake and Heysen have had to say in relation to any concerns they had or about anything that they thought was wrong with a project. Those concerns have been respected and considered. More often than not, those concerns were usually enshrined in our judgment.

We went out of our way with this Entertainment Centre project. In relation to 27 of the 28 findings, on every occasion members on our side said, after some hours of debate, 'If that is your concern, we will incorporate it.' I actually moved motions incorporating the Liberals' concerns, because it was important that we did the job well. However, right from the start, on the Entertainment Centre project I became concerned that something odd was going on. I became concerned that someone outside the committee (the deliberations of which, I might add, are supposed to be confidential) was actually writing out the questions for one of the members to ask. Members opposite have the gall to talk about committee propriety and breaches of the law: we would come into those committee hearings in the morning and a member would open an envelope and would read out questions that were written for him on this matter. In my view, that is a complete breach of committee propriety. I would like to know who it was that was writing out those questions so laboriously—no matter what reply was received. I would like to know who was the Opposition's fourth man.

I would also like some inquiry made into claims that an Opposition member of the committee received a free trip to Melbourne, paid for by some outside body, following the completion of questioning on the Entertainment Centre. There was bragging about this matter—bragging to members on the other side of the committee. I hope that these claims are not true. I hope that they are just bravado; I hope that they are just a bit of argy-bargy, a bit of silliness after a committee hearing. However, I would like those allegations to be cleared up when the Chairman returns, as we need to be assured that there was no connection between this alleged trip to Melbourne and the committee's deliberations. I am sure that there is no connection, but I want the matter cleared up—and I am sure that members opposite want the matter cleared up.

The member for Alexandra said that there was undue haste and pressure involved—undue haste in terms of the deliberations on the Entertainment Centre proposal and undue pressure on the Chairman that somehow the Chairman had been nobbled. He mentioned phone calls from the Premier's office; he mentioned secretaries barging in and saying, 'Has it been finished yet?', and this sort of thing.

I shall just go through what happened in terms of the Entertainment Centre reference. We went to Sydney to see the Sydney Entertainment Centre and to meet with the operators of it. We talked to them about how such a centre would work. I thought that those hearings were extremely helpful in getting a handle on just what we were trying to consider, what we were actually talking about and what we were contemplating. We then went to Brisbane and met there with members of the National Basketball Association. We also met with representatives of the Brisbane City Council.

Mr D.S. Baker interjecting:

Mr RANN: I am not frightened to go to a vote—because I am actually supporting it.

Members interjecting:

Mr RANN: No; I am going to give members the good news. We spent hour after hour on our findings, and after reaching our decision we went through them again on another day. The Chairman showed enormous patience and restraint under provocation. What we saw was not undue haste but an attempt by some members of the Opposition to stall this project. The member for Alexandra went to the Speaker and the President, asking them to act on the voting question and on the media leaks. In doing so the member for Alexandra made it quite clear that he does not understand the constitution of the committee of which he has been a member for so long. All members of the Public Works Standing Committee are appointed by the Governor. The Committee is not governed by the Standing Orders of either House of this Parliament, nor by the Joint Standing Orders of both Houses. I am pleased to inform the committee that I have received a letter from the Minister of Public Works, which reads as follows:

> As you are aware there have been recent public comments concerning the report of the Public Works Standing Committee on the proposed Adelaide Entertainment Centre, and speculation as to whether this report breached section 8 (5) of the Public Works Standing Committee Act 1927. I have investigated this matter, and while I believe that this discrepancy in the report is essentially minor in nature, it may be desirable to correct the minutes of the committee and the final report to reflect discussion on an unsuccessful motion by the Hon. Ted Chapman.
>
> This omission does not invalidate the proceedings of the committee in relation to its recommendations regarding the Adelaide Entertainment Centre. I would suggest that the committee should prepare a short addendum which could be tabled, or alternatively you may wish to recall the report and to make an appropriate insertion. I should be pleased to discuss this matter further if you require any more information.

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

The Hon. D.C. WOTTON (Heysen): I do not have time to reply to all the scurrilous accusations that have been made by the honourable member. I totally support what my colleague, the member for Alexandra has had to say in this House today regarding this matter. The fact is that the Opposition was refused the opportunity to put its position and to have that position recorded in the report. How in the world were we to get that point of view across except by bringing forward a resolution such as the one proposed

by the member for Alexandra? What the Opposition is interested in doing and, obviously, what the members of the Government have no intention of doing, is to show a desire to comply with the Act. That is all the Opposition is trying to do.

The accusations and allegations that have been made by the member for Briggs require an absolutely detailed reply. The member for Briggs and other members of the committee are now intent on making this a purely political exercise; that is all they are interested in. The Opposition will continue to say that it does not oppose the entertainment centre; it has made that clear. Indeed, the Opposition members on the Public Works Standing Committee supported 27 of the 28 findings made in the report.

The SPEAKER: Order! I remind the member for Fisher that he cannot display documents in the House.

The Hon. D.C. WOTTON: The Government then had the audacity to stand up in this House and say that the Opposition was against the project. I intend to reply in some detail to the allegations that have been made by the member opposite. I repeat: the Opposition concurred with 27 of the findings. It was concerned, with very good grounds, about the 28th finding. Members of the Opposition spent some time discussing the issue, and expressed the opinion that an opportunity should be provided for Opposition members' points of view to be clearly set out in the report. That was denied us by the members of the Government in this place, who had the numbers. We were denied any opportunity to express that view, and that is why I totally support the proposal that has been brought before this House by the member for Alexandra today. I seek leave to continue my remarks.

Leave granted; debate adjourned.

[*Sitting suspended from 1 to 2 p.m.*]

APPROPRIATIONS MESSAGE

His Excellency the Governor's Deputy, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the following Bills:

Stamp Duties Act Amendment,
Land Tax Act Amendment,
Payroll Tax Act Amendment.

MINISTERIAL STATEMENT: WEST BEACH REDEVELOPMENT

The Hon. LYNN ARNOLD (Minister of State Development and Technology): I seek leave to make a statement.

Leave granted.

The Hon. LYNN ARNOLD: Yesterday, the member for Hanson asked me a three-part question about the West Beach redevelopment. His question and explanation raised five issues and I would like to deal with them in detail. First, he said that my statement of 3 August was 'not true' with respect to the impact of a new runway at the Adelaide airport on the Marineland site. Secondly, he said that the concept plans that have been proposed for the hotel development are 'totally incompatible' with the new runway. Thirdly, he said that the concept plans for the hotel would have to be 'totally redesigned or the additional runway cannot proceed'. Fourthly, he stated that the Government had failed to take air safety issues into account when the plans were announced. Fifthly, he asked what compensation claims the Government might be liable for.

In answering these matters I can assure the House there is no conflict with what I have done or said in the past. What is at issue is the member's selective quoting or misrepresentation of past statements. In making his statement that the plans were 'totally incompatible' with a new runway, the member for Hanson told the House that he was quoting from a letter received from the FAC. I can find no such statement in the letter. What the letter does say is as follows:

> A check of the aerodrome obstacle limitation surface plans indicates the proposal protrudes through the airspace protected for the future 05L 23R runway. Specifically both the 2 per cent approach take off surface and the 1 in 7 side transition surfaces are infringed, by up to four metres.

Members interjecting:

The Hon. LYNN ARNOLD: He said they are totally incompatible: that is what he said.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: The concept plan designs which I issued with a news release on 13 February were just that—concept plans. They were not the final design, nor was that ever suggested. The member for Hanson selectively quoted from answers to questions which I issued on 3 August. What the member chose to do was to quote only half of my answer to question 38 which read in full as follows:

> The height constraints of the development take into consideration the proposed runway. The ultimate height of the proposed hotel will be determined as a result of agreement between the developer, the Federal Airports Corporation and the Civil Aviation Authority.

That last part was not quoted by the honourable member yesterday. And that is precisely what is happening at the moment. The developers and their design consultants, aware of some encroachment, have approached the FAC to see whether the FAC would accommodate the hotel design as it currently stands. This approach is purely a decision for the developer, not for the Government. It is not for the Government to take these issues into account in the design process but for the developers, the FAC and the authority that approves building plans, namely local government. Clearly, if the FAC stand remains then there will need to be some design changes—the developers are aware of this and are willing to accommodate that. Any redesign that may be required will not be the total redesign stated by the member for Hanson. They will, indeed, just be amendments to the plan.

And let me just clear the record: I am advised that the FAC and the architects are now discussing a small portion of the present concept encroaching between 2 and 3.3 metres, representing an area which yesterday, members will remember, was two storeys of a hotel, representing an area of less than 1 per cent of the total floor area of the proposal. Any changes that may be required should be able to be accommodated with the basic design principles and not require total redesign.

On that matter I am informed by the Special Projects Unit of the Department of Premier and Cabinet that the West Beach concept plan is still in a fluid state in terms of final design and exact position on the leased site, and a number of siting factors are currently the subject of negotiation with various planning bodies. This happens on all development projects—plans are amended as projects develop and planning requirements are addressed. Special Projects has also advised that, in response to the letter from the FAC, talks were held yesterday morning on the matter and the FAC has agreed to take another look at the proposal.

The honourable member also implied that information I had supplied was not in any way derived from information supplied by the FAC. The facts are that the answers I gave to questions 36, 37 and 38 were derived from a consultants' report on the project. That portion of the report relevant to this matter states that Mr Peter Francis of the FAC and Mr Geoff Wilkinson and Mr Bob Lean of the Civil Aviation Authority were sources of information. That consultants' report clearly indicated that, once plans for the hotel development were prepared, a formal approach to the FAC and CAA would be required. This is not inconsistent with the information I have previously provided.

Quite clearly, the Government is not liable for any claims stemming from this issue. Once again, the member for Hanson's determination to sabotage this project is clear; he has created a storm in a teacup. He must be deplored for his complete disregard for the positive environment needed to engender investor confidence in this State. His statement shows a complete lack of awareness about the way such projects are developed.

QUESTION TIME

BURNSIDE COUNCIL

Mr OLSEN (Leader of the Opposition): Will the Premier order an immediate investigation to determine whether the Minister of Recreation and Sport has improperly interfered in the planning process and whether there has been a deliberate attempt to prevent the Burnside council finding out about a Cabinet decision affecting an important supplementary development plan in its area? Last year, the Minister of Recreation and Sport obtained Cabinet approval for the unprecedented use of section 50 of the Planning Act in an attempt to block a development in the street in which he lives, on a property he had attempted to buy himself.

Today, there is further concern about improper ministerial involvement in the planning process, this time in local government circles, following the handling of a supplementary development plan for the Eastwood area of the Minister's electorate. This SDP, prepared by the Burnside council, rezones land in the area bounded by Fullarton, Greenhill and Glen Osmond roads. This issue has been very controversial locally, with strong lobbying for and against some of the provisions. It has been the subject of negotiation between the Burnside council and the Department of Environment and Planning since last December.

In a letter that the Burnside council received last Friday 11 August, the Director-General of the Department of Environment and Planning advised the council that the advisory committee on planning had submitted its report on the plan to the Minister. He did not reveal what that advice was to the council. However, on the day before, the Minister of Recreation and Sport began circulating letters to some of the people affected by this SDP telling them that Cabinet had decided to make two changes. I have a copy of the Minister's letter. The Minister's advice to his constituents was totally misleading because the plan did not come before the Joint Committee on Subordinate Legislation until yesterday and, accordingly, has not been through the required parliamentary process for approval or amendment.

An honourable member interjecting:

The SPEAKER: Order!

Mr OLSEN: Further, it was not until Tuesday of this week—

An honourable member interjecting:

The SPEAKER: Order! I again call the member for Mitcham to order and ask him to cease interjecting on the Leader's question.

Mr OLSEN:—that the Burnside council was advised of Cabinet's decision, and this happened only by chance. In the first instance, the advice did not come officially from the Government and, had the council not found out about the Cabinet decision when it did, the matter could have gone through the Joint Committee on Subordinate Legislation without the council having had a chance to respond to the changes, as the committee had listed the matter for consideration yesterday.

Members interjecting:

The SPEAKER: Order! I call members on my right to order and I remind the Leader of the Opposition that, in Question Time, when he has been given the call for a question and the opportunity to make an explanation, it should be an explanation of the question and not a series of allegations. The honourable Leader.

Mr OLSEN: The council's concerns are summarised in a letter it has sent today to the Minister for Environment and Planning. The letter states:

> As you may be aware, the council has not been advised of your decision in respect to the SDP. Council's concern is further aggravated by the fact that other parties involved have obviously been kept up to date with the state of play. Indeed the member for Unley has already written to some residents announcing that the Bannon Government has endorsed the SDP even though the process by which SDPs come into force is as yet incomplete. This interference brings into question the relevance of any appearance by council before the—

Members interjecting:

The SPEAKER: Order! I call members on my right to order.

Mr OLSEN: The letter continues:

> ... Joint Committee on Subordinate Legislation if matters are to be determined purely on Party political lines.

The sequence of events to which I have referred and which I can document with relevant letters has the following consequence: there appears to have been a deliberate attempt to keep the Burnside council in the dark about Cabinet changes to an important supplementary development plan in its area. In the meantime, the Minister of Recreation and Sport has been able to pre-empt the Joint Committee on Subordinate Legislation's consideration—

The SPEAKER: Order! The Chair withdraws leave for the continuation of an explanation which is simply a political speech. I call on the—

Members interjecting:

The SPEAKER: Order! I warn the honourable member for Newland for repeated interjection. The honourable Minister for Environment and Planning.

Mr OLSEN: The question was to the Premier.

The SPEAKER: Order! I call the Leader of the Opposition to order. Questions are put to Ministers of the Crown in an endeavour to get information. If the Minister for Environment and Planning is in a better position to provide information, there is nothing whatsoever wrong with her replying to the Leader's question.

Members interjecting:

The SPEAKER: Order! I again call the honourable Leader of the Opposition to order. The honourable member for Coles.

The Hon. JENNIFER CASHMORE: On a point of order, Mr Speaker, as the Leader's question relates to a matter of ministerial propriety, it would seem that only the Premier has the capacity to reply to the question.

The SPEAKER: Order! I do not uphold the point of order for the reasons that the Chair just made clear to the

House; I thought that the honourable member for Coles was listening. The honourable Minister.

The Hon. S.M. LENEHAN: It becomes fairly obvious from the tactics of the Opposition that this is nothing more than a cheap political stunt. The fact that I am the Minister responsible for taking the supplementary development plans to Cabinet and referring them to the process of the Subordinate Legislation Committee would indicate that I am the person to whom the question should be addressed, and I want to answer it.

Members interjecting:

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

The Hon. S.M. LENEHAN: I totally and absolutely reject any allegations of interference in the proper and due process that has been undertaken.

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: The decisions were taken on sound advice and were proper decisions. I assure the House that the member for Unley did not interfere in any way. He put forward a proposition which was considered along with everything else. I have made absolutely sure that every proper procedure was followed and I can give the House an assurance of that. The fact that the member for Unley communicated information to his constituents, I put to the House, is nothing more than every other member does on a daily basis.

Members interjecting:

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

The Hon. S.M. LENEHAN: The parliamentary officer responsible for communicating with the various councils, I understand (and I will have this checked), has communicated with the Burnside council. The allegations of the Opposition are nothing more than political point-scoring, and I find it absolutely abhorrent that it is trying—

Members interjecting.

The SPEAKER: Order! It is most unseemly that the House, or at least for a section of it, should be so discourteous to a Minister who is trying to provide a reply concerning information sought of that Minister.

The Hon. S.M. LENEHAN: I shall not be shouted down while giving an honest answer to the House. I have answered the questions raised by the Leader of the Opposition and again I categorically deny that the member for Unley in any way interfered with the process.

Members interjecting:

The Hon. S.M. LENEHAN: I probably understand it a lot better than you do.

The SPEAKER: Order! The Minister has the call to make a reply and should not be subjected to a torrent of interjections of that nature. The honourable Minister.

The Hon. S.M. LENEHAN: Thank you, Mr Speaker. I have made my reply and will not restate my position for the third time. If Opposition members wish to shout and carry on, that is their worry.

Members interjecting:

The SPEAKER: Order! If the Opposition continues to shout and carry on, I must take point with the honourable Minister: that is my worry and I shall not allow it to happen.

MARINE SAFETY

The Hon. R.K. ABBOTT (Spence): Will the Minister of Marine, in view of comments made in this Chamber last week by the members for Bragg and Victoria, clarify the safety issues to be considered concerning the shipment of bulk liquid petroleum gas to Kangaroo Island? Further, will he say whether the Department of Marine and Harbors paid for an officer to go overseas to study the transportation of bulk LPG.

Members interjecting:

The SPEAKER: Order! There is too much audible conversation.

The Hon. R.K. ABBOTT: Last week the members for Bragg and Victoria launched an unwarranted attack on the *Island Seaway* with regard to the transportation of bulk LPG to Kangaroo Island.

Members interjecting:

The Hon. R.K. ABBOTT: Behave yourselves. The member for Bragg further stated that the Department of Marine and Harbors had sent an officer overseas to study the carriage of bulk LPG.

Mr Lewis: This is not comment, is it?

The SPEAKER: Order! Is the member for Murray-Mallee withdrawing leave for the explanation by the honourable member for Spence? The member for Spence.

The Hon. R.K. ABBOTT: It is important that this House and the public of South Australia be made fully aware of this attack by the Opposition on the *Island Seaway*, and certain safety requirements—

The SPEAKER: Order! Leave is now withdrawn by the Chair. I ask members on both sides to be more judicious with their explanations and to avoid straying into making political speeches.

The Hon. R.J. GREGORY: I thank the member for Spence for asking the question because it raises some very important issues which illustrate the lack of knowledge and the depth of ignorance the two members opposite have with respect to the cartage of liquid petroleum gas on the *Island Seaway*. I understand how they grin with embarrassment.

An honourable member interjecting:

The Hon. R.J. GREGORY: Well, the honourable member ought to be embarrassed, because he made a number of accusations in this place that severely embarrassed an employee of the department. I will deal with that first. He alleged that the officer was sent there by the Department of Marine and Harbors to study LPG. That allegation was made. Whilst the question was being asked, he interjected that that was true. What he does not understand is that that officer from the Department of Marine and Harbors was on vacation visiting the home of his birth—Scotland and England—and whilst he was there he used some of his vacation time to go to certain facilities. Before he went he wrote to ask Calorgas whether he could visit the port of Felixstowe as it is reputed to be the largest container roll-on/roll-off shipping port in the United Kingdom. When he arrived in London there was a message to contact the representative of Calorgas and when contact was made the representative could not advise at which ports LPG was handled nor on which ships it was carried.

Subsequently, the officer met with the representatives of Calorgas at Felixstowe, when he was advised that shipments to the Shetland Islands were made from Leith in Scotland. It was unfortunate: he had just come back from 10 days touring Scotland. He received details from that company when he returned to Australia. It should be noted (and I hope that the member for Bragg is listening) that while observing vehicle ferries in Canada, the United Kingdom and Europe, he never once saw an LPG road tanker on a ferry. That leads to the problem we have: the people on Kangaroo Island, through excessive consumption of LPG that was not planned, do not have the facilities to transfer it over there. We also need to understand that it is not the

responsibility of the Department of Marine and Harbors to provide it. The Department of Marine and Harbors, through the *Island Seaway*, will provide for the carriage of the goods and not the bits and pieces carried. It is up to the person who operates the agency on Kangaroo Island to have sufficient containers to meet the demand. It is not the responsibility of the department. It is a private enterprise business.

People know how to run something, but they could not work out this one. What really got me about this was that the member for Bragg said, 'A few tankers have overturned, but none have caused any problem whatsoever.' I repeat, 'A few tankers have overturned, but none have caused any problem whatsoever.'

The SPEAKER: Order! Repetition is out of order.

The Hon. R.J. GREGORY: I apologise, Sir. On the scale of dangerous goods we have, first, explosives, secondly, LPG and, thirdly, petrol.

Mr Lewis: Where does Kym Mayes fit into that list?

The SPEAKER: Order! I ask all members to refrain from making inflammatory interjections.

The Hon. R.J. GREGORY: I draw the attention of the member for Bragg to the procedures that are carried out when road tankers carrying LPG overturn. Those procedures involve emergency services people cooling the tanker down and clearing people away. They do that for a specific reason. If there is one spark in the vicinity of the LPG, there will be an explosion.

I draw the attention of the House to explosions involving LPG that have occurred in Spain and in America. In both countries there was a substantial loss of life and property. It is all very well to draw the analogy between a motor vehicle and a vessel but, when a road vehicle overturns (and the member for Mitcham ought to understand this), it is very easy, if one is fit enough to do so, to get up and walk away. It is very easy to call emergency vehicles to the scene so that they may conduct safety procedures to ensure that any danger is removed, but it is an entirely different matter when one refers to LPG on ships. I am convinced that even the member for Mitcham would understand that, if a ship which carries LPG gets into trouble, and a dangerous situation is created, one does not just get up and walk away from the ship. Emergency vehicles do not appear alongside a ship as is the case with any road vehicle.

Very clear standards have been established for the carriage of LPG. The carriage of LPG is conducted in accordance with the International Maritime Dangerous Goods Code, which is a very strict and rigid code. I know that some members opposite think that these things are there to be relaxed, and the member for Bragg mentioned Victoria. The standards relating to the carriage of LPG on Port Philip Bay would be different from those applying outside the bay and around the coast of South Australia. If the member for Bragg or any other honourable member opposite knew anything about the stresses and strains placed on vessels during rough weather, they would understand that there can be, and there often is, movement. Members must recognise that the standards that apply to vessels travelling on our coasts take into account the roughest possible conditions that can be experienced.

The SPEAKER: Order! The honourable member for Fisher is out of order under Standing Order 78. The honourable Minister.

The Hon. R.J. GREGORY: In this instance, it has been suggested that we should be able to carry LPG on the *Island Seaway*, particularly in a bulk container. I made the point the other day that the carriage of LPG should be undertaken in a specially designed trailer. The *Island Seaway* is a roll-on, roll-off vessel and we do not have any facilities on that vessel to lift containers on to the wharves at the Port of Adelaide or at the Port of Kingscote. That is how they are carried, particularly when they are carried into Tasmania and also overseas. They are lifted on in a container, the size of which is established under international standards; they are bolted to the deck; and then they are lifted off. When the people on Kangaroo Island who want the gas come to a suitable arrangement with the Department of Marine and Harbors as to the safe carriage of the goods, then they will be carried—but not before. We will not risk the lives of seamen and passengers on the *Island Seaway* as members opposite clearly want the Government to do.

BURNSIDE COUNCIL

Mr INGERSON (Bragg): My question is to the Minister for Environment and Planning. When making changes to the Burnside Council Supplementary Development Plan for Eastwood, did she override the advice of her department and her Advisory Committee on Planning? If so, why, and was this on the basis of personal representations made to her by the Minister of Recreation and Sport?

Members interjecting:

The SPEAKER: Order! The Chair has already warned the honourable member for Newland. The honourable Minister.

The Hon. S.M. LENEHAN: I thought that it must be my turn today, and obviously it is. I thank members of the Opposition, because it keeps the whole thing on the move. I made statements in answer to the earlier question, and I can now understand why they were so determined to have the Premier answer the questions—they could then turn their attack on me. I give the House an assurance that every proper procedure was carried out in terms of the supplementary development plan and I certainly did not reject the advice of my department. It was interesting to note that, in an earlier aside, some of the members—

Mr Ingerson interjecting:

The SPEAKER: Order!

The Hon. H. Allison interjecting:

The SPEAKER: Order! The honourable Minister is endeavouring to reply to a question. The House should extend the courtesy of allowing her to do so and I call the member for Mount Gambier to order. The honourable Minister.

The Hon. S. M. LENEHAN: Quite obviously, members opposite do not want to hear the truth because they do not think it will fit in with the little scenario they have dreamed up to somehow try to embarrass the member for Unley. Despite the asides by some members opposite, I suspect that they do not understand the Planning Act and the fact that there are recommendations made from ACOP and, in fact, the Minister either does or does not concur with those recommendations. I refer members opposite to the Act. I am sure my predecessor, who was reponsible for the planning laws in this State, would certainly agree with me. I will bring back to the House a detailed report of all the actions taken in respect of the matters raised by the Opposition, and then we will see who is laughing.

Members interjecting:

The SPEAKER: Order!

CHILD-CARE

Ms GAYLER (Newland): Will the Minister of Children's Services outline the effects of the Hawke Government's

1989 budget on the provision of affordable, quality child-care in South Australia? Since 1983, South Australia has had a massive expansion of child-care services.

An honourable member interjecting:

The SPEAKER: Is the honourable member for Murray-Mallee withdrawing leave?

Mr LEWIS: Mr Speaker, on a point of order, I ask you to rule whether or not that sentence is a comment and, accordingly, under the Standing Orders so provided, would the Clerk be kind enough to take down the words used by the honourable member and give them to you for your reference in making a decision about this.

The SPEAKER: In the opinion of the Chair, it was not comment. However, I ask all members to refrain from the introduction of heavily loaded adjectives in the way that has apparently become the practice. In this case, the word 'massive' obviously has overtones which suggest that the honourable member is actually commenting.

Ms GAYLER: In the Tea Tree Gully area alone, we have established three full day care centres, expanded family day care, established one occasional care centre and two vocation programs, and funded six out-of-school-hours schemes at local schools. The future of these services and further child-care programs—

Members interjecting:

The SPEAKER: Order! Before I receive a point of order from the honourable member for Murray-Mallee, I point out to the House that it is extremely difficult for me to entertain points of order when I am unable to hear what the honourable member is actually saying because of the noise in the Chamber. The honourable member for Murray-Mallee.

Mr LEWIS: Mr Speaker, I ask whether or not speculation about what the future holds is valid information to be presented with an explanation.

The SPEAKER: I repeat what I said before I received the honourable member's point of order: the Chair was unable to hear. However, if the honourable member for Newland is transgressing, she will have leave withdrawn. The honourable member for Newland.

Ms GAYLER: The future of these services and further child-care programs is a matter of concern to hundreds of my constituents.

The SPEAKER: The honourable Minister—that is, if there is anything left to answer.

The Hon. G.J. CRAFTER: I thank the honourable member for her question and interest in children.

Members interjecting:

The SPEAKER: Order! It is no use the Leader of the Opposition appealing to me about something regarding the honourable member for Newland when my attention is drawn by the antics of the honourable member for Mitcham.

The Hon. G.J. CRAFTER: I should have thought that there was some interest by members opposite in the consequences for families in South Australia of the announcements made in the Federal budget. It has been estimated that 75 per cent of the child care currently available in this nation has resulted from the initiative of the Federal Government. There has been a massive injection of resources into children's services by that Government.

The current child care legislation at Federal level was introduced by the late Sir Philip Lynch to encourage women into industry and the work force of this nation. The Whitlam Government provided substantial funding during its years in government, but, unfortunately, there was a withdrawal of effort by the Fraser Government during its years in office. Now we have seen this very welcome program emanating from the current Federal Government and that has been extended in this most recent budget.

First, the initiatives relate mainly to the fee relief provisions for low-income families. More low-income families will be eligible for the highest level of fee subsidy and will pay the minimum fee. Also, it is the first time that we have had a commitment to annual indexation of the fee relief scale, and this is most certainly welcome. The maximum fee for fee relief purposes in long day care child care centres will move from $90 to $92.50 per week and will be indexed annually. In family day care, the maximum fee for fee relief purposes will rise from $65 to $68 in 1988-90 and be indexed annually.

Operational subsidies for the four centres in 1989-90 will be increased by an average of 80c per child place. That is also a very welcome relief to all users of child care in this State. Generally, the overall increase in subsidy being offered can reduce the current cost of care to users eligible for fee relief in family day care and long day care by up to $7 per week. Some 40 per cent of users in this State have family incomes of less than $300 per week, and they will be eligible for the full benefit of the changes. The level of benefit reduces as the family income rises.

All users of child care services will benefit from the increase in operational subsidy—an average of 90c per place. There will be annual indexation of the fee relief ceiling, and that also is welcome. These changes will provide some relief to users paying additional gap fees. However, given the average cost of care in South Australia now at $105 a week in subsidised centres, the changes will not altogether wipe out the gap fee. There are also initiatives in the Federal budget relating to out-of-school hours users. That will be the subject of negotiations between the Commonwealth and the State in coming months.

I should like to bring to the attention of the House the recent statements made by the Federal Opposition on its policies with respect to child care. I was rather alarmed to read in recent correspondence with a constituent that the Opposition, if it gets into government, proposes to extend fee relief to the private sector. That would simply spread the current fee relief to a larger group in the community and cause great disruption to users of child care in this State.

The Hon. E.R. GOLDSWORTHY: On a point of order. I draw attention to the prolixity of the Minister's answers today. Half of Question Time has gone and the Opposition has had only two questions.

The SPEAKER: Order! I draw the attention of all members to the fact that questions can often take up as much time as the answers, and that the first question of the day took somewhere between four and five minutes.

Members interjecting:

The SPEAKER: Order! Nevertheless, I ask the Minister to try to wind up his remarks as soon as possible.

The Hon. G.J. CRAFTER: Thank you, Mr Speaker. To conclude, obviously the Federal Opposition intends to spread the existing funds available for child-care and make it more difficult for those on low incomes to receive benefits. Also, it very clearly intends to reduce the standard of excellence that has been achieved in States such as South Australia, and that is a tragedy.

PURSUIT PERFORMANCE PTY LTD

The Hon. JENNIFER CASHMORE (Coles): My question is directed to the Minister of Recreation and Sport. Has the chief executive officer of the Department of Rec-

reation and Sport given permission to the Director of the Sports Institute, Mr Mike Nunan, and a staff member, Mr Neil Craig, to engage in a business and, if so, does that permission extend to using the taxpayer-funded facilities of the institute to run that business? Messrs Nunan and Craig, with their wives, own a business called Pursuit Performance Pty Ltd which is engaged in selling sophisticated and expensive equipment to measure fitness and performance in sport.

Messrs Nunan and Craig are also listed in the department's annual report as employees of the South Australian Sports Institute. Mr Nunan is Director of the institute and both are, I understand, subject to the provisions of the Government Management and Employment Act and its regulations. Those regulations require public sector employees to obtain the permission of their chief executive officer to engage in a business outside the Public Service.

In deciding whether or not to give his or her permission, the chief executive officer must have regard to whether the business is being conducted outside the hours of duty of the employee and whether it could give rise to a conflict with the employee's official duties. I have brochures being distributed by Pursuit Performance which list its telephone number as 352 8877. A member of the staff of the Leader of the Opposition telephoned that number this morning: the person answering the call said that it was the Sports Institute. When she was asked whether it was also the phone number for Pursuit Performance, she replied that it was, indicating that this business is being run from Government premises in Government time.

The Hon. M.K. MAYES: I thank the honourable member for her question. Certainly, I will have the matter investigated immediately to see what the circumstances are and whether or not proper approval has been given by the—

Members interjecting:

The Hon. M.K. MAYES: The member for Victoria ought to know about those things, but I will ignore his inane remark. The answer is that I will certainly have the matter investigated immediately. I hope that the honourable member has her facts right, because the record of the people involved and the achievements of the South Australian Sports Institute are second to none. In fact, the Chairman (Mr Geoff Motley), who was recently in West Germany in relation to his own business, met with the Director of the West German Sports Institute, who knew of the achievements of the South Australian Sports Institute.

Of course, our institute has been under the guidance of Mr Motley and the Director, Mike Nunan. Both people who have been mentioned by the member for Coles have excellent reputations within the sporting community of this State for their marvellous achievements. Both are recognised nationally and internationally, so I think it important that the honourable member is sure that those facts are correct. If they are not, there could be some impugning of the reputations of those people. I hope that that has not happened, because these people play a significant part in terms of developing the profile of sport in this State. Certainly, I will have the matter investigated.

THIRD PARTY APPEALS

Mr HAMILTON (Albert Park): Will the Minister of Marine advise the House of the progress of, and the timetable for, the introduction of third party right of appeal for West Lakes residents?

The Hon. R.J. GREGORY: I thank the member for Albert Park for his question; he has a continuing interest in this matter. To date, officers of the Department of Environment and Planning have had discussions with officers of the Department of Marine and Harbors and with officers of the Corporation of the City of Woodville. We are very close to preparing a plan of action which will ensure that third party right of appeal applies to residents of West Lakes. I draw to the attention of the honourable member that Delfin's involvement in West Lakes is winding down. There are very few blocks left for sale and there is no major subdivision work still to be done. I anticipate an announcement shortly about changes to the regulations.

BURNSIDE COUNCIL

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): Why did the Minister for Environment and Planning imply that she had accepted departmental advice on the Burnside council's supplementary development plan when Mr E. Evans, the Assistant Manager, policy and projects unit, in the Department of Environment and Planning, said this yesterday in evidence to the Joint Parliamentary Committee on Subordinate Legislation (referring to the draft plan put to the Minister):

That was the draft that was put to the Minister which the Minister did not find acceptable.

In confirming this, will the Minister say why she rejected this advice and was her decision in agreement with the representations made to her by the Minister of Recreation and Sport?

The Hon. S.M. LENEHAN: It seems that there is no committee that will be left untouched by this Opposition. I have used—

Members interjecting:

The Hon. S.M. LENEHAN: It is true—it is absolutely true. It is interesting that members of the Opposition chortle because, obviously, they are so desperate that they will leave no stone unturned in attempting to discredit members of this Parliament. Unfortunately, they have targeted the wrong person because, as I said—

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: —in answering the last question, I will be quite delighted to bring back to the House a very full and thorough report covering everything the Opposition has raised. I believe that, in the answers that I will provide to the House, members of the Opposition will find that the allegations are not only unfounded but are quite scurrilous. Members opposite are engaged in some kind of Party-political point scoring exercise.

Members interjecting:

The Hon. S.M. LENEHAN: We will see.

Members interjecting:

The SPEAKER: Order! I ask the House to extend a reasonable degree of courtesy. The behaviour that we have witnessed today has been quite disgraceful. I am not sure whether it is the particular Minister who was on her feet a moment ago who is being singled out for this rudeness, or whether it is simply bad manners in general. The honourable Minister.

The Hon. S.M. LENEHAN: After nearly seven years in this place I am quite used to the rudeness of the Opposition and it does not faze me one iota. I will bring back a detailed report that will indicate just who is telling the truth in this whole matter.

ADELAIDE MAGISTRATES COURT

Mr DUIGAN (Adelaide): Will the Minister of Housing and Construction tell the House when it is expected that

the debris, scaffolding and hessian covering the magistrates court in Angas Street will be removed, and when the rejuvenation of the building will be completed? In recent months, a number of city residents have expressed their increasing concern about the unsightliness of the scaffolding on the courthouse and the time it is taking for the building restoration work to be completed.

The Hon. T.H. HEMMINGS: I thank the member for Adelaide for his question. My department also has received numerous requests about the timing for the removal of the scaffolding and hessian on the courthouse. I am only too pleased to provide the following information, not only to the honourable member but to the House in general. The scaffolding on the front of the magistrates court was erected in August last year to enable the building facade to be cleaned and the stone work to be repaired.

As often happens with this type of restoration work, the extent of deterioration was greater than expected. Therefore, the job has had to be extended. It is now expected that the scaffolding will be dismantled in late September or early October. It may interest the House to know that a major redevelopment of the magistrates court is being considered, and this would result in building activity on the site for perhaps two years to two and a half years.

MOUNT GAMBIER CHEMICAL PLANT

The Hon. H. ALLISON (Mount Gambier): Will the Minister for Environment and Planning explain how the advice that she received concerning the establishment of a copper chrome arsenate plant by GT Chemicals in Mount Gambier could be so grossly in error and will she table a copy of the report that she claims to have received from the Australian Counter Disaster College at Mount Macedon, Victoria. On 16 August 1989, in a press release headed 'Superior quality of GT Chemicals site confirmed' the Minister stated that a report from the Australian Counter Disaster College had confirmed that the safety of the proposed GT Chemicals plant in Mount Gambier would be second to none. However, Dr Roger Jones (Director of the college) has today in a statement to the media in Mount Gambier denied the existence of such a report and claims in a letter that his officer visited the site 'purely for research purposes'. He states:

> The college's role does not allow us to undertake on a consultancy basis the sort of analysis which you suggest. We do however have a major interest in researching for college purposes.

I suggest that the tabling of the report may help the Minister vindicate her claim that no further ministerial action is required.

The Hon. S.M. LENEHAN: I am rather disappointed that the member for Mount Gambier, with whom I discussed this matter while in Mount Gambier, has chosen to turn this whole thing around and wants once again to raise the issue and in fact destroy a proper and legal proposal for a mixing plant for CCA Chemicals in his district.

Members interjecting:

The Hon. S.M. LENEHAN: I will get to the answer. Had the member for Mount Gambier been honest enough, he would have read the press release thoroughly where I said that I had been given certain information. I have not the press release in front of me, but I am more than happy to provide it, because I quoted from what had been communicated to me.

Members interjecting:

The SPEAKER: Order! The honourable member for Mount Gambier has asked his question. The honourable Minister.

The Hon. S.M. LENEHAN: I want to make clear that I do not have a written report in my possession.

Members interjecting:

The SPEAKER: Order! The honourable Minister.

The Hon. S.M. LENEHAN: This is bizarre. I do not believe this.

Members interjecting:

The SPEAKER: Order! I call the House to order. I have no intention of presiding over a rabble between now and the election simply because people want to indulge in political point scoring regardless of what it means to the parliamentary courtesies. The honourable Minister.

The Hon. S.M. LENEHAN: As I was trying to inform the House openly—

Members interjecting:

The SPEAKER: Order! For the honourable member for Alexandra to be interjecting like this when the Chair has made every endeavour to bring the House to order comes close to constituting contempt for the Chair. The honourable Minister.

The Hon. S.M. LENEHAN: I shall just ignore the interjections and proceed. An officer was referred to by Dr Roger Jones and in the honourable member's question and it has been claimed that he was asked to provide a report. I do not know whether that report was in writing or a verbal report. However, I know that the officer concerned provided information that indicated (and I quoted the information provided to me) that in his opinion the proposed CCA mixing plant for Mount Gambier was probably one of the safest in the world and that either there were no risks or the risks were negligible. I understood that the report that was asked for by a group in the honourable member's electorate indicated these very findings.

I made very clear in my press statement that I was quoting from information given to me. It is very interesting that the member for Mount Gambier is quite prepared to sabotage a project of some significance in his own electorate. He is prepared to go to any lengths to wipe out this project. I remind the House that the proponent, who is also his constituent, has gone through every legal planning process in this State and in fact successfully won an appeal to the Planning Appeals Tribunal. Both my departments of Environment and Planning and Engineering and Water Supply have carefully examined the proposal and I have called for a number of reports from them. They have indicated to me that the plant is entirely safe.

If Opposition members want to tear up the proper processes under the laws of this State, let them tell the community of South Australia. I do not intend to do that. I will operate within the laws of this State. I will operate properly and openly and I make no apology for that. Therefore, the member for Mount Gambier has done himself no good.

The Hon. H. Allison interjecting:

The Hon. S.M. LENEHAN: I am sure that we might well be acting under instructions.

Members interjecting:

The Hon. S.M. LENEHAN: That is very interesting, because I have had discussions this morning with the local ALP, and I would question the whole issue.

Members interjecting:

The SPEAKER: Order!

PHARMACISTS FEES

The Hon. R.G. PAYNE (Mitchell): Will the Minister of Education, representing the Minister of Consumer Affairs in another place, have checks made to ensure that South

Australian pharmacists are not overcharging for prescription medication listed in the Commonwealth pharmaceutical benefits schedule? In a press release a couple of days ago issued by the Federal Minister for Housing and Aged Care, (Hon. Peter Staples) it was stated that it is clear from the personal experience of his departmental officers that overcharging is widespread amongst ACT pharmacists. He stated that he would be most concerned if chronically ill patients or the financially disadvantaged were missing out because some pharmacists wished to increase their income.

The Hon. G.J. CRAFTER: I thank the honourable member for bringing the matter to the attention of the Parliament. I will most certainly see that his concerns are transmitted to the Minister of Consumer Affairs so that his officers can investigate whether those practices are evident in South Australia.

MINISTERIAL MEDIA TRAINING

The Hon. D.C. WOTTON (Heysen): My question is to the Premier.

The Hon. J.W. Slater: Who?

The Hon. D.C. WOTTON: I do not think he knows his name.

Members interjecting:

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

The Hon. D.C. WOTTON: Have Ministers been attending the Adelaide TAFE college for media training and the production of promotional videos and, if so, who is paying for these sessions; will other TAFE courses suffer through resources being diverted from teaching to a Government propaganda exercise; and why have not private media training courses been utilised for these purposes, paid for personally by the Ministers involved?

The Hon. J.C. BANNON: That was a big, bold and firmly delivered question, adding to the mass hysteria operating on the Opposition benches today. I know nothing of this matter. I am not even sure from whom I could obtain a report. If the honourable member would care to write to me with some details, I will follow it up.

ENERGY CONSERVATION

Mr GROOM (Hartley): In view of recent publicity given to the amount of electrical power used by people during summer and winter, does the Minister of Mines and Energy believe that a public education campaign about the need to conserve energy is warranted in South Australia? An article in the *Advertiser* of 7 August states that, while South Australians have become more aware of the need to conserve energy, little has actually been done. The Electricity Trust's Manager of Research Marketing implied in the article that, while Australians were more aware that energy should be saved, some home comforts were hard to give away. The article also states that the average South Australian—

Members interjecting:

Mr GROOM: Well, just bear with me.

Mr Becker: What have you cut?

Mr GROOM: I have cut down a lot, I can tell you. The article states that the average South Australian household is spending $295 each winter quarter on energy. In view of that statement, does the Minister believe that perhaps there is a need for more campaigns stressing the need to conserve energy, where practicable?

The Hon. J.H.C. KLUNDER: I thank the honourable member for his question on this important topic, and I will confine my answer to electricity. Most of the information in the article came, as was stated, from a new booklet produced for the Energy Information Centre by the Office of Energy Planning. The booklet, entitled 'How to Keep Tabs on Your Energy Bills', is the latest element in the EIC's continuing campaign to educate and inform the community on energy conservation. It is a particularly well produced booklet, which is adapted from a publication prepared by the Victorian Government, and it has gained from the cooperation of the Department for Community Walfare, the Electricity Trust and the South Ausralian Gas Company.

Through the use of excellent graphics, it goes through the family home, room by room, and identifies the quarterly running costs of all the various appliances used in the domestic environment. This specific information on individual appliances is essential if householders are to make informed judgments about where energy may be subject to wastage in their own homes.

For each room, the booklet also provides advice on how to reduce the costs and information on the things which should be avoided if energy bills are not to be made higher. The booklet is being widely circulated through the EIC, ETSA, the Gas Company and the Department for Community Welfare, and I hope that it will be influential in persuading consumers to examine how they use energy and how it can be conserved.

In addition, a somewhat less elaborate booklet, which identifies the advice and assistance available from the EIC on energy conservation and lowering energy costs, has recently been translated into Italian, Greek and Vietnamese. These booklets are now in the process of being widely circulated and translations into additional languages are scheduled for the current financial year.

It is undoubtedly true that consumers are reluctant to give up their comforts in the use of domestic appliances. The major challenge is to convince them that it is possible to reduce energy costs without reducing comfort levels—often by the use of very simple and inexpensive methods.

VISITING WARSHIPS

Mr S.J. BAKER (Mitcham): Will the Minister of Emergency Services reconcile the conflict between an answer given by his predecessor to this House on 8 September last year, relating to the visit of nuclear powered ships to Port Adelaide, and advice given by the Premier to the Senate Standing Committee on Foreign Affairs, Defence and Trade? Will he explain why the South Australian Government will not establish appropriate safety arrangements for such visits, and will he assure the House that the Government has not taken this decision as a means of withdrawing support for the visit of such ships by Australia's allies? The Senate committee has recommended that nuclear powered ships should be banned from Port Adelaide, and its report has revealed that the Premier advised the committee that the establishment of appropriate safety arrangements for such visits 'had not been proceeded with in South Australia.'

On 8 September last year, the Minister's predecessor, the Deputy Premier, was asked for an assurance that nuclear powered ships could be berthed and suppled at Port Adelaide. In giving that assurance, the Deputy Premier quoted from a report by the chief officer of the South Australian Metropolitan Fire Service, Mr Bruce, on an exercise which had been designed to check safety requirements. In advising

that the exercise had been successfully conducted, the report also stated that, in the event of a nuclear accident, depending on the circumstances, emergency and Government agencies would implement standard procedures and divisional/State disaster plans. According to the Premier's advice to the Senate committee, no such procedures exist and this has allowed the Senate committee to make recommendations which offer a convenient way to implement the ban on these visits which many members of the Labor party have been seeking.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: It is appropriate that I answer this question because reference was made to letters of advice made by myself to the committee on behalf of the Government. There is no discrepancy, in that the advice that was quoted in the newspaper report—and I have yet to see the report of the select committee of the Parliament—was given to them on 4 November 1986. In the intervening period, no doubt some internal examination and procedures occurred, and in the case of the fire service, in particular, I am sure that the advice that my colleague gave the House was correct. However, the position of the committee was that as stated. I quote from the last paragraph of my letter, as follows:

As I pointed out in the letter last year, the former South Australian Government—

that is the Government of those members opposite—

was advised in July 1982 that berth one, Outer Harbor, was suitable for visits for nuclear powered vessels, subject to the establishment of an appropriate safety organisation—

in other words, that goes beyond procedures—

Since that time, considerable developments have taken place in and around Outer Harbor, and it would be my Government's view that this question would need to be reassessed. Pending such reassessment and further advice from the Commonwealth, my Government considers that visits of nuclear powered ships should not be permitted in South Australia.

That information was made public. The further advice from the Commonwealth to which I refer is that it has made an assessment of the nature, probability and likely effects of accidents. That is what the Senate committee was investigating.

So, the Government's position remains as has been stated to that committee. Measures have been taken, looked at and placed in force in relation to general disaster arrangements, which were referred by my colleague. In relation to the specific arrangements, the Government is waiting on appropriate advice from the Commonwealth Government. Our position remains: contrary to our predecessors, we do not believe, in the present circumstances, that the procedures are such as to permit such visits of these vessels. I am not aware of any such visits being contemplated.

HOSPICE CARE

Mr RANN: Will the Minister of Health inform the House what action is being taken to improve hospice and palliative care services in the northern suburbs?

The Hon. D.J. HOPGOOD: Yes, I will. This Government has a very good record in regard to hospices and palliative care. Under my predecessor, well over $1 million was put into such programs, and we can say that South Australia leads the country in this very important area. I guess the setting up of a special chair at Flinders University not so long ago under Professor Ian Maddocks was some indication of the way in which we felt that we should go. Recently the Health Commission provided funds totalling $100 000 in a full year to purchase two motor vehicles for the northern palliative care team and to extend the membership of the team. The funds were provided from the Commonwealth-State Medicare initiative package and were in accordance with the request from the Lyell McEwin Health Service.

With regard to inpatient facilities, in which the honourable member and his constituents will be interested, this is a particular need, better met in a specially designed hospice facility rather than in general wards. It is intended to establish such facilities in the northern metropolitan area. As part of stage 2 of the redevelopment of the Lyell McEwin Hospital, ward 6 will be renovated to provide six hospice beds with en suite facilities and facilities for relatives to sleep in the same room. It is envisaged that the hospice beds will be commissioned in February 1990 or thereabouts. I thank the honourable member for his interest in this matter.

STAMP DUTIES ACT AMENDMENT BILL

The Hon. J.C. BANNON (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Stamp Duties Act 1923. Read a first time.

The Hon. J.C. BANNON: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It proposes amendments to cover four separate matters—

- to raise the first home stamp duty exemption from $50 000 to $80 000
- to raise the exemption level for rental duty from $15 000 per annum to $24 000 per annum
- to facilitate the introduction by stockbrokers of a new and more efficient settlement system
- to counter an avoidance scheme whereby a company temporarily transfers its principal register out of the State to effect the transfer of shares.

Increases in house prices since 1985 have been significant. Therefore it is proposed to increase the first home exemption from $50 000 to $80 000. This will mean that first home buyers purchasing houses up to a value of $80 000 will pay no stamp duty. This amendment means that those who apply for a first home exemption purchasing houses with a value of $80 000 or more will benefit by the maximum of $1 050. Those who purchase houses valued less than $80 000 will receive benefits up to $1 050.

It is proposed that this change come into effect for applications lodged on or after 9 August 1989, the first business day after the Government's tax concession package was announced to Parliament. By tying eligibility to the date of application and by making its effect immediate the Government hopes to eliminate the incentive for prospective purchasers to redraw contracts or delay their transactions in order to attract the higher concession.

In 1985 the provisions relating to rental duty were amended to exempt operators with gross revenue of less than $15 000 per annum (those with seasonal trade for example). That measure had the effect of eliminating the need for the State Taxation Office to pursue large numbers

of small operators thereby saving administrative costs and de-regulating a section of the industry.

It is proposed to increase the exemption level for rental duty from $15 000 per annum to $24 000 per annum with effect from the October 1989 return. This will more than restore the real value of the concession and help to reduce the administrative burden both for the rental industry and for the State Taxation Office. It should be noted that this duty applies to the renting of goods but not to the renting of real property. The benefit to taxpayers of raising the first home concession will be about $4 million in a full year. The benefit to taxpayers of raising the rental duty threshold will be about $75 000 in a full year.

The Australian Stock Exchange is introducing major improvements to Australia's current system for the transfer, settlement and registration of quoted securities. The first stage introduces into Australia the concept of uncertificated shareholdings in Australian companies through a system known as the Flexible Accelerated Security Transfer system (FAST).

The proposed amendment which has been sought by the Australian Stock Exchange avoids the imposition of double duty by exempting transfers into and out of certain nominee accounts which have been established to facilitate the scheme. There will be no reduction of current revenue and the existing tax base will be preserved as duty will still be paid on each sale and purchase. It is understood that other jurisdictions are contemplating a similar exemption.

Branch register marketable security provisions need to be amended again to counter a further avoidance scheme which has only recently been encountered in this State. Under this further scheme it is possible for a company to transfer its principal register out of this State temporarily to effect the transfer of shares without the payment of *ad valorem* duty. The proposed amendment negates this scheme. Finally, the opportunity is taken to alter some definitions under the Act in line with the restructuring of the stockmarkets of Australia, the United Kingdom and Ireland.

Clause 1 is formal.

Clause 2 relates to the commencement of the measure. It is noted that the provisions relating to the 'First Home Buyers' concessional rates of duty will be taken to have come into operation on 9 August 1989. The provisions relating to the exemption level for rental duty will come into operation on 1 October 1989.

Clause 3 enacts a new section 5ab which will provide that whenever the Commissioner finds that as a consequence of amendments to the Act tax has been overpaid, the Commissioner may refund the amount of the overpayment.

Clauses 4 and 5 amend sections 31f and 31i of the principal Act so as to lift the exemption level for rental duty from $1 250 per month to $2 000 per month.

Clause 6 relates to section 59b of the principal Act. Section 59b of the Act presently levies duty on certain transfers of shares recorded in branch registers of companies that have their principal registers in South Australia. However, the section may be avoided by a company locating its principal register in another State or Territory where such duty is not levied. The section is to be amended to ensure that all transfers (other than those arising from exempt entries) will be dutiable, no matter where the register is situated. The legislation is modelled on a similar provision in Victoria. Several other States have comparable provisions.

Clause 7 relates to the concessional rates of duty for 'First Home Buyers'. The amendments will provide for the application of the relevant provisions to those persons who apply for a concession on or after 9 August 1989, in respect of a conveyance first lodged for stamping on or after that date. The level of exemption is to be raised to $80 000. Furthermore, new subsection (2b) will make it an offence to knowingly include a false or misleading statement in an application under section 71c of the principal Act.

Clause 8 alters references to 'The Stock Exchange of Adelaide Limited' in section 90a of the principal Act to the 'Australian Stock Exchange Limited', which is now the proper name for the stock exchange operating in Adelaide.

Clause 9 alters various references in section 90g of the principal Act that are consequent upon the restructuring of the stock exchange in the United Kingdom. Amendments will also update terminology under the section by changing references to 'a jobber' to 'a market maker'. The amendments will also clarify that the provisions only apply to persons, firms or corporations who are market makers when they are acting as agents.

Clause 10 is related to the introduction of the Flexible Accelerated Security Transfer system by the Australian Stock Exchange. The purpose of the amendment is to exempt from conveyance duty a transfer of an interest in a marketable security to or from a broker under the scheme.

Mr OLSEN secured the adjournment of the debate.

PAY-ROLL TAX ACT AMENDMENT BILL

The Hon. J.C. BANNON (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Pay-roll Tax Act 1971. Read a first time.

The Hon. J.C. BANNON: 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

Last year the Government increased the pay-roll tax exemption level in two stages from $270 000 to $330 000. This year the Government has resolved to raise the exemption level once again by stages. From 1 October 1989 pay-rolls up to $360 000 will be exempt and from 1 April 1990 the exemption level will be raised to $400 000. The increases in pay-roll tax exemption levels are an indicator of the Goverment's determination to maintain and improve the competitiveness of South Australian industry and encourage employment in this State. Therefore it is important that they do not fall behind the levels of other States.

However, in the final analysis it is the total amount which industry is required to pay in taxation which influences its competitiveness and its capacity to offer employment. The Government is well aware of this and has exercised careful control over its budget outlays in order to ensure that the maximum rate of pay-roll tax remains at 5 per cent. South Australia and Queensland remain the only two States which do not impose a pay-roll tax surcharge on larger employers. This is an important advantage for South Australian employers and a significant factor in our discussions with potential new investors.

The benefit to taxpayers of raising the exemption level to $400 000 will be about $10 million in a full year. Since February 1986 significant development has been undertaken in an attempt to establish the Australian Traineeship System as an acceptable entry level training strategy in both the private and public sectors in South Australia. However,

much further work remains to be done if traineeships are to become firmly established across the many occupations for which there is currently no structured entry level training arrangements.

It is essential to expand further the number and range of traineeships operating in South Australia. Currently, there are some 750 young people employed in traineeships. It is hoped that during the next three years the range of traineeships and the number of young people employed in them can be significantly increased. This is particularly important at a time when youth unemployment for 15 to 19-year-olds is running at an unacceptable level.

The Government takes the view that it would assist in the development and extension of traineeships in this State if the provision for pay-roll tax exemption for these trainees which was in place until 30 June 1989 was extended for a further three years. Accordingly provision is made in this Bill for such an extension. The precise amount of the benefit to taxpayers is difficult to estimate since it requires an assessment of the number of extra trainees likely to be employed and the percentage of those trainees who will be employed in tax-paying organisations. However it is reasonable to adopt a figure of $215 000 for 1989-90.

Clause 1 is formal.

Clause 2 provides that the measure will be taken to have come into operation on 1 July 1989.

Clause 3 amends section 11a of the principal Act to raise the general exemption levels under the Act. The current exemption level will rise from $27 500 per month to $30 000 per month on 1 October 1989. A further rise to $33 333 per month will occur on 1 April 1990.

Clause 4 extends the special exemption under section 12 (1) *(db)* of the Act that relates to trainees under the Australian Traineeship System to 1 July 1992.

Clause 5 amends the definition of 'prescribed amount' that applies under sections 13a, 13b and 13c of the Act. The amendment is consequential on the amendment in clause 3 and ensures that pay-roll tax is calculated on wages received over a complete financial year.

Clause 6 lifts the prescribed amount under section 14 of the principal Act from $5 700 per week to $6 900 per week. An employer who pays wages in excess of the prescribed amount must register under the Act.

Clause 7 replaces section 18k of the principal Act (relating to groups of employers) so that the section is consistent with the other amendments effected by this Act.

Mr OLSEN secured the adjournment of the debate.

LAND TAX ACT AMENDMENT BILL

The Hon. J.C. BANNON (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Land Tax Act 1936. Read a first time.

The Hon. J.C. BANNON: 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

Land tax for 1988-89 will be levied on the basis of land values at 30 June 1989. In many cases these values have increased quite sharply since 30 June 1988 and if tax rates are not changed the amount collected will rise from a little less than $64 million in 1988-89 to about $111 million in 1989-90. Many of the complaints which are made about land tax appear to be based on the misconception that the Government sets the values on which the tax is levied. In fact these values are set by the Valuer-General who bases his valuations on market values and, who acts independently of the Government and whose independence is protected by the Valuation of Land Act.

Moreover that Act provides landowners with the right to lodge a formal objection with the Valuer-General against his valuation of their land. There is no limit on the time in which an objection may be lodged. The Act also provides owners with the right to apply for a review of the valuation by a licensed valuer and to appeal to the Land and Valuation Court against the decision of the Valuer-General or licensed valuer. A refund of tax overpaid would be made on application to the Commissioner of State Taxation if an objection, review or appeal resulted in the valuation being reduced.

In setting values, the Valuer-General relies on the best evidence available to him from recent sales which have taken place in the market. Therefore, his values reflect the views which buyers hold about their prospects for securing a return from the land. The Government has adjusted land tax in three of the last four budgets in order to relieve some of the impact of rising land values. Whilst these measures cannot insulate small businesses from market forces they can provide them with breathing space in which to adjust.

The Government has no intention of interfering in the valuation process or altering values for taxation purposes. The only consequence of such action would be to reallocate the burden of taxation away from those who have gained most to those who have gained least. This would be a perverse outcome and one which would run counter to what the market is telling us about the distribution of the tax burden. However we are prepared to make changes to the rates of tax to help landowners.

The present tax scale has only three steps—

- an exemption for the first $80 000 of value
- a rate of 1 per cent applying between $80 000 and $200 000
- a rate of 2.4 per cent applying to that part of the value above $200 000.

It is proposed that the exemption level remain unchanged. The rate of 1 per cent will be halved to 0.5 per cent and the rate of 2.4 per cent will be reduced to 2 per cent. In addition there will be rebates of tax applying for the financial year 1989-90. The rebate applying to that part of the tax payable on the value of land up to $200 000 will be 25 per cent and the rebate applying to tax payable on the value of land above $200 000 will be 15 per cent.

The question of land tax payable by lessees under long-term leases has been the subject of discussion for a considerable length of time. The issue dates back to the operation of the Planning and Development Act 1966 when owners of freehold land who were unable legally to subdivide their land into freehold allotments, such as shack sites, were able to achieve much the same result by selling long-term leases for a lump sum. Lessees, other than the holders of perpetual leases, are not, however, recognised as 'owners' under the Land Tax Act and in consequence the land tax that is passed on to them tends to be higher than they would pay as individual owners, because the tax rate reflects aggregated values of all land owned by the lessor.

In some instances the tax has been quite onerous. At Murray Bridge and Meningie, for example, there are a number of lessees who are required to pay several hundreds of dollars annually in land tax. Several suggestions have been made for solving this problem. The first is that the land

revert to the Crown and be made available to the present occupiers on a perpetual lease basis. This was rejected on the grounds that it would impose too many obligations upon the Crown.

The second is that the leases be converted to a freehold basis. This was rejected on the grounds that the land in question is still environmentally sensitive and unsuitable for subdivision. The third option is that the Land Tax Act be amended in the manner proposed in this Bill so that lessees of shack site land where the lease in question is registered on the title as at 30 June 1989 be treated as owners for the purposes of the Act.

This proposal will mean that persons who are resident on the shack site land will be able to claim the principal place of residence exemption from land tax provided they meet the other criteria. Most other lessees (who own a house as their principal place of residence and also lease a shack site) will be required to pay no tax since their properties will be assessed individually and will fall below the general exemption threshold.

The benefit to taxpayers of the amendments to the land tax scale and the rebates proposed for 1989-90 will be about $41 million. The benefit to taxpayers of treating lessees of shack sites as owners will be about $170 000 per annum.

Clause 1 is formal.

Clause 2 provides that the measure will be taken to have come into operation at midnight on 30 June 1989 (the time at which land tax is taken to be assessable).

Clause 3 amends the section of the Act that sets out the definitions required for the purposes of the Act. It is proposed to amend the definition of 'owner' of land to include the holder of a shack site lease. A shack site lease will be a lease for the occupation of land for holiday, recreational or residential purposes where the land is situated on or adjacent to the Murray River system, the lease was, as at midnight on 30 June 1989, registered over the relevant land, and the lease is for a term of at least 40 years.

Clause 4 amends section 12 of the principal Act in two respects. First, the scale of tax is to be changed. Secondly, a partial rebate of tax is to apply in relation to the financial year commencing on 1 July 1989.

Mr OLSEN secured the adjournment of the debate.

PRISONERS (INTERSTATE TRANSFER) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 March. Page 2252.)

Mr S.J. BAKER (Mitcham): The Opposition supports the proposition before the House. The legislation provides that persons who wish to be accommodated in a prison in their home State where family and friends reside and who has been convicted and sentenced in another State can have the facility, should all parties agree, to be transferred to another prison closer to his home. We see no difficulty with this measure. This is the last State to introduce this model set of rules that will enable this to occur. This is a humane gesture and it is appropriate.

Looking at the Bill, I was reflecting on the situation in Singapore, Thailand and Malaysia where there are probably a few Australians who, having felt the wrath of authorities in those countries, would wish for this sort of proposition so that they could get out of facing the firing squad, the noose, or an indefinite sentence within those prison systems.

I have one concern, which I will raise in the Committee stage, relating to the disposition of prisoners whilst in that State of transfer or when they have been transferred to another State. Last night we debated the sentencing Bill and talked about another set of procedures relating to the sentencing of prisoners. Will the Minister explain how other States will interpret these rules when they get a prisoner from this State? However, in principle, the Opposition supports the measure. It is sensible and quite desirable as long as the rules are explicit before we start.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support of this measure as described by the member for Mitcham. This measure forms part of model provisions which have been prepared by Parliamentary counsel not in this State, but across the nation. It has now been enacted in Queensland, Tasmania, Western Australia and New South Wales. This Bill conforms with those model provisions, albeit with minor changes to reflect South Australian law. However, it is part of the Commonwealth-State agreement reached by Ministers some time ago to provide uniform legislation. This Bill amends that uniform legislation relating to the inter-State transfer of prisoners to provide a transfer mechanism for persons imprisoned for Commonwealth or joint Commonwealth-State offences.

Bill read a second time.

In Committee.

Clauses 1 to 22 passed.

Clause 23—'Translated sentences.'

Mr S.J. BAKER: My question relates to a matter that I raised during the second reading debate, that is, how do other States interpret our crazy laws? Last night we dealt with the sentencing Bill. We now have three sets of rules as to when a minimum sentence should be served. For all prisoners prior to 1983 we have a non-parole system, which means what it says. From 1983 to 1989 we have a mish-mash, but it generally revolves around the fact that a prisoner can get a one-third dispensation off the non-parole period and be released at the end of that time if he behaves himself in prison. We now have the latest amendment, which I presume will succeed, where we talk about minimum sentences. What other procedures will be followed regarding the time that prisoners should spend in gaol?

The Hon. G.J. CRAFTER: I refer the honourable member to clauses 27 and 28 of the substantive legislation, where it is deemed that the sentences of those persons were as if they had been imposed in this State. It is the sentence that would have been proposed here that forms the sentence. I think that covers the concern that he expressed to the Committee.

Mr S.J. BAKER: I thank the Minister for that explanation. I presume that every prisoner who goes interstate will be accompanied by an extensive resume of the sentencing procedure that he has undertaken. Obviously no other State could possibly interpret the law here, because we have so many different sets of rules operating for prisoners who have been in the system in both the long and short-term.

I presume the Minister is saying that each prisoner will be accompanied by a description of how our system operates, and that we expect the receiving institution to treat the prisoner in exactly the same fashion, irrespective of the laws which operate in that State.

The Hon. G.J. CRAFTER: The honourable member has misunderstood what I said. The sentence does not travel with the prisoner: under sections 27 and 28 the sentence is deemed to be administered by the law as it applies in that

State. I urge the honourable member to read those two sections, which will clarify the situation.

Clause passed.

Clauses 24 to 26 passed.

Clause 27—'Arrest of persons who escape from custody.'

Mr S.J. BAKER: Will the Minister clarify how the State of New South Wales will handle a prisoner who has come from South Australia? I will give him an example: a prisoner has served two years of a 15-year sentence, having been given a non-parole period of six years. How will that prisoner be dealt with?

The Hon. G.J. CRAFTER: I refer the honourable member to section 28 where he will find that, if the court imposed a sentence of, say, six years, and that person is transferred to New South Wales where there is not a similar provision as that which applies in South Australia, the South Australian sentence must be served to the extent provided under South Australian law, regardless of some concession which may be available in New South Wales to other prisoners in similar circumstances.

Mr S.J. BAKER: I gave the Minister a very good example: can he be more specific? I suggested a case of someone having a head sentence of 15 years, of which he has served two years, with a non-parole period of six years. Under the rules pertaining in this State, this individual would have been out of gaol in four years. Would he serve another 13, another four or another two years in New South Wales? It is fairly pertinent, and prisoners would be delighted to know.

The Hon. G.J. CRAFTER: I apologise if I misled the honourable member in my first explanation. I will try to explain the situation as I interpret section 28, but one must be careful of taking hypothetical cases in this context without looking at the provisions which may apply in other States. As I understand it, the South Australian sentence stands and the non-parole period similarly stands for that transferred prisoner, but the administrative provisions which apply for that State (for example, New South Wales) would then be applied to that prisoner, to that prisoner's sentence and to the non-parole period.

Mr S.J. BAKER: If a New South Wales prisoner were given the same deal, namely, 15 years head sentence with six years non-parole period, and he had served two years in New South Wales, would that mean that when he came here he would be released after another two years, or one-third of the four years remaining on the non-parole period provided that—

The Hon. G.J. CRAFTER: The reverse situation is that the administrative provisions apply in South Australia. One could imply that with respect to some States there is a likelihood of a lesser period of sentence served under South Australian law as opposed to the law which would have applied in some other State. Obviously, that is a matter which is taken into account before a decision is made to transfer a prisoner, as well as the genuine reasons why one should accept the transfer of a prisoner.

Mr S.J. BAKER: How much would he serve with remissions? That was the question I asked.

The Hon. G.J. CRAFTER: That must be calculated in each case.

Mr S.J. BAKER: I am amazed that the Minister continually comes into this Chamber with inadequate information. We have a reasonably important Bill here which I was going to give a clean bill of health because, on the face of it, it looks reasonable. However, I am concerned as to how the administration of sentences will be handled, because we do not have uniform sentencing procedures throughout Australia. I put a very reasonable proposition to the Minister of a New South Wales prisoner coming to South Australia, yet the Minister cannot explain to me what that prisoner would face in this State; whether the two years he has served would be counted towards the total sentence and, therefore, under our laws would count towards the non-parole period, or whether his remissions would start as of the two years and he would serve two-thirds of the remaining four years. It is obvious that, under the system operating in South Australia, any interstate prisoner would be mad not to choose South Australia as home base, for a whole range of reasons.

I now have concerns about this provision, because it seems to me that, unless the original proposition is upheld by the State of receipt, these people will be shifting to States where they can obtain some advantage, for all the nefarious reasons in the world. It will take much sorting out to determine whether the prisoner is genuine. I am sure that most prisoners could find a girlfriend or a strong bosom buddy who resides in the State where there is a natural advantage.

Because of the way South Australia's laws are structured, we could present a haven for prisoners interstate. I do not believe that the taxpayers of South Australia should bear the burden of accepting interstate prisoners if we are not going to uphold the principles under which they were sentenced in the first place. We get back to the same old problem: prisoners who have been given a sentence, and eventually it will be a minimum sentence in South Australia, through certain arrangements will be able to avoid even that minimum sentence. I would reverse my approval for this proposition and say that I am most concerned about it on the basis that, if our administrative rules relate to interstate prisoners, the prison system in South Australia is due for a further overload.

The Hon. G.J. CRAFTER: Clearly, the honourable member has not read the legislation. Last night he was alleging that judges were incapable of calculating the appropriate sentences for prisoners before them: today, he is alleging that those in the correctional services institutions are not capable of making similar calculations and then applying them with respect to periods of sentences.

Section 28 sets out in some detail the law that will apply with respect to the calculations that have concerned the honourable member. For example, in New South Wales there will be a sentence, a non-parole period and remissions earned for the period of sentence served in that State. The prisoner will bring that to this State with him or her, and a calculation will be made with respect to the remissions earned in this State under this State's law. Then, a final determination of the period of the sentence, will be made.

An honourable member interjecting:

The Hon. G.J. CRAFTER: In some circumstances that may be so, but there may be prisoners in South Australia who wish to go to Queensland for other reasons, and so on. The fundamental issue is the reason why the prisoner should be transferred from one State to another. There should be a mechanism for that to occur. It should be administered prudently. I can assure the honourable member that that is the case in this State.

Clause passed.

Remaining clauses (28 and 29) and title passed.

Bill read a third time and passed.

SUMMARY OFFENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 9 August. Page 140.)

Mr S.J. BAKER (Mitcham): The Opposition gives lukewarm approval to this proposition; whilst it is a step in the right direction—

The Hon. R.G. Payne: It is always lukewarm.

Mr S.J. BAKER: No, sometimes I am enthusiastic. This time, I am not particularly enthusiastic because I do not believe that the Bill addresses the problem that it is meant to address. The major offence of unlawful operation of computer systems is dealt with under the Summary Offences Act. I will not spend much time detailing the sort of transgressions that can occur with computer operations; however, I will say that this Bill is but one small step. And there is a possibility of conflict. Proposed new section 44 provides:

(1) A person who, without proper authorization, operates a restricted-access computer system is guilty of an offence.

(2) The penalty for an offence against subsection (1) is as follows:

(a) if the person who committed the offence did so with the intention of obtaining a benefit from, or causing a detriment to, another—$2 000 or imprisonment for six months;

(b) in any other case—$2 000.

I will address the conflict situation. I do not know whether, for example, this provision will cause difficulties in the case of fraud. Fraud, which is covered by the Criminal Law Consolidation Act, normally covers those cases where the computer has been used to defraud a company. This Bill specifically addresses computers. Does it take precedence over the existing provisions of the criminal law? I do not know that; I am not a lawyer. If a person uses, or has access to, a computer to obtain funds illegally, which provisions come into force? If this legislation takes precedence, the offenders will be subject to a very low penalty, because the maximum fine is $2 000.

I am a little unhappy with this Bill because it does not come to grips with modern technologies. I guess it is a little bit like the *in vitro* fertilisation legislation, which was introduced many years after the technique was perfected; the Parliament had to grapple with the problem created by the scientists. The problem of access to, violation of and manipulation of computers has been with us for many years. Even during the 1960s it was possible to do smart things with computers. Therefore, the problem has been around for a good 25 years, but only now are we recognising computer offences within the criminal law.

My major beef with this legislation is not that it does not attempt to do something about the problem but that it tries to do something fairly ineffectually. I note that the Victorian legislation covers unauthorised access, but this Bill does not. This legislation addresses the person 'who, without proper authorisation, operates a restricted-access computer system'. There are two important words in this clause: first, the word 'operates'; for which there is no definition; and, secondly, 'restricted-access'. I am not suggesting that we should depart from the proposition relating to restricted-access at this stage, although I believe that we must address the wider question of confidentiality of information at a later stage. That may require the use of a term that is far more encompassing than 'restricted-access'.

For example, on the computer in my office I have a number of pieces of information. I am happy to have them on my computer, because I know the codes. I would like to think that no-one would sit down and go through all the codes, because I am sure that, if the information was revealed, some of it would be quite embarassing because of its confidential nature. I do not want to put a restricted access stipulation on that information. I do not believe that my privacy should be invaded by someone sitting at my machine and tapping the information therein. That is a principle and it is difficult to incorporate such a principle in the law. However, the issue must be addressed a little bit further down the track.

There are many other examples where people gain access to computers by a number of devices. Whether the law would interpret that as 'operating' a machine is doubtful. I remember reading in a newspaper recently where financial institutions are putting steel shutters around their computer installations, because people using listening devices are able to pick up the impulses emitted by the machines.

I have never seen these listening devices and I have tried to think how such machinery could be so sophisticated, but it must exist. The banks say that there is a problem, so there must be a problem. They have not touched the computer systems at all. They have merely drawn off the data by means of a listening device.

There are other means of drawing off data by tapping into lines that would not come within the ambit of this legislation. I refer especially to the word 'operate'. To me, the word 'operate' means not to look something up, to get data by means of an obscure listening device, or to draw data through some interaction with the modem or with the line itself, so I do not know how the courts will interpret this legislation. For example, in the banking sphere no-one talks about computer crime. Various articles have suggested that literally millions of dollars each year are dragged out of the financial institutions by means of computer techniques, one of the most famous being the dud accounts—the transfer of a fraction of a cent on transactions or even just a simple cent, which could result in large sums being accumulated.

That matter would normally be handled under the criminal law as fraud, but every member knows that the financial institutions do not bother prosecuting such people because they believe that by prosecuting the offender they will show how vulnerable are their systems. So, the people committing the frauds invariably escape with large sums and little redress from the system. There must be changes to the way in which we approach criminality in this country if it continues on the path along which I see it developing at present.

Returning to the Bill: my chief concern is whether there is a conflict between this Bill and the criminal law and whether we have taken one step and are saying that we are solving the problem by means of this legislation when really we have not taken a large step at all. So, I do not want the Government to rest on its laurels and say that it has solved the problem by having something written down. I want the Government to think about this even though it has only two or three months to do so. However, I should like to think that the Government will bring back to Parliament a far more powerful proposition that tries to redress some of the difficulties caused by modern technology in the form of computers. So, the Minister will understand that, although I support the Bill, my support is lukewarm because I do not believe that enough thought and energy has been put into this matter, which is so important to many people.

While visiting Japan, I talked to officers of some of the high tech companies and I felt concerned about the future control by computers on our lives. The people in the major companies in America freely admitted that they would have central data banks and that it would reach the stage where the person could sit at home and do almost everything. That concerned me, because much life has been taken out of the Japanese people, at least by the things being planned and put in train for them. We are living in an increasingly complex world and it is important, despite that complexity, to lay down strong legal principles stating that certain off-

ences shall not be tolerated. I believe that we have a long way to go in that regard.

The Hon. M.J. EVANS (Elizabeth): I do not want to detain the House for long on this Bill, which is a reasonable attempt to address problems that are now becoming known in the general community. However, I agree with the previous speaker that we have a long way to go in properly formulating a response to the computer industry and the opportunities for crime that it creates. In this regard I refer not only to the opportunities for crime, because in many ways that is the simplest aspect. After all, straightforward criminal activity is relatively easy to address in law even though it involves the application of high technology equipment. We must go beyond that and I believe that the repeated use of the straightforward criminal law as though computers were chattels in the normal sense is not enough.

I realise that in law computers are simply items of property, but in many ways they go well beyond that. One may compare them to a library of books, to a register of facts and figures or to a manually kept data base on filing cards, but computers are far more than that. Although many people will try to use computers in simple straightforward fraud or theft, those things can be adequately addressed by the previous amendments to the Criminal Law Consolidation Act or, in trivial cases, by reference to the Bill before us.

However, there is a far broader matter that the House needs to consider: simply the way in which computer systems will be used in future to compile information and to interfere with the privacy of the average citizen. There is no doubt that the present response of the Government to this issue of privacy, the proclamation by His Excellency the Governor concerning an internal privacy committee, although an interesting and maybe even useful first step, simply does not even begin to attack the problem. Although I have the greatest respect for the individuals concerned, I point out that the members of that committee are officers of the Public Service, which automatically gives them a self-interest in the matters coming before them.

Further, they do not bring a wide range of expertise to the issues. Although fully professional officers, the committee members do not include among their total membership a wide range of broad experience on the privacy issue and I believe that it is essential that they should. The very issue of freedom of information is not one that the Government has been willing to tackle boldly and innovatively. We have administrative freedom of information in a limited sense, just as we have limited privacy committees with a limited brief.

Although as a first step I accept that as a useful proposition, it appears to be the only step on the horizon and we need to go well beyond that in order to provide statutory backing for the establishment of a privacy commission to formulate solid legal principles on which we can move into the high technology age.

Citizens are entitled to be protected from what is now feasible with the marshalling of artificial intelligence and electronic data processing in ways never possible under the manual system. It is now feasible for individuals and certain companies, and it is almost compulsory for Governments, to attract large amounts of information on many people. The way in which computers enable that information to be marshalled at a moment's notice is simply awesome. One needs only to consider credit card companies and the potential for tapping into credit card data bases. As these things become more commonly used by individuals, by tracking a person's purchasing history by means of bankcard, Visa, American Express, or whatever, one could compile a whole lifestyle analysis not only of that person's socio-economic status, but of travel and personal habits. A whole variety of facts and figures could come forward from that alone and we are entitled to be protected from that sort of thing.

Does this Bill make adequate inroads into the potential for those who have the proper authorisation but who choose to misuse the information collected? The prosecution of such a person under the Bill requires only that the person lack the proper authorisation to operate the restricted access computer sytem. If the employee of a company has the requisite authorisation to operate the system but chooses to misuse the information, is such a person in fact within the law as it would stand if this Bill became operative?

That is a very important question, because the information in the bankcard computer is fully open to a bankcard employee. They have the proper authorisation to interrogate the data base. If they do so without destroying or altering any of the information they do not breach the computer trespass provisions of the Criminal Law Consolidation Act and, because they have the requisite authorisation, it appears that they do not breach the provisions of this Bill. This is of concern to me. It is also quite feasible for an employee to insert a backdoor password in the computer system when consultants are used to provide computer software programs for other companies, as happens these days. It would not be unreasonable for such a consultant to insert a backdoor password into the system known only to himself or herself and to operate that at some time in the future, thus getting authorised access to a restricted access computer system and then having access to all data on that system. It is no longer necessary to destroy or alter data to have a very adverse and unfortunate effect on people's lives. Access to that system alone is enough to do real mayhem with someone's privacy.

I wonder about the effect of a program that required another computer to access a third data base. It is quite common these days for one's personal computer to access a computer operated by Telecom, which accesses a computer operated by OTC, which accesses a computer operated by a network in the United States, which then transfers access to a further computer. Who is really operating the computer, especially if it is done under software control and not under the personal control of an individual?

I am further concerned about the potential for individuals to manipulate those systems in a way that does not fall foul of the law because the law has not been subject in this case to intensive scrutiny. This is in many ways an *ad hoc* response to a pressing current problem. While I appreciate that in fact it does deal in a fairly simple and effective means with many of the more common cases that have appeared in the media, it does not represent a reasoned attack on the whole problem before us. I hope that the Government will be looking very seriously at upgrading its privacy committee to give it legislative backing, updating its freedom of information legislation to give it statutory force and effect and creating a body of computer law that takes into account the way in which modern computers operate.

There is no doubt times have changed and the old common law basis and principle, which we are amending only at the margins, is simply not adequate any longer. I would have thought that the way in which this was drafted would present us with real difficulties of proof at the stage of prosecution. It would be very difficult to know, for example, if someone has added the restricted access provisions after the alleged offence took place, having discovered that someone has entered a computer system and examined the data thereon in a way in which one did not want. It would be

quite simple retrospectively (and a Government is not above this action) to insert in a computer itself a restricted access provision. There would be absolutely no way for anyone to determine the date on which that restrictive access code was inserted—no way at all—because the file itself can be backdated, as can the legislation.

There is no way of knowing on what date that restricted access system was placed in the computer in question. It is feasible that it will be difficult to demonstrate those standards of proof. I would not want to be a lawyer prosecuting a case such as this, because proving when the system was put into place, proving that the system operated to effectively deny access to the individual who, it is alleged, improperly obtained access is another matter entirely. While the concept is reasonable and simple—and that would normally be a good criteria for law—it does not really demonstrate a full understanding of the way in which modern computer systems work. There will be some very interesting court cases. I would not want the Minister to come back here with a retrospective amendment to fix up computer access provisions, as has occurred with other provisions, because I do not know that this will address all issues we will come across.

I hope that it is only the start of a much more thorough examination of this very complex area of the law, which I believe will eventually warrant, if it does not already warrant, the introduction of a complete statute in itself. The member for Mitcham was quite right to draw attention to the fact that one does not have to operate the system to draw information from it. The device to which he referred is simply an easy way of picking up radio frequency spectrum emanations from a video display unit or a transmission line. It is easy for a person to park a van outside a company and, in a public place, to eavesdrop on a computer terminal and to have a complete transcript in front of them of whatever passes over the screen on that computer. That would not require one to operate the system in any way, shape or form.

Those difficulties must be examined seriously. I am particularly concerned about the insertion of restricted access after the event, because I do not know how we will ever prove on what date the system was inserted or how the system operated at the time and attempted to deny access to the person who subsequently gained access. Whilst I like the simplicity and relevant ease of the Bill—that is normally a good legal principle on which to operate—I do not know that it suits the time and circumstances in which we find ourselves.

The Hon. G.J. CRAFTER (Minister of Education): I thank members for their indication of support for this measure and for their contributions. I note that the member for Mitcham, who said that he supported the previous Bill, decided that he did not support it, then voted for it, and subsequently said that he was lukewarm about this Bill. His colleagues in another place support it, albeit with some reservations. The contribution made by the member for Elizabeth similarly pointed to reservations about the breadth and scope of the measure before us. I refer honourable members to the second reading explanation wherein it was stated that there would be a review of the law in this area. Obviously, that is a matter of concern not only in our jurisdiction in this country but also around the world. As new technologies are developed, new opportunities for intrusion into the information contained in computer banks and other information electronically stored and transmitted becomes the subject of fraud, interception and misuse.

The Attorney-General has indicated that the law of larceny and related offences is currently being reviewed and that one of the aims of the review is to ensure that there are no gaps in the law in relation to fraud effected by means of computer. Obviously the matters that have been raised by members will be taken into account in that review. Indeed, a view exists in our community that the law has no place intruding to the extent that we are currently proposing. Many arguments are advanced along those lines. It is interesting to note that the Opposition in the 1970s strongly opposed the enactment of legislation to create a right of privacy in this State. Now, by various means, the right of privacy is being granted to more and more citizens, albeit not in a general enactment of right of privacy but in specific areas of our daily life.

As the member for Elizabeth has said, our dependence on access to computer information and its proper use have become a part of our ordinary life. People in this State, and therefore the law, should take a clear interest in this area in order that our citizens may be protected.

I note the concerns raised by the honourable member with respect to situations where servants of organisations misuse or have improper access to that information. The second reading explanation also places some onus on the owner of the computer. In the case to which the honourable member referred, onus is placed on the employer to restrict access and to ensure that there are safeguards on computer systems to prevent their misuse.

There is a limit as to how far the law can intrude into the workplace in these situations, and some onus must be placed on the employer. Rather than seeking remedies in the criminal law after a crime has been committed, the best way to stop crime is to prevent it before it occurs. With respect to computer crime, it is largely up to the operators to ensure that their systems are secure and that those systems are in place. I commend this Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Unlawful operation of computer system.'

Mr S.J. BAKER: Why did the Attorney-General decide to use the word 'operation' rather than 'access' as the prime vehicle for describing the offence? There is a big difference between the two words. Why did he not include both words in the legislation, as is the case in Victoria?

The Hon. G.J. CRAFTER: I can only assume that the Attorney-General accepted the advice of those who drafted the legislation that that was the appropriate terminology.

Clause passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

The Hon. G.J. CRAFTER (Minister of Education): I move:

That the House do now adjourn.

The Hon. R.G. PAYNE (Mitchell): I wish to raise a problem about people who go to New South Wales for the purpose of hunting or shooting. These people might not know that they could be in for quite a torrid time with the New South Wales police. The best way to illustrate this problem is to highlight an incident involving four of my constituents who actually ventured into New South Wales earlier this year. They had a number of weapons which they intended to use for lawfully shooting rabbits, wild pigs and

kangaroos. As far as South Australia was concerned, they had all the permits necessary, and they blithely moved into New South Wales.

Perhaps one of the mistakes that they made was to call at a small town near Broken Hill and to inquire at the local hotel whether any properties in the area required the services of a shooter. I know that members who represent country areas would understand that this is not an uncommon practice where vermin may have to be eradicated. In those circumstances, a pastoralist or a farmer might be glad to have the assistance of *bona fide* people. I understand that rabbits killed in that way are readily sold in nearby towns at a price reasonable to both the buyer and the seller.

My constituents were told that a certain property some distance down the first dirt road on the left of the road out of town would be very anxious to acquire their services. They followed the procedure they had always adopted in South Australia: after setting up at a suggested campsite, they decided to go to that property and seek permission to commence shooting operations the next day. As it was then 7 o'clock at night, it was dark. As they proceeded along the dirt road, they were bailed up—and that is the only term one could use—by some powerful headlights and a spotlight. They were ordered to stop. When they pulled up, they noticed a four-wheel drive vehicle which had some markings indicating that it was a New South Wales police vehicle.

A person wearing the uniform of the New South Wales police then approached their vehicle and told them to get out of it. One of the party was a female and, with the support of her three male companions, she declined to leave the car. They did not want her to get out, because there was some concern about whether these people really were policemen. A number of other people were also milling around in the background. The weapons were then called for and were handed to the police officer who placed them on the bonnet of the vehicle in which apparently he had arrived. These weapons were then passed around among the civilians who were in the area and who made various comments about the weapons' capabilities.

No weapon was loaded, and no weapon was in an unsafe condition. Further, the weapons were not unlawful in South Australia, because the necessary permits were held for them. These people were accused of shooting recklessly and other accusations were made. All weapons except one, which was a bolt action 303, were confiscated. These people were not given any receipt and nor were they told anything other than, 'You will probably hear about this in four to six weeks time. In the meantime, get back to your camp and get out of here.'

When I made my initial inquiries about this incident I thought that it related to the Wild West in almost another century, because it seemed to hark back to the days of deputies being hurriedly sworn in on the spot to lead posses, but apparently that was not the case. I first wrote to the New South Wales Minister of Police (Hon. Edward Pickering) and I received a very courteous response and acknowledgment.

Some time after that, I received a further submission from the acting Minister—because Mr Pickering was apparently away from Sydney on ministerial business—saying that the matter had been referred to the New South Wales Ombudsman. In my opinion, I do not think one would have much luck with the Ombudsman in New South Wales, because I was advised by telephone that he did not propose to proceed any further. I did not think that that was a reasonable response in reply to a letter from a member of Parliament in South Australia who I assume is regarded as responsible. I hastened to make contact with the Ombudsman's office in New South Wales and was assured then by a Mr Greg Andrews of that office—I think he was the Deputy Ombudsman—that he would look further into the matter. As a result, I received this letter:

> Dear Mr Payne, I have received your recent complaints about police. Complaints of this kind are governed by the Police Regulation (Allegations of Misconduct) Act 1978. Under this Act, the Ombudsman is able to decide whether a particular complaint should be investigated, and is also able to direct the Commissioner of Police accordingly—

sounds good so far—

> I have reviewed Ms Gurley's decision—

and that was the original verbal advice that I received—

> and confirm that your complaint should not be investigated because there is no *prima facie* evidence of wrong conduct in terms of that Act.

Why the hell do we have an Ombudsman? If there were *prima facie* evidence of wrongful conduct, we would not need an Ombudsman, because we would take the necessary action—sue the police for the wrongful confiscation of a weapon or whatever.

I thought it worthwhile to point out that I am not satisfied. I do not think our Ombudsman would act in this way. I think we would get a better service. Of course, it may be a reflection of the volume of work in New South Wales at that time, so that some matters could not be pursued. In any event, I thought I should indicate my disappointment at what was involved. The four people I am speaking of were *bona fide* citizens and have not, as far as I have been able to establish, committed any unlawful act knowingly or with forethought. Presumably, they had breached technically some of the laws of New South Wales but, as I pointed out in discussions at the Ombudsman's office, I have crossed the border on many occasions into various States and I am damned if I have seen any notices up other than one or two that might refer to the transferring of fruit and that sort of thing. It does not suggest that you are entering another country when you go into New South Wales. Nevertheless, I think I am doing my civic duty—at least in respect of the readers of *Hansard*—by pointing out that if they are planning to go to New South Wales for such purposes as I have outlined, it looks as if they will require a lot more provision than one would have expected.

I wish to issue some commendation—as distinct from complaint—to the officers of the Highways Department involved in the widening of South Road, in the section which traverses my electorate: that is, south from the Emmerson Overpass through to Daws Road. Members would have travelled that road and they may have realised that, to widen that road and to change the overhead wiring to underground wiring, a lot of work had to be done—much of it in winter (which we have not quite emerged from in South Australia)—and, at the same time, keep traffic flowing, which is a task of significant magnitude. The officers of the Highways Department, and the overall engineer responsible, together with ETSA and Telecom, have carried out that work to an extent where we could finish on schedule and then provide much better road usage conditions to all those motorists using the road.

Mr LEWIS (Murray-Mallee): During the course of recent debates (my grievance during the debate on the Supply Bill, in particular) I drew members' attention to matters of great concern to me relating to the natural environment. I made the point that we should all do our best to ensure that the species can continue to survive on this planet, as long as divine providence or mother nature—or however you want to describe it—will allow. Sooner or later our species will

disappear from this planet, just as other species have done in the past.

We have a moral obligation to our fellow citizens on this planet, whether living in this State, nation or anywhere else, to ensure that as far as humanly and morally possible we do not destroy the essential infrastructure of life of which we are all a part. No-one can deny the validity of that assertion, and I have always argued that point.

Presently, we have legislation that, in some part, ensures the survival of species in a wide range of micro-climatic niches and other defined ecosystem niches. That kind of legislation is perhaps best illustrated by the native vegetation clearance controls that operate in this State at the present time. However, they are not being administered in the spirit in which they were first introduced into this State by this Parliament. At present, for instance, there are still more than 1 400 applications—many of them years old—that have yet to be dealt with. Either the Native Vegetation Authority does not have the resources to deal with those applications, or alternatively it is a deliberate policy of the Government simply to 'go slow' in handling them. Just because farmers or other landholders have made an application only and not bothered to cause trouble by making further inquiries into what has happened with their application it does not mean that those same people do not care: they do care. They just fear the Government, employees of the Government and the consequences of antagonising or ruffling the feathers of such people.

Country folk are simple folk in the way in which they go about their lives. They do not want to make trouble, and they do not believe in sophisticated or convoluted argument about whether or not they do this, that, or the other thing. I feel for those people as they suffer many adverse consequences of Government policy as it impacts on their lives, not the least of which is this legislation and the way it is being administered. I want the House to recognise that the native vegetation clearance controls not only ensure that we can legally compel landowners to retain certain areas of native vegetation to ensure its survival in perpetuity and other species of fauna and insects which depend on that native vegetation for their survival, but also we can do it for aesthetic reasons.

In the main, the retention of native vegetation at the present time can be considered to be done on such a large scale only if it is justified on aesthetic grounds, because clearly we have exceeded the amount we need to retain to ensure the survival of the species that depend on it. In either case—that is, for the survival of species or for aesthetic reasons—we need people who are the legitimate owners of the property on which that native vegetation is situated to keep it for our sake, and for the sake of the next generation and unborn children. That being so, we should—indeed, must—collectively as a community pay them something to do that for us. Indeed, legally we are obliged to.

However, at the present time the manner in which the Native Vegetation Authority is administering its Act is mean, mealy-mouthed, penny-pinching and obfuscating. In fact if there were any other civil adjectives that I could use to describe the way in which that authority is conducting its affairs I would use them. I do not approve of the way it is causing unnecessary heartache and hardship to large numbers of people—and not only to those people whom it has called in before itself in to consider the applications made by them. Those people are sat down in a forbidding boardroom and cross-examined on aspects of their application and then given no satisfactory reply. It has them in time and time again, but it is not only those few people who are in that class.

I am concerned about the huge numbers of the 1 400 who have not been in before the Native Vegetation Authority and whose future is insecure because of the authority's indifference to its responsibilities to deal expeditiously with those applications. The only way to get that process properly under way is to publicise the facts, and that is what I am setting out to do this afternoon.

There is another aspect that wrankles with me and, indeed, makes me very angry. In the Murray-Mallee the Native Vegetation Authority justifies the retention of native vegetation on the grounds that to remove any more of it would substantially contribute to the build-up of a large saline groundwater mound and that this mound would start to move from Geranium, Lameroo and Pinnaroo under the earth's immediate surface towards the Murray River and carry with it salts which have been brought in over the years by rain—all rainfall has some salt in it—and which had not been taken down by the Mallee to a depth below which the water could not move. In other words, according to this hypothetical argument, it would get past the root zones of pasture and crops and eventually find its way into the Murray River.

If that is true, it is equally true that water placed in evaporation ponds next to the river—not 150 kilometres away, not even 20 metres away or even barely 20 feet away—by the E&WS Department must find its way into the river. The disposal of the effluent from Murray Bridge, for example, is in that category. Hundreds of thousands—millions—of litres a year go into that pond to be evaporated and the salt and other residual compounds, other than sodium chloride, which are detrimental to the water in the river must ultimately find their way into the river. It is only 20 feet, not 150 kilometres. Yet the Government goes on with it.

Surely it would make sense to shift that water from the flood plain and put it further afield and use it for the purposes suggested by the Leader recently and by me in successive Estimates Committees over the years that I have been here, and that is to produce native vegetation for commercial purposes. It does not need to be firewood for fires. It can be hardwoods grown rapidly—the eucalypts will grow rapidly—for a number of lumber applications. It can be used for other species, too, such as the production of flowers, like Geraldton wax or banksias, but more particularly for the production of a very popular native plant for fencing purposes—brush. It is one of the melaleucas.

At present it is no longer permissible to cut or clear melaleuca in any great quantity anywhere in the Mallee. People have applications to go there and cut brush turned down repeatedly. This effluent water could be used to grow a salt tolerance species of melaleuca in abundance. There is a big market for it not only in Adelaide, but interstate—yet we do nothing about it. We have a means by which we can generate employment and make profits and dispose of these unfortunate wastes in the way that I suggest, yet we do nothing practical about it; we leave them there. To my mind, they represent a greater hazard and risk to the future quality of the water in the lower Murray, from which we pump about 80 per cent of Adelaide's water supply in some dry years, and all of it goes down towards Keith and the upper South-East and around to the peninsula, and we do nothing about it.

The ACTING SPEAKER (Mr Tyler): Order! The honourable member's time has expired.

Mr ROBERTSON (Bright): I want to pick up a point made by the Minister of Housing and Construction yesterday in answer to a question of mine about the advantages

of what is known as urban infill or consolidation and the vital part in that process being played by the South Australian Housing Trust. The Minister referred to the social impact of that program and how it allows people to stay within their own communities and retain their circle of friends, doctors, grocers, newsagents, Meals on Wheels services and so on. I want to go beyond applauding and endorsing what the Minister says to shed light on a major obstacle in the path of that worthy program of urban consolidation that has been pursued by the Government.

Throughout the inner ring of suburbs, such as Brighton, it is not uncommon to see houses, initially built in the 1910s, 1920s and 1930s, torn down and replaced in most cases by five or six, but in some cases up to eight, strata titled units. I support that. I think that private developers have a role to play in the urban consolidation process. Provided the quality of that housing is up to and beyond Housing Trust housing standards, I have no objection. What worries me and sticks in my craw is the amount of profiteering that is taking place when developers buy older houses in those suburbs and replace them with reasonably high quality units and sell them and make an excessive fortune on the transaction.

It is clear that there is a market for strata titled units. Several years ago I spoke to a lady in South Brighton who was selling her house. I asked her why she was selling it. She said, 'It is too big for me. The garden is too big, the trees at the back need to be maintained and I cannot cut the lawns any more. I need help to stay in my home, so I am moving.' I asked how much she was getting for her house and she told me $83 000. That seemed a reasonable price for a house in South Brighton as it was fairly old and needed some repair.

I watched with interest while the developer ripped that house down and replaced it with six units. When the sale sign finally went up, the cost was $83 000 for each unit. I am not suggesting that the developer made a profit of 500 per cent on the transaction, because it cost a good deal to build the units. However, if one can buy a block of land with a house for $83 000, pull down the house and put up six units and sell each one for $83 000, one is making a tidy sum.

Unfortunately, the market appears to vindicate that kind of profiteering. The units sell well because, in the upper end of the retirement market, there is not a great shortage of money and people are prepared to move. The great pity is that excessive profits that are being made by developers are blocking the system. They are holding back to create a high demand to maintain their profits rather than going ahead and building units as fast as they can to meet the demand that is clearly there.

Six months ago I asked a couple in South Brighton, who were clearly having difficulties in maintaining their house, why they did not sell. They informed me that to move out of their four-bedroom home into a one or two-bedroom unit in the same area would cost them money. It seems clear on the evidence that vast profits are being made. The only conclusion that we can draw is that developers are taking advantage of the market to make outrageous profits on units which are being developed in those suburbs, and certainly in the south-west.

My figuring suggests that units ought to be cheaper. One and two-bedroom units of that standard should be selling for perhaps $60 000 or $70 000 rather than $100 000. It is clear that in Hallett Cove, which I know quite well, it is cheaper to build a new home than to buy an established home. A block of land in Hallett Cove can cost $30 000 in the Karrara area. One can stick a four-bedroom home on that block for $55 000, or thereabouts, giving an all up cost of $85 000, plus a whole range of statutory charges.

When that house was finished and landscaped and after it had been lived in for a couple of years it would be worth at least $110 000, maybe more. The point remains that it is cheaper to build a new home anywhere in Adelaide than to buy an established home, yet developers keep building new units and charging the earth for them. The second reason why I believe that new units ought to be cheaper is that if they are on strata titles the land component of each package is, obviously, much cheaper. If six units are erected on the $30 000 block, the land cost of each unit would be $5 000, not $30 000, therefore it ought to be cheaper to develop strata title units.

The third reason why I believe it should be cheaper to develop strata title dwellings is that the building itself is cheaper. Again, if the cost of building a four bedroom home is $55 000, a one or two-bedroom home, regardless of the size of the other rooms, ought to be no more than about $45 000, given that the cost of a bedroom is about $6 000 or $7 000.

All those reasons lead me to suspect that units ought to be much cheaper than they are. The only conclusion I can draw is that developers are deliberately holding back, not meeting the market and deliberately profiteering at the expense of older people who, perhaps, can ill afford it. I have to ask what are the social results of this profiteering. It seems to me that older people are being stuck in the outer ring of suburbs and sometimes on the urban fringes at a time in their lives when they have less mobility, perhaps no longer drive cars, do not have the same ability to go to the shops, and are not as fit, healthy and mobile as they used to be. They find themselves stuck in these outer urban areas that have poorer public transport services than we enjoy in the inner areas.

As a result of that, people suffer from a whole range of things including lack of companionship, isolation—because they are stuck in their own dormitory suburbs all day while the two income families are out at work—and all the anxiety and insecurity which flows from that. The other social cost to arise from this profiteering is the sabotage of the urban renewal program. In the inner ring of suburbs we have virtually empty areas, which could be filled with older people, smaller families or one parent families but which are occupied by bungalows sitting on the quarter acre block.

That is a waste of the existing infrastructure. It is clear that the roads, gas mains, sewers and water mains can service higher density than they do service and, in practice, the cost of applying those services to the outer ring of suburbs is much greater. So, the infrastructure features of the inner suburbs are wasted. That is a very unfortunate concomitant of profiteering: the urban infill, the urban consolidation push, is being stopped in its tracks.

The other contributor, beyond the greed of individual developers, is the conservatism of some councils which, for whatever reason, refuse to countenance the idea of medium density development. They are locked into the quarter acre block mentality and seem incapable of realising that they would gain more rates if they allowed medium density living, and many councils in that ring of suburbs from Brighton in a concentric circle around the central business district are hanging on to the quarter acre blocks, doing everything possible to sabotage the urban consolidation move and contributing to the hurt and isolation felt by many people in those areas.

Motion carried.

At 4.33 p.m. the House adjourned until Tuesday 22 August at 2 p.m.